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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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Title 3—The President

PROCLAMATION 4522

Child Health Day, 1977

By the President of the United States of America

A Proclamation

This Nation was established to provide its people with the chance for better lives. Our early settlers and those who expanded the Nation westward bore their sacrifices and hardships with the assurance that in this free land future generations would enjoy opportunities still undreamed of.

The health of America's children today often determines what their future can be tomorrow. Over the years the number of deaths among babies has been drastically cut and we have made great strides toward eliminating the diseases and handicaps of childhood. We still have much to learn and accomplish, especially in the areas of birth abnormalities, child abuse, teenage alcoholism and drug addiction, lack of availability of medical care, and damage brought on by environmental factors.

But it is tragic for a child to die or endure lifelong handicaps from conditions we can prevent. Although such diseases as polio, measles, rubella, diphtheria and whooping cough have been subdued for the time being, they are not beaten. It is in our power to protect all our children, but nearly 40 per cent of those under the age of 15 are inadequately immunized. Some of these children will die or have serious disabilities and unborn babies will be permanently damaged from these preventable diseases and their complications.

No American child should die or suffer needless handicaps from diseases for which safe and effective vaccines are readily available. Neither should any child be deprived of adequate nutrition or a safe environment. While pushing back the walls of our knowledge and improving medical techniques may be restricted to scientists and medical experts, this is an area where every citizen can have an impact on giving our children the opportunity for better health, both now and in the years to come.

To encourage awareness of the fundamental necessity of a year-round program for the protection and the development of the Nation's health, the Congress, by joint resolution of May 18, 1928, as amended (36 U.S.C. 143) has requested the President to issue annually a proclamation designating the first Monday in October as Child Health Day and calling for its appropriate observance.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim Monday, October 3, 1977, as Child Health Day. I invite all Americans, as well as all agencies and organizations dedicated to the well-being of children, to unite on that day in support of activities that will alert each of us to our separate and collective responsibilities to protect and enhance the health of America's children and to provide them with the opportunity to live in safety and to grow up strong and knowledgeable about their own and their families' health needs.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord nineteen hundred seventy-seven, and of the Independence of the United States of America the two hundred and second.

Jimmy Carter

[FR Doc.77-27892 Filed 9-20-77;5:03 pm]

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

[Valencia Orange Reg. 574]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This regulation establishes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period September 23–29, 1977. This regulation is needed to provide for orderly marketing of fresh Valencia oranges for the regulation period because of the production and marketing situation confronting the orange industry.

EFFECTIVE DATE: September 23, 1977.

FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. (202–447–3545).

SUPPLEMENTARY INFORMATION: *Findings.* (1) pursuant to the amended marketing agreement and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 subm'tted by the Valencia Orange Administrative Committee, established under the amended marketing agreement and order, and upon other available information, it is found that the limitation of handling of Valencia oranges, as provided in this regulation will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantities of Valencia oranges that may be marketed from District 1, District 2, or District 3 during the specified week stems from the production and marketing situation confronting the Valencia orange industry.

(i) The committee has submitted its recommendation for the quantities of Valencia oranges that should be marketed during the specified week. The recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors covered in the order. The committee further reports the fresh market demand for Valencia oranges continues strong.

Average f.o.b. price was $4.77 per carton on 634 cars for the week ended September 15, as compared with $4.51 per carton on 532 cars the previous week. Track and rolling supplies at 266 cars were down 22 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantities of Valencia oranges which may be handled should be established as provided in this regulation.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553), because the time intervening between the date when information become available upon which this regulation is based and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient. A reasonable time is permitted for preparation for such effective time; and good cause exists for making the regulation effective as specified. The committee held an open meeting during the current week, after giving due notice, to consider supply and market conditions for Valencia oranges 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 were promptly submitted to the Secretary after the meeting was held, and information concerning such provisions and effective time has been provided to handlers of Valencia oranges. It is necessary, to effectuate the declared policy of the act, to make this regulation effective during the period specified. The committee meeting was held on September 20, 1977.

§ 908.874 Valencia Orange Regulation 574.

(a) Order. (1) The quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period September 23, 1977, through September 29, 1977, are hereby fixed as follows:

(i) District 1: 300,000 cartons;

(ii) District 2: 450,000 cartons;

(iii) District 3: Unlimited.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the amended marketing agreement and order.

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

Dated: September 21, 1977.

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

[FR Doc.77-27961 Filed 9-22-77;11:40 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION DEPARTMENT OF TRANSPORTATION

[Docket No. 77–EA–54; Amdt. 39–3041]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final Rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) applicable to Piper PA–31 type airplanes. It requires an inspection and repair where necessary of the aileron balance and interconnect cables and flap solenoid for damage due to arcing. It also requires eventually alteration of the flap solenoid. These requirements result from the inadvertent contact of cables and live solenoid terminals.

EFFECTIVE DATE: September 27, 1977. Initial compliance is required within 50 hours in service.

ADDRESSES: Piper Service Bulletins may be acquired from the manufacturer at Piper Aircraft Corp. 820 East Bald Eagle Street, Lock Haven, Pennsylvania 17745.

FOR FURTHER INFORMATION CONTACT:

J. Maher, Airframe Section, AEA–212, Engineering and Manufacturing Branch, Federal Building, J.F.K. International Airport, Jamaica, New York 11430; Tel. 212–995–2875.

SUPPLEMENTARY INFORMATION: There had been reports of damage to aileron balance and interconnect cables and the flap solenoid resulting from rubbing of the cables on the solenoid. This would permit contact with the live solenoid cables causing arcing and burning of both parts. The rule requires an initial inspection and replacement where necessary and eventual alteration within 100 hours in service of the flap solenoid. In view of the foregoing, and the air safety problem, notice or public procedure hereon are impractical and good

cause exists for making the amendment effective in less than 30 days.

DRAFTING INFORMATION

The principal authors of this document are J. Maher, Flight Standards Division, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

It has been determined that the expected impact of the proposed regulation is so minimal that the proposal does not warrant an evaluation.

ADOPTION OF THE AMENDMENT

Accordingly, and pursuant to the authority delegated to me by the Administrator, Section 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by adding a new airworthiness directive as follows:

PIPER: Applies to Models PA-31, PA-31-300 and PA-31-325 Serial Numbers 31-2, to 31-7712051, inclusive, and PA-31-350 Serial Numbers 31-5001 to 31-7752092, inclusive, certificated in all categories. To prevent possible hazards in flight associated with a damaged aileron cable, accomplish the following:

(a) Within 50 hours in service from the effective date of this AD, unless previously accomplished, inspect the aileron balance and interconnect cables and the flap solenoid for evidence of damage due to electrical arcing between the flap solenoid and the cables. If damage is found, repairs must be effected prior to further flight except that the aircraft may be flown in accordance with FAR 21.197 to a base where a repair can be made.

(b) Within 100 hours in service from the effective date of this AD, unless previously accomplished, inspect and repair if necessary the aileron balance and interconnect cables and alter the flap solenoid installation in accordance with the "Instructions" section of Piper Service Bulletin No. 567 dated June 7, 1977, or equivalent, approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(c) If the wing flap motor circuit breaker activates after the effective date of this AD, then within the next 10 hours in service, comply with the inspection and repair requirements of paragraph (a).

(d) Upon compliance with paragraph b., the inspections requirements of this AD may be dispensed with.

(e) Upon request, with substantiating data submitted through an FAA Maintenance Inspector, the compliance time specified in this AD may be adjusted by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

EFFECTIVE DATE: This amendment is effective September 27, 1977.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, and 1423; Sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c); and 14 CFR 11.89.)

NOTE.—The Federal Aviation Administration has determined that this document does not contain a major proposal requiring preparation of a Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Issued in Jamaica, New York, on September 13, 1977.

WILLIAM E. MORGAN,
Director,
Eastern Region.

[FR Doc.77-27355 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-WE-18]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Alteration of Transition Area, Tucson, Arizona

AGENCY: Federal Aviation Administration (FAA) DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to realign and redesignate the existing 700-foot transition area to provide additional controlled airspace for radar vector services, south, east, and north of Tucson, Arizona.

EFFECTIVE DATE: October 6, 1977.

ADDRESSES: Copies of this final rule may be obtained from: Federal Aviation Administration, Air Traffic Division Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California 90261.

FOR FURTHER INFORMATION CONTACT:

Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000 Aviation Boulevard, Lawndale, California 90261. Telephone: (213-536-6182).

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to alter the Tucson, Arizona 700-foot Transition Area. A Notice of Proposed Rulemaking (NPRM) was published in the FEDERAL REGISTER on August 4, 1977 (42 FR 39400).

Interested parties were given 30 days in which to submit comments on the proposal. All comments received were favorable.

DRAFTING INFORMATION

The principal authors of this document are Thomas W. Binczak, Air Traffic Division and DeWitte T. Lawson, Jr., Esquire, Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 GMT, October 6, 1977, as hereinafter set forth.

In Subpart G, 71.181 (42 FR 440), the description of the Tucson, Arizona 700-foot transition area is deleted and the following substituted therein:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Tucson International Airport (latitude 32°07'05" N., longitude 110°56'32" W.); within 16 miles NE and 13 miles SW of the Tucson VORTAC 138° radial extending from the 10-mile radius area to 16 miles SE of the VORTAC, within 1 mile NE and 9 miles SW of the Tucson VORTAC 318° radial, extending from the 10-mile radius area to 22 miles NW of the VORTAC and within 16 miles NE of the Tucson VORTAC 318° radial extending from the Tucson VORTAC to 30 miles NW of the VORTAC.

This amendment is issued under the authority of Sec. 307(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1348(a)) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

NOTE.—The Federal Aviation 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 A-107.

Issued in Los Angeles, California on September 12, 1977.

WILLIAM R. KRIEGER,
Acting Deputy Director,
Western Region.

[FR Doc.77-27354 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-SW-21]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area: Conway, Ark.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates a transition area at Conway, Ark., to provide controlled airspace for aircraft executing an instrument approach procedure established for the Conway Municipal Airport.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

John A. Jarrell, Airspace and Procedures Branch (ASW-535), Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101; telephone 817-624-4911, extension 302.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to designate a transition area at Conway, Ark.

On July 18, 1977, a notice of proposed rulemaking was published in the FEDERAL REGISTER (42 FR 36844) stating that the Federal Aviation Administration proposed to designate a transition area at Conway, Ark., to provide controlled airspace for aircraft executing an instrument approach procedure established for the Conway Municipal Airport and coincident with this action the airport would be changed from VFR to IFR.

Interested persons were afforded an opportunity to participate in the rulemaking through submission of comments. All comments received were favorable.

DRAFTING INFORMATION

The principal authors of this document are John A. Jarrell, Airspace and Procedures Branch, and Robert C. Nelson, Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (42 FR 440) is amended effective 0901 G.m.t., December 1, 1977, as hereinafter set forth.

In Subpart G, 71.181 (42 FR 440), the following transition area is added.

CONWAY, ARK.

The airspace extending upward from 700 feet above the surface within a 9.5 statute mile radius of Conway Municipal Airport, Conway, Ark. (Latitude 35°04'42" N., Longitude 92°25'29" W.); and within 3.5 statute miles each side of the 095° bearing from Conway NDB (Latitude 35°05'02" N., Longitude 92°25'36" W.) extending from the 9.5-mile radius area to 11.5 statute miles east of the NDB; excluding that portion which overlies the Little Rock, Ark., transition area.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a); and Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655 (c)).)

NOTE.—The FAA 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 A-107.

Issued in Fort Worth, Tex., on September 9, 1977.

PAUL J. BAKER,
Acting Director,
Southwest Region.

[FR Doc.77-27352 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-EA-22]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area: Marion, Va.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates a Marion, Va., Transition Area. A new NDB Runway 26 instrument approach procedure developed for Mountain Empire Airport, Marion, Va., predicated on the Retreat nonfederal NDB, will require designation of the transition area to provide controlled airspace protection for IFR arrivals and departures at that airport.

EFFECTIVE DATE: 0901 Gmt November 3, 1977.

FOR FURTHER INFORMATION CONTACT:

Frank Trent, Airspace and Procedures Branch, AEA-530, Air Traffic Division, Federal Aviation Administration, Federal Building, J.F.K. International Airport, Jamaica, New York 11430, Telephone 212-995-3391.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is to designate a Marion, Va., Transition Area. The NPRM was published in the FEDERAL REGISTER on April 7, 1977. (42 FR 18406).

The NPRM received objections from the Department of the Navy and Air Force because the transition area would infringe on established VFR low level training routes. However, such training routes require visibility of 5 miles and ceilings of 3,000 feet. In such conditions, both civil and military flights will be governed by the "see and be seen" concepts, and thus within the requirements of Part 91 safety criteria. Further, the transition areas are needed to protect IFR aircraft executing the instrument approaches.

DRAFTING INFORMATION

The principal authors of this document are Frank Trent, Air Traffic Division, and Thomas C. Halloran, Esq., Office of the Regional Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart G of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 GMT November 3, 1977, as published.

(Section 307(a), and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(c)); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The Federal Aviation 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 A-107.

Issued in Jamaica, New York, on September 9, 1977.

L. J. CARDINALI,
Acting Director,
Eastern Region.

§ 71.181 [Amended]

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Marion, Va. 700 foot floor transition area as follows:

MARION, VA.

That airspace extending upward from 700 feet above the surface within a 9-mile radius of the center, 36°53'45" N., 81°20'45" W. of Mountain Empire Airport, Marion, Va.; within a 16-mile radius of the center of the airport, extending clockwise from a 123° bearing to a 145° bearing from the airport; within a 14.5-mile radius of the center of the airport, extending clockwise from a 145° bearing to a 175° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 175° bearing to a 192° bearing from the airport; within a 22-mile radius of the center of the airport, extending clockwise from a 192° bearing to a 207° bearing from the airport; within a 24.5-mile radius of the center of the airport, extending clockwise from a 207° bearing to a 225° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 225° bearing to a 320° bearing from the airport; within a 15.5-mile radius of the center of the airport, extending clockwise from a 320° bearing to a 336° bearing from the airport; within a 17.5-mile radius of the center of the airport, extending clockwise from a 336° bearing to a 024° bearing from the airport; within a 13.5-mile radius of the center of the airport, extending clockwise from a 024° bearing to a 034° bearing from the airport; within a 19-mile radius of the center of the airport, extending clockwise from a 034° bearing to a 056° bearing from the airport, within an 18-mile radius of the center of the airport, extending clockwise from a 056° bearing to a 067° bearing from the airport; within 3.5-miles each side of a 069° bearing from the Retreat RBN (36°55'01" N., 81°16'27" W.), extending from the RBN to 10 miles east of the RBN, excluding the portion that coincides with Bluefield, W. Va., and Dublin, Va. 700-foot floor transition areas.

[FR Doc.77-27353 Filed 9-21-77;8:45 am]

[Airspace Docket No. 76-SO-29]

PART 73—SPECIAL USE AIRSPACE

Designation of Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment designates a restricted area R-2904 at Camp Blanding Military Reservation, Starke, Fla. The Florida Army National Guard has a training need to conduct surface firing and ground tactical operations that involve the use of surface-to-air pyrotechnics. This action is necessary to provide for the safe and efficient use of the navigable airspace by restricting unauthorized aircraft from operating within the area during its time of designation.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. John Watterson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-8525.

SUPPLEMENTARY INFORMATION:

HISTORY

On April 22, 1976, the FAA proposed to amend Part 73 of the Federal Aviation Regulations (14 CFR Part 73) to designate a restricted area R-2904 at Camp Blanding Military Reservation, Starke, Fla., (41 FR 16829). Interested persons were invited to participate in this rule making proceeding by submitting written comments on the proposal to the FAA. No objections were received. Except for editorial changes, this amendment is substantially that proposed in the notice. Section 73.29 was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 667).

THE RULE

This amendment to Part 73 of the Federal Aviation Regulations (FARs) designates a restricted area R-2904 at Camp Blanding Military Reservation, Starke, Fla. The restricted area encompasses an area that generally underlies the southwest portion of existing R-2903A. The Florida Army National Guard has a training need to conduct within that area surface firing and

ground tactical operations that involve the use of surface-to-air pyrotechnics. The restricted area is designated to contain the activities that would create hazards in the operation of unauthorized aircraft in the designated area. The restricted area airspace will be available to the aviation community on a joint use basis when it is not needed by the military for its intended purpose. Concurrent with this action restricted area R-2903A is being revoked.

DRAFTING INFORMATION

The principal authors of this document are Mr. John Watterson, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 73.29 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as republished (42 FR 667) is amended, effective 0901 GMT, December 1, 1977, as follows:

§ 73.29 [Amended]

The following is added:

R-2904 Starke, Fla.

Boundaries. Beginning at Lat. 30°03'-30'' N., Long. 81°55'40'' W.; to Lat. 29°-58'55'' N., Long. 81°55'40'' W.; to Lat. 29°58'55'' N., Long. 82°02'46'' W.; to Lat. 30°03'30'' N., Long. 82°02'46'' W.; to point of beginning.

Designated altitudes. Surface to but not including 1800 feet MSL.

Time of designation. Daily April through August 0800-1700 local. September through March, Saturday and Sunday 0800-1700 local. Other times by NOTAM at least 24 hours in advance.

Controlling agency. Federal Aviation Administration, Jacksonville TRACON.

Using agency. Department of Military Affairs, State Arsenal, St. Augustine, Fla.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA 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 A-107.

Issued in Washington, D.C., on September 14, 1977.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.77-27252 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-WA-2]

PART 73—SPECIAL USE AIRSPACE

Revocation of Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment revokes Restricted Area R-2903A. This action restores airspace to public use on the basis that the Jacksonville Terminal Radar Approach Control Facility (TRACON) can provide adequate air traffic control service within the area.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. John Watterson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-8525.

SUPPLEMENTARY INFORMATION: The purpose of this amendment to Part 73 of the Federal Aviation Regulations (14 CFR Part 73) is to revoke Restricted Area R-2903A, Jacksonville, Fla. Concurrently with the revocation of R-2903A, the FAA is taking separate action to implement a new Subpart 0 to Part 93 of the Federal Aviation Regulations. That amendment establishes the Jacksonville, Fla., Navy Airport Traffic Area and prescribes special air traffic rules for operating aircraft in flight within that area. Such action permits the revocation of R-2903A on the basis that the Jacksonville TRACON can provide adequate air traffic control service that will result in a safe level of flight without the need for restricted area airspace. On that basis, the U.S. Navy is in agreement that Restricted Area R-2903A is no longer necessary. Accordingly, the FAA has determined that continued designation of the restricted area is no longer justified.

Interested persons were notified in Notice 76-3 proposing the special air traffic rule that revocation of this restricted area would be effected concurrently with the proposal, if adopted. Also, this amendment restores airspace to public use and it is a minor matter upon which the public should have no particular reason to comment. For these reasons, notice and public procedure thereon are deemed unnecessary.

DRAFTING INFORMATION

The principal authors of this document are Mr. John Watterson, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, § 73.29 of Part 73 of the Federal Aviation Regulations (14 CFR Part 73) as republished (42 FR 667) is amended, effective 0901 GMT, December 1, 1977, as follows:

§ 73.29 [Amended]

R-2903A Jacksonville, Fla., is revoked.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA 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 A-107.

Issued in Washington, D.C., on September 14, 1977.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.77-27251 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-SO-31]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: These actions alter Restricted Areas R-2104 A and B at Huntsville, Ala., to more clearly describe the areas required for the present day operation of the U.S. Army Missile Command at Redstone Arsenal, Ala., by reducing the total area and dividing it into three segments rather than two.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Everett L. McKisson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone: 202-426-3715.

SUPPLEMENTARY INFORMATION:

HISTORY

On July 21, 1977, the FAA published for comment a proposal to reduce the total size of R-2104A and B and divide it into three segments rather than two (42 FR 37415). Interested persons were invited to participate in the rule making proceeding by submitting written comments on the proposal to the FAA. The only comment received expressed no objection.

THE RULE

These amendments to Parts 71 and 73 of the Federal Aviation Regulations (FARs) will permit military use of one or two of the three areas without simultaneously restricting the nonmilitary use of all areas.

DRAFTING INFORMATION

The principal authors of this document are Mr. Everett L. McKisson, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Parts 71 and 73 of the Federal Aviation Regulations (14 CFR Parts 71 and 73) as republished (42 FR 345 and 657) are amended, effective 0901 GMT December 1, 1977, as follows:

In § 71.151 (42 FR 345) "R-2104B Huntsville, Ala." is added. Also "R-2104C Huntsville, Ala." is added.

In § 73.21 (42 FR 657) "R-2104A (title and text)" and "R-2104B (title and text)" are deleted and the following R-2104A, R-2104B and R-2104C (title and text) are substituted therefor:

R-2104A HUNTSVILLE, ALA.

Boundaries. Beginning at Lat. 34°38'40" N., Long. 86°43'00" W., to Lat. 34°38'40" N., Long. 86°41'00" W., to Lat. 34°38'00" N., Long. 86°40'53" W., to Lat. 34°37'35" N., Long. 86°37'40" W., to Lat. 34°37'00" N., Long. 86°37'00" W., to Lat. 34°36'27" N., Long. 86°36'38" W., to Lat. 34°34'50" N., Long. 86°36'38" W., thence west along the Tennessee River to Lat. 34°35'02" N., Long. 86°43'25" W., to Lat. 34°37'19" N., Long. 86°43'20" W., to Lat. 34°37'19" N., Long. 86°43'05" W., thence to point of beginning.

Designated altitudes. Surface to FL 300.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Memphis ARTC Center.

Using agency. Commanding General, U.S. Army Missile Command, Redstone Arsenal, Ala.

R-2104B HUNTSVILLE, ALA.

Boundaries. Beginning at Lat. 34°38'53" N., Long. 86°37'40" W., to Lat. 34°37'55" N., Long. 86°35'21" W., to Lat. 34°35'05" N., Long. 86°35'24" W., thence west along the Tennessee River to Lat. 34°34'50" N., Long. 86°36'38" W., to Lat. 34°36'27" N., Long. 86°36'38" W., to Lat. 34°37'00" N., Long. 86°37'00" W., thence to point of beginning.

Designated altitudes. Surface to 2400 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Memphis ARTC Center.

Using agency. Commanding General, U.S. Army Missile Command, Redstone Arsenal, Ala.

R-2104C HUNTSVILLE, ALA.

Boundaries. Beginning at Lat. 34°41'25" N., Long. 86°42'57" W., to Lat. 34°42'00" N., Long. 86°41'35" W., to Lat. 34°38'40" N., Long. 86°41'00" W., to Lat. 34°38'40" N., Long. 86°43'00" W., thence to point of beginning.

Designated altitudes. Surface to FL 300.

Time of designation. Continuous.

Controlling agency. Federal Aviation Administration, Memphis ARTC Center.

Using agency. Commanding General, U.S. Army Missile Command, Redstone Arsenal, Ala.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA 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 A-107.

Issued in Washington, D.C., on September 16, 1977.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.77-27708 Filed 9-21-77;8:45 am]

[Airspace Docket No. 77-WA-12]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Alteration of Jet Route

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment realigns and extends the U.S. portion of High Level (HL) Airway and Jet Route (J) 564. HL/J-564 is extended from Beauce, Quebec, Canada, to Presque Isle, Maine, and it is realigned from Presque Isle, Maine, over the Charlo, New Brunswick, Canada, nondirectional radio beacon (NDB) to Port Menier, Quebec, Canada, NDB. This action is necessary to conform to changes being made in the high level altitude structure by Transport Canada in support of North American Routes. This action reduces the en route distance on that route segment and provides a more efficient use of the airspace.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. John Watterson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, D.C. 20591; telephone: 202-426-8525.

SUPPLEMENTARY INFORMATION:

HISTORY

On July 14, 1977, the FAA proposed to amend Subpart B of Part 75 of the Federal Aviation Regulations (14 CFR Part 75) to realign and extend the U.S. portion of HL/J-564 between Beauce, Quebec, Canada, and Port Menier, Quebec, Canada, nondirectional radio beacon (42 FR 36271). Interested persons were invited to participate in this rule making procedure by submitting written comments on the proposal to the FAA. The comment received expressed no objection. This amendment is that proposed in the notice. Section 75.100 was republished in the FEDERAL REGISTER on January 3, 1977 (42 FR 707).

THE RULE

This amendment to Part 75 of the Federal Aviation Regulations (FARs) extends the U.S. portion of HL/J-564 from Presque Isle, Maine, to Beauce, Quebec, Canada, and realigns the U.S. portion of HL/J-564 from Presque Isle over the Charlo, New Brunswick, Canada, NDB to Port Menier, Quebec, Canada. This action is necessary to conform the U.S. portion of the jet route/high level altitude structure to changes being made by Transport Canada within Canadian airspace. This action reduces the current en route distance over that route segment and provides a more efficient use of the navigable airspace.

DRAFTING INFORMATION

The principal authors of this document are Mr. John Watterson, Air Traffic Service, and Mr. Jack P. Zimmerman, Office of the Chief Counsel.

ADOPTION OF THE AMENDMENT

Accordingly, pursuant to the authority delegated to me by the Administrator, Subpart B of Part 75 of the Federal Aviation Regulations (14 CFR Part 75) as republished (42 FR 707) is amended, effective 0901 GMT, December 1, 1977, as follows: In § 75.100: The description in Jet Route No. 564 is deleted and "From Beauce, Quebec, Canada, via Presque Isle, Maine; Charlo, New Brunswick NDB; to Port Menier, Quebec, Canada, excluding the airspace within Canada." is substituted therefor.

(Secs. 307(a) and 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and 14 CFR 11.69.)

NOTE.—The FAA 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 A-107.

Issued in Washington, D.C., on September 16, 1977.

EDWARD J. MALO,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.77-27709 Filed 9-21-77;8:45 am]

[Docket No. 15384; Amdt. No. 93-35]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

Jacksonville, Fla., Navy Airport Traffic Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes the Jacksonville, Fla., Navy airport traffic area and prescribes special air traffic rules for operating aircraft in that area. The purpose of this amendment is to make more effective use of the improved capabilities of air traffic control, which eliminate the need for a restricted area to provide for the safe and efficient use of the navigable airspace in that area.

EFFECTIVE DATE: December 1, 1977.

FOR FURTHER INFORMATION CONTACT:

John P. Watterson, Airspace Regulations Branch (AAT-230), Airspace and Air Traffic Rules Division, Air Traffic Service, Federal Aviation Administration, 800 Independence Avenue SW.,

Washington, D.C. 20591; telephone (202-426-8525).

SUPPLEMENTARY INFORMATION: The purpose of this amendment of Part 93 of the Federal Aviation Regulations (14 CFR Part 93) is to establish the Jacksonville, Fla., Navy airport traffic area and to prescribe special air traffic rules for operating aircraft within this area.

History And Background

This amendment is based upon a notice of proposed rulemaking (Notice No. 76-3) published in the Federal Register on February 19, 1976 (41 FR 7518). Interested persons have been afforded the opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

As stated in the notice, a restricted area has, for years, been designated for the Jacksonville and Cecil Naval Air Stations to accommodate the heavy concentration of naval aircraft operating in the area. This traffic frequently created an operational environment within which aircraft unknown to ATC, or transient aircraft unfamiliar with the area (or the nature of the military operations in progress) could not operate without creating an unacceptable risk to air safety if there were no restricted area.

The FAA now operates a terminal radar approach control facility (TRACON) capable of providing a traffic advisory and control service that can assure a safe level of flight operations in the area. However, to provide an effective advisory and separation service during periods of high density air traffic, the FAA proposed an enlarged airport traffic area in which each pilot would be required to (1) notify the TRACON that he intends to operate in the airport traffic area before entering that airspace; and (2) maintain two-way radio communications with the TRACON, while operating within the area. The usual requirements of §§ 91.85 and 91.87, applicable to all airport traffic areas, would be applicable to this area, except that two-way radio communications would be established with the TRACON, instead of the tower. Under the proposal contained in the notice, the restricted area would be revoked, concurrently, in a separate airspace action.

Comments on the Rule

Nine comments were received in response to the notice. Except as discussed below, the public response supported this proposal.

Three commenters representing glider soaring interests objected to the proposal based upon its probable impact upon glider operations at Herlong Airport just outside the boundaries of the proposed airport traffic area. A public meeting was held with interested persons, and these objections were withdrawn after an agreement was reached that the northern boundary of the proposed area would be modified to provide more airspace around Herlong Airport.

The Florida Department of Transportation recommended that Restricted Area R-2903A be retained and expanded to include OLF Whitehouse on the basis that a restricted area has proven to be the best deterrent to mid-air collisions. Furthermore, it was stated that the proposed requirement to communicate with the TRACON would not enhance safety, because of the increased cockpit workload that results from radar vectoring, and code and frequency changes. The present restricted area does not require such cockpit workload because all nonmilitary aircraft must avoid the area.

The capabilities of air traffic control in the area have improved to the extent that the restricted airspace is no longer required for air traffic safety. The TRACON can provide an air traffic control capability, including advisory and separation services within the proposed area, that will result in a safe level of flight operation without relying upon restricted airspace. Therefore, the FAA believes it is in the best interest of the public to revoke R-2903A since the continued designation of that restricted area can no longer be justified.

Several comments suggested that the expanded airport traffic area should be depicted on aeronautical charts to alert the flying public to the existence of a nonstandard airport traffic area and the special air traffic rules. This will be done.

The U.S. Navy recommended that the name "Navy Jacksonville, Fla., Terminal Area" be changed to "Jacksonville, Fla., Navy Terminal Area" to avoid possible confusion. This area contains two navy airports in addition to the one commonly referred to as "Navy Jacksonville" by local users. This comment is accepted in part, although the term "airport traffic area" is used to more accurately state the legal status of the airspace involved.

In the notice it was stated that there would be no requirement for aircraft to obtain a clearance before entering the airport traffic area or any restriction on altitudes or courses to be flown; however, ATC may give traffic advisories on operations in progress, and suggest alternative routes that would assure adequate separation for safety. The notice further stated that the usual requirements of §§ 91.85 and 91.87, applicable to all airport traffic areas, would be applicable to this area, except that two-way radio communications would be maintained with the TRACON instead of any individual tower. These statements have caused some confusion because § 91.85(b) provides, in part, that unless otherwise authorized or required by ATC, no person may operate an aircraft within an airport traffic area except for the purpose of landing at, or taking off from, an airport within that area.

The intent in the proposal was to describe one expanded airport traffic area, neither more nor less restrictive than any other airport traffic area, that would supersede the three existing traffic areas. Since pilots, desiring to operate their aircraft through this airport traffic area, will look to the specific operational rule in § 93.175 and not to § 91.87(b) for communications instructions, the words "and receives authorization from" have been added to § 93.175(a) to clarify the intent of the rule, and to be consistent with § 91.85. In this connection, it should be noted that the TRACON may designate one of the military airport traffic control towers in place of the TRACON with which the communications requirement should be maintained.

As state previously, a minor reduction is made in the size of the airport traffic area to provide additional airspace for Herlong Airport. This amendment also clarifies the requirement for an ATC authorization for aircraft to transit the area. Airspace Docket No. 77-WA-2, effective concurrently with this action, revokes Restricted Area R-2903A.

Drafting Information

The principal authors of this document are John P. Watterson, Air Traffic Service, and Richard W. Danforth, Office of the Chief Counsel.

Adoption of the Amendment

Accordingly, Part 93 of the Federal Aviation Regulations (14 CFR Part 93) is amended, effective December 1, 1977, by adding a new Subpart O to read as follows:

Subpart O—Jacksonville, Fla., Navy Airport Traffic Area

Sec.
93.171 Applicability.
93.173 Description of area.
93.175 Aircraft operations.

Subpart O—Jacksonville, Florida, Navy Airport Traffic Area

§ 93.171 Applicability.

This subpart prescribes the Jacksonville, Fla., Navy airport traffic area, and special air traffic rules applicable to the operation of aircraft within that area.

§ 93.173 Description of area.

The Jacksonville, Fla., Navy airport traffic area is designated as that airspace extending upward from the surface to, but not including, 3,000 feet MSL, bounded by a line beginning at Lat. 30°25'22" N., Long. 81°52'30" W., thence clockwise along the arc of a 5 statute mile radius circle centered on OLF Whitehouse (Lat. 30°21'01" N., Long. 81°52'39" W.) to Lat. 30°16'45" N., Long. 81°51'39" W.; to Lat 30°15'30" N., Long. 81°50'00" W.; to Lat. 30°16'00" N., Long. 81°45'00" W.; thence clockwise along the arc of a 5 statute mile radius circle centered on NAS Jacksonville (Lat. 30°14'00" N., Long. 81°40'32" W.) to Lat. 30°14'00" N., Long. 81°35'20" W.; to Lat 30°06'45" N., Long. 81°35'20" W.; thence clockwise along the connecting arcs of 10 statute mile radius circles centered on NAS Jacksonville, and NAS Cecil (Lat. 30°13'15" N., Long. 81°52'50" W.) to Lat. 30°09'45" N., Long. 82°-02'00" W.; to Lat. 30°25'30" N., Long. 82°02'00" W.; thence to the point of beginning.

§ 93.175 Aircraft operations.

No person may operate an aircraft, in flight, within the airport traffic area described in § 93.173 unless—

(a) Before entering that area, that person establishes two-way radio communications with, and receives authorization from, the FAA Jacksonville Terminal Radar Approach Control (TRACON) facility; and

(b) While operating in flight within that area, that person maintains two-way radio communications with the FAA Jacksonville TRACON facility, or with the military airport traffic control tower designated by the TRACON.

(Secs. 307 and 313(a), Federal Aviation Act of 1958, as amended (49 U.S.C. §§ 1348 and 1354(a)); and Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)).)

NOTE.—The Federal Aviation 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 A-107.

Issued in Washington, D.C., on September 13, 1977.

QUENTIN S. TAYLOR,
Acting Administrator.

[FR Doc.77-27250 Filed 9-21-77;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation ER-1023]

ORGANIZATIONAL CHANGE

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This rule reflects a change in the name of the Bureau of Economics to the "Bureau of Fares and Rates." The rule is at the initiative of the Board.

DATES: Effective: September 15, 1977. Adopted: September 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Simon J. Eilenberg, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428 (202-673-5442).

SUPPLEMENTARY INFORMATION: As a result of changes in the organization of the Board, including the creation of the Office of Economic Analysis, the name of the Bureau of Economics has been changed to more accurately reflect its principal functions within the Board staff.

Appropriate changes in Chapter II, including a specific change in Part 384 (14 CFR Part 384), Statement of Organization, Delegation of Authority, and Availability of Records and Information are being made in OR-119, which is being issued simultaneously.

Since this amendment is concerned with internal management and organization and imposes no significant burden on any member of the public, the Board finds that notice and public procedure are unnecessary and that the rule may be effective immediately.

Accordingly, 14 CFR Chapter II is amended as follows:

All references in the Board's regulations to the term "Bureau of Economics" are deleted and replaced by the term "Bureau of Fares and Rates."

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743 (49 U.S.C. 1324); Reorganization Plan No. 13 of 1950, 64 Stat. 1266 (5 U.S.C. Appendix).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-27551 Filed 9-21-77;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Regulation OR-120, Amdt. 5]

PART 387—ORGANIZATION AND OPERATION DURING EMERGENCY CONDITIONS

Technical Amendment

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This action amends language in the Board's rule governing operation during emergency conditions to be consistent with the National Emergencies Act, P.L. 94-412. This action is at the initiative of the Board.

DATES: Adopted: September 15, 1977. Effective: September 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Gary J. Edles, Routes Division, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Ave. NW., Washington, D.C. 20428 (202-674-5205).

SUPPLEMENTARY INFORMATION: The National Emergencies Act (P.L. 94-412) establishes procedures for the declaration and termination of any future national emergency and prohibits emergency powers and authorities from becoming effective until the President has officially declared a national emergency. Since Part 387 of the Board's regulations designating procedures for operation and order of delegation of authority during a national emergency is triggered by events other than a Presidential declaration of emergency, it is inconsistent with the Act. Therefore, Part 387 is being amended to delete references to "emergency conditions" and, instead, to have the Act become effective in the event of a "national emergency" as defined in the National Emergencies Act.

Since the amendments provided for are matters of agency organization, notice and public procedure are unnecessary and the amendment may be made effective immediately. These amendments shall become effective on September 15, 1977.

The Civil Aeronautics Board hereby amends Part 387 (14 CFR Part 387) as follows:

1. Sections 387.1 and 387.2 are revised as follows:

§ 387.1 Purpose.

This part describes the plan of organization and operation which will be observed by the Civil Aeronautics Board in discharging its duties and responsibilities in the event of the declaration of a national emergency by the President in accordance with the National Emergencies Act (P.L. 94-412).

§ 387.2 National Emergency, effective date and duration.

The provisions of this part shall become effective upon the declaration of a national emergency by the President and shall continue until terminated by concurrent Congressional resolution or by Presidential proclamation as provided in the National Emergencies Act.

2. The introductory sentences of §§ 387.3 and 387.4 are revised as follows:

§ 387.3 Offices, and information and submittals.

During a national emergency:

* * * * *

§ 387.4 Organization and delegations of authority.

During a national emergency:

* * * * *

3. Section 387.5 is revised as follows:

§ 387.5 Board meetings.

As soon as possible following the declaration of a national emergency by the President in accordance with the National Emergencies Act, the Board or the person(s) acting in the name and authority of the Board shall designate the place, time, and method of giving notice of future Board meetings as shall be feasible and reasonable in the circumstances subject to further order of the Board. Any Board action shall be by majority vote of those participating whether physically present or participating in Board consideration through any means of communication.

(Section 204 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, U.S.C. 1324; Title II Section 201 of the National Emergencies Act, 90 Stat. 1255, Reorganization Plan No. 3 of 1961, 75 Stat. 837, 49 U.S.C. 1324, and E.O. 11090, 3 C.F.R. 1959-1963 Comp. p. 728.)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-27536 Filed 9-21-77;8:45 am]

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Docket No. 30778; Regulation PR-168, Amdt. 33]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This rule grants authority to the Board's Chief Administrative Law Judge to consolidate related enforcement proceedings. This amendment of the Board's rules of practice was requested in a petition from Reuben Robertson, Esq.

DATES: Adopted: September 15, 1977. Effective: September 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Simon J. Eilenberg, Rules Division, Office of General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C. 20428 (202-673-5442).

SUPPLEMENTARY INFORMATION: By petition dated April 22, 1977, Reuben B. Robertson requested the Board to grant authority to administrative law judges to consolidate or contemporaneously hear related enforcement cases against a single carrier. The Board's Rules of Practice do not now specifically provide judges with such power of consolidation, although the Board itself has general authority to consolidate or contemporaneously consider related proceedings.[1] Mr. Robertson argues that the change he seeks will simplify the conduct of related enforcement proceedings. No answers to the petition were filed.

Upon consideration, the Board has decided to grant the petition, with one modification. We agree with the petitioner that placing the power of consolidation directly at the administrative law judge level, rather than only with the Board, may indeed simplify and facilitate the conduct of enforcement cases. However, we are reluctant to give each individual judge such authority, since a consolidation by one judge might lead to conflicts with schedules and workloads of other judges. Instead we believe that the Chief Administrative Law Judge, as the person responsible for assigning cases to the judges, should be given the authority to consolidate. We are thus amending our rules to provide that the Chief Judge (as well as the Board) may consolidate related enforcement proceedings by his own initiative or upon motion of a party.

[1] Rule 12(a) of the Rules of Practice, 14 CFR § 302.12(a).

Since this amendment relates to rules of Board practice, and imposes no additional burden upon any member of the public, the Board finds that notice and public procedure are unnecessary and that the amendment may become effective immediately.

Accordingly, the Civil Aeronautics Board amends Part 302 of its Procedural Regulations (14 CFR Part 302) effective immediately, as set forth below.

1. The Table of Contents of Part 302 is amended to include a new section 302.210a as follows:

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

* * * * *

Sec.
302.210 * * *
302.210a Consolidation of proceedings.
302.211 * * *

* * * * *

2. A new § 302.210a is added as follows:

§ 302.210a Consolidation of proceedings.

The Board or Chief Administrative Law Judge, upon its or his own initiative, or upon motion of any party, may consolidate for hearing or for other purposes, or may contemporaneously consider, two or more enforcement proceedings which involve substantially the same parties, or issues which are the same or closely related, if it or he finds that such consolidation or contemporaneous hearing will be conductive to the dispatch of business and to the ends of justice and will not unduly delay the proceedings.

(Sections 204 and 1001 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 788, 49 U.S.C. 1324, 1481.)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-27553 Filed 9-21-77;8:45 am]

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Regulation OR-119, Amdt. 9]

PART 384—STATEMENT OF ORGANIZATION, DELEGATION OF AUTHORITY, AND AVAILABILITY OF RECORDS AND INFORMATION

Organizational Changes

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: These rules reflect a change in the name of the Bureau of Economics to "Bureau of Fares and Rates," and establish the Office of Economic Analysis. The amendments are at the initiative of the Board.

DATES: Effective: September 15, 1977. Adopted: September 15, 1977.

FOR FURTHER INFORMATION CONTACT:

Simon J. Eilenberg, Office of the General Counsel, 1825 Connecticut Avenue NW., Washington, D.C. 20428 (202-673-5442).

SUPPLEMENTARY INFORMATION: The Office of Economic Analysis (OEA) has been created by the Board in order to assist in improving the regulation of the air transport industry, and in increasing the Board's reliance on market competition to best serve the needs of travelers and shippers. The new office provides economic counsel, analysis, and testimony in Board proceedings, and assists the Board's bureaus and offices to meet their specialized economic modeling and analysis needs.

Among OEA's principal functions are the studying of demand for air transportation under various conditions of price and service and the forecasting of future demand. OEA advises the Board and its staff on the financial structure and condition of individual air carriers and the industry in general and recommends Board action on prospective mergers and other antitrust matters. In addition to these responsibilities, OEA assists in the development of economic recommendations about U.S. international aviation relations, including matters involving international bilateral negotiations, and about possible changes in the Board's regulatory policies. Another particular concern of the new office is the economic impact of Board actions on the air transport industry, including the interdependence of route and rate decisions. OEA also has the responsibility of developing new analytical methodology as necessary for understanding and regulating the airline industry under current and prospective regulatory plans and statutory mandates.

In light of the creation of OEA, we have determined to change the name of the Bureau of Economics to "Bureau of Fares and Rates," a designation reflecting its principal function as the ratemaking component of the Board staff. The ratemaking responsibilities and functions of the Bureau of Fares and Rates will remain the same in all respects as those previously assigned to the Bureau of Economics.

Since these amendments are concerned with internal management and organization, and impose no significant burden on any member of the public, the Board finds that notice and public procedure are unnecessary and that the rules may be effective immediately.

Accordingly, 14 CFR Part 384 is amended as follows:

Amend § 384.7 by revising paragraph (d) and by adding a new paragraph (j) to read as follows:

§ 384.7 Organization and delegation of authority.

* * * * *

(d) The Bureau of Fares and Rates, which is the ratemaking component of the Board. Staff work on commercial passenger, baggage, and freight rates, service mail rates, subsidy rates, and military charter rates is the role of this Bureau.

* * * * *

(j) The Office of Economic Analysis, which is responsible for studying demand for air transportation under various conditions of price and service, and forecasting future demand; advising the Board and staff on the economic impact of Board actions, and on the financial structure and condition of individual air carriers and the industry in general; providing economic counsel, analysis and testimony in Board proceedings; assisting in the development of economic recommendations about U.S. international aviation relations and general regulatory policy; and working with other agencies and departments on economic matters related to airline regulation.

(Sections 204(a) and 1001 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 788 (49 U.S.C. 1324, 1481); Reorganization Plan No. 13 of 1950, 64 Stat. 1266 (5 U.S.C. Appendix).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc.77-27552 Filed 9-21-77;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

SUBCHAPTER C—ACCOUNTS, FEDERAL POWER ACT

[Docket No. R-424]

PART 101—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR PUBLIC UTILITIES AND LICENSEES SUBJECT TO THE PROVISIONS OF THE FEDERAL POWER ACT (CLASS A AND CLASS B)

SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

SUBCHAPTER F—ACCOUNTS, NATURAL GAS ACT

PART 201—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR NATURAL GAS COMPANIES SUBJECT TO THE PROVISIONS OF THE NATURAL GAS ACT (CLASS A AND CLASS B)

PART 204—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR NATURAL GAS COMPANIES SUBJECT TO THE PROVISIONS OF THE NATURAL GAS ACT (CLASS C AND CLASS D)

Accounting for Premium, Discount, and Expense of Issue, Gains, and Losses on Refunding, and Reacquisition of Long-Term Debt, and Interperiod Allocation of Income Taxes

AGENCY: Federal Power Commission.

ACTION: Order denying application for rehearing of order No. 505-B.

SUMMARY: This order denies an application, filed August 8, 1977, by Texas Eastern Transmission Corp. and Interstate Natural Gas Association of America for rehearing of the Commission's Order No. 505-B, issued July 8, 1977, and published July 26, 1977 (42 FR 37970). The application for rehearing is being denied because it raises no material facts or principles of law which warrant a change in Order No. 505-B; all arguments raised in the application were fully considered and rejected by the Commission in prior orders in this docket.

EFFECTIVE DATE: September 7, 1977.

FOR FURTHER INFORMATION CONTACT:

Kenneth F. Plumb, Secretary, 202-275-4166.

ORDER DENYING APPLICATION FOR REHEARING OF ORDER NO. 505-B

SEPTEMBER 7, 1977.

On July 8, 1977, the Commission issued Order No. 505-B in which it affirmed Order No. 505, 51 FPC 715 (1974), and Order No. 505-A, 51 FPC 832 (1974), by requiring that jurisdictional utilities and natural gas companies use accounting procedures which follow the rate treatment prescribed by the Commission for gains and losses from the reacquisition of debt. Texas Eastern Transmission Corp. and Interstate Natural Gas Association of America (collectively the Petitioners) filed jointly on August 8, 1977, an application for rehearing. For the reasons discussed, the Commission shall deny the Petitioners' application.

The Petitioners have raised no material facts or principles of law which warrant a change in Order No. 505-B. All of the Petitioners arguments were raised by the same Petitioners at earlier stages of this rulemaking. Those arguments were fully considered and rejected by the Commission in the prior orders in this docket. In view of the lack of any new or convincing arguments which would require a different result in Order No. 505-B, the Commission shall deny the application for rehearing:

The Commission orders: (A) The Petitioners' application for rehearing, filed on August 8, 1977, is denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27121 Filed 9-21-77;8:45 am]

Title 19—Customs Duties

CHAPTER I—U.S. CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 77-233]

PART 22—DRAWBACK

Verification of Drawback Claims

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This rule eliminates the requirement that Customs verify (audit) certain drawback documents as they are received. The expense involved in verifying the documents as they are received is not justified. The affected drawback documents will now be verified at random or whenever the regional commissioner believes verification is needed.

EFFECTIVE DATE: October 25, 1977.

FOR FURTHER INFORMATION CONTACT:

Jerry C. Laderberg, Attorney, Carriers, Drawback and Bonds Division, U.S. Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202-566-5856).

SUPPLEMENTARY INFORMATION:

BACKGROUND

"Drawback" denotes a situation in which a duty or tax, lawfully collected, is refunded or remitted, wholly or partially, because of a particular use made of the merchandise on which the duty or tax was collected. One of the more common types of drawback is that allowed upon the exportation of articles manufactured or produced in the United States with the use of imported merchandise (section 313(a), Tariff Act of 1930 (19 U.S.C. 1313(a))). Part 22 of the Customs Regulations (19 CFR Part 22) contains provisions regarding drawback claims.

Prior to approving claims for drawback of duties, Customs must verify (audit) the claim and the related drawback documents pursuant to § 22.43 of the Customs Regulations (19 CFR 22.43). Paragraph (d) of that section, as amended by T.D. 76-119 on April 30, 1976 (41 FR 18071), provides that schedules, supplemental schedules, and supplemental advisory schedules, when not incorporated in a drawback statement or supplemental statement, shall be verified when received. In many instances, the various schedules (which show the quantity of imported materials used or appearing in each finished article) are filed after the filing of the drawback statement or supplemental statement (which described the methods of manufacture or production that will be followed and the records that will be kept by each manufacturer or producer of articles intended for exportation with benefit of drawback).

Upon review, Customs has now determined that the expense involved in verifying the schedules as they are received is not justified. Therefore this amendment eliminates that requirement by deleting present paragraph (d) of § 22.43. The various schedules will now be verified at random or whenever the regional commissioner believes that verification is required for the orderly and efficient administration of the drawback law and regulations. This amendment also consolidates the text of present paragraphs (e) and (f) of § 22.43 into a new paragraph (d) for clarity.

Because this amendment pertains solely to agency procedure or practice it is exempt from the notice requirements of 5 U.S.C. 553.

DRAFTING INFORMATION

The principal author of this document was Richard M. Belanger, Attorney, Regulations and Legal Publications Division of the Office of Regulations and Rulings, U.S. Customs Service. However, personnel from other offices of the Customs Service participated in developing the document, both on matters of substance and style.

AMENDMENTS TO THE REGULATIONS

Accordingly, Part 22 of the Customs Regulations (19 CFR Part 22) is amended in the following manner:

Section 22.43 is amended by deleting paragraphs (d), (e), and (f), and by adding a new paragraph (d) to read as follows:

§ 22.43 Verification of drawback claims.

* * * * *

(d) In addition to taking any actions prescribed in this section, the regional commissioner shall refer drawback documents to the regional Regulatory Audit Division for verification at random or whenever he believes verification is required for the orderly and efficient administration of the drawback law and regulations.

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

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: September 12, 1977.

BETTE B. ANDERSON,
Under Secretary of the Treasury.

[FR Doc.77-27724 Filed 9-21-77;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7500]

PART 7—TEMPORARY REGULATIONS FOR INVESTMENT CREDIT FOR CERTAIN MOVIE AND TELEVISION FILMS

Election Under Section 804(e)(2) of the Tax Reform Act of 1976

AGENCY: Internal Revenue Service, Treasury.

ACTION: Temporary regulations.

SUMMARY: This document contains temporary regulations relating to the election with respect to the investment credit for movie and television films and tapes that are property described in section 50(a) of the Internal Revenue Code of 1954. Changes to the applicable tax law were made by the Tax Reform Act of 1976. The regulations would provide the motion picture and television industry with the guidance needed to make the election under section 804(e)(2) of the Act.

DATES: The election under section 804(e)(2) of the Act must be made not later than October 4, 1977.

FOR FURTHER INFORMATION CONTACT:

Lawrence M. Axelrod of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, D.C. 20224, Attention: CC:LR:T (202-566-4454, not a toll-free call).

SUPPLEMENTARY INFORMATION:

BACKGROUND

This document contains temporary regulations relating to the election under section 804(e)(2) of the Tax Reform Act of 1976. Under section 804(e)(2) of the Act, taxpayers may elect to apply the amendments made by section 804 (a) and (b) of the Act to movie and television films that are property described in section 50(a) of the Internal Revenue Code of 1954 and that were placed in service in taxable years beginning before January 1, 1975. The election is to be made by filing amended returns for all taxable years to which the election relates not later than October 4, 1977. Accompanying the amended returns must be a statement containing substantially the same information required by § 7.48-2(b)(2), (3), and (4).

DRAFTING INFORMATION

The principal author of these temporary regulations was Lawrence M. Axelrod of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulations both on matters of substance and style.

PROPOSED AMENDMENT TO THE REGULATIONS

The proposed amendment to 26 CFR Part 7 is as follows:

The following new section is added immediately after § 7.48-2.

§ 7.48-3 Election to apply the amendments made by sections 804 (a) and (b) of the Tax Reform Act of 1976 to property described in section 50 (a) of the Code.

(a) *General rule.* Under section 804(e)(2) of the Tax Reform Act of 1976 (90 Stat. 1596), taxpayers may elect to apply the amendments made by section 804 (a) and (b) of the Act to movie and television films that are property described in section 50(a) of the Code and that were placed in service in taxable years beginning before January 1, 1975.

(b) *Time for and manner of making election.*—(1) *Time for making election.* The election under section 804(e)(2) of the Act must be made not later than October 4, 1977.

(2) *Manner of making election.* The election under section 804(e)(2) shall be made by applying the same rules applicable under section 804(c)(2) as described in § 7.48-2(b)(2), (3), and (4) except that § 7.48-2(b)(2)(ii) shall be read to require a statement that the taxpayer is making an election under section 804(e)(2) of the Act, and § 7.48-2(b)(2)(vi) shall not apply. An election properly made under section 804(e)(2) of the Act may not be revoked after October 4, 1977.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805); sec. 804(e)(2), Tax Reform Act of 1976 (90 Stat. 1596).)

JEROME KURTZ,
Commissione rof Internal Revenue.

Approved: September 19, 1977.

LAURENCE N. WOODWORTH,
Assistant Secretary of the Treasury.

[FR Doc.77-27876 Filed 9-20-77;4:12 pm]

Title 29—Labor

CHAPTER XIV—EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

PART 1601—PROCEDURAL REGULATIONS

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final rule.

SUMMARY: The Equal Employment Opportunity Commission published its proposed procedural regulations for notice and comment by the public since it was implementing a major agency reorganization and wished to obtain public comment. Those regulations, printed here in final form, are designed to improve the agency's administration and enforcement of Title VII of the Civil Rights Act of 1964, as amended.

EFFECTIVE DATE: September 23, 1977.

FOR FURTHER INFORMATION CONTACT:

Constance L. Dupre, Associate General Counsel, Legal Counsel Division, Office of the General Counsel, Room 2224, EEOC, 2401 E Street NW., Washington, D.C. 20506. (202-634-6460).

SUPPLEMENTARY INFORMATION: On August 19, 1977, the Equal Employment Opportunity Commission published a proposed revision of its procedural regulations (42 FR 42022) which appear at 29 CFR Part 1601. Although the Commission is not required to publish its procedural regulations for notice and comment, the Commission did so in this instance because it decided that public comment would be useful. In addition, during the period of public notice and comment, the Commission initiated its second review of the proposed regulations.

All public comments received by close of business September 9, 1977, were considered. (Comments received after that time will be reviewed for possible future Commission action.) Those of the 16 public commentors who addressed the overall thrust of the new regulations were favorable in their responses. Additionally, most of the public commentors asked for further definition of material appearing in the regulations, reflecting an interest in the actual implementation of the regulations. Such comments were not accepted insofar as they suggested amendment of the regulations. This is

because all requests for further specificity and detail will be met by the issuance of appropriate instructional manuals to staff, including the revision of the Commission Compliance Manual, which will be made available to the public.

A discussion of the substantive comments received, other than those asking for more detail as to implementation of the regulations, appears below.

Section 1601.6. One commentor suggested that it would be appropriate to indicate in this section that a charge may be dismissed based on the information submitted to the Commission. The procedure providing authority for such dismissals exists in these regulations in § 1601.19.

Section 1601.7. A number of commentors suggested on various grounds that the sentence which permits persons who have had charges filed on their behalf to request that their identities be kept confidential should be limited in its applicability or eliminated entirely. The major reasons urged to support the suggestion were inability of respondents to attempt to justify or resolve matters where they are not informed of the details of an allegedly unlawful action, and absence of a need for confidentiality because of the prohibition against retaliation provided in section 704(a), of Title VII.

The Commission recognizes that in certain cases it is difficult and sometimes impossible to resolve a charge without revealing the identity of the person claiming to be aggrieved, and does not contemplate a necessity for keeping the identity confidential in all cases where the request is made. In at least some instances an individual will have to be presented with a choice of revealing his or her identity or precluding the Commission from initiating or concluding its investigation. The Commission cannot, however, eliminate the confidentiality provision. The legislative history of the 1972 amendments to section 706(b) of Title VII indicates that the "on behalf of" phrase was intended to "enable aggrieved persons to have charges processed under circumstances where they are unwilling to come forward publicly for fear of economic or physical reprisals." "Legislative History of the Equal Employment Opportunity Act of 1972," Subcommittee on Labor, Committee on Labor and Public Welfare, U.S. Senate, 92nd Cong., 2nd Sess. at page 1845 (1972). It should be stressed that this regulation applies only to charges filed on behalf of persons claiming to be aggrieved and only in those instances where confidentiality is affirmatively requested.

Section 1601.10. Several commentors suggested on various grounds that this section be changed to provide that the person claiming to be aggrieved and/or the person filing on behalf of such person has a right to withdraw the charge without the consent of a Commission official. The major reasons expressed in support of these suggestions were that the charging party has an inherent right to withdraw his or her charge, and that the refusal to permit withdrawal may result in the charge being used by the Commission for purposes not intended by the charging party.

The Commission contemplates procedural instructions to staff providing that consent to withdrawal of a charge will be withheld only in a very narrow range of circumstances. However, in certain circumstances the public interest would not be served were the Commission to cease processing the charge.

Upon review, the Commission has determined to delete the phrase "original filing date" from subsection (b) and substitute "date the charge was first received" in order to clarify the meaning of the section.

Section 1601.13(a). Upon review, the Commission has determined that the relationship between the distinct filing requirements of sections 706(e) and 706(c) of Title VII would be clarified by making parallel the language of subsection (a) and the subsection numbered (c)(2) in the proposed regulations. For this reason the phrase "of satisfying the filing requirement" now contained in renumbered subsection (d)(2) also appears in subsection (a).

Section 1601.13(b). Upon review, the Commission has determined that it is appropriate to make explicit that the Commission will assume jurisdiction over a charge upon receipt where it is not subject to the jurisdiction of a 706 Agency. All succeeding subsections have been renumbered to accommodate the statement numbered (b).

Section 1601.13(c)(1). Upon review, the Commission has deleted the last two sentences contained in the proposed regulations at subsection (b)(1) because the reference to prior procedure is no longer appropriate.

Section 1601.13(c)(3). A few commentors questioned the authority of a 706 Agency to make an effective waiver of its right to exclusively process charges during the deferral period established by section 706(c) of Title VII, where the 706 Agency has not terminated its processing of the charge. The legislative history and case law indicate that the purpose of the deferral provision of section 706(c) was to guarantee State and local governments that wished to create or maintain fair employment practice agencies the opportunity to process charges for a period of time prior to any action by the Commission. That opportunity is in no way diminished by the waiver procedure outlined in this subsection.

Upon review, the Commission has determined that its procedure would be more clearly expressed by indicating that where a 706 Agency has waived its right to exclusively process a charge the Commission will assume jurisdiction over the charge "upon receipt."

Section 1601.13(d)(1)(ii). One commentor argued that the proceedings of 706 Agencies cannot be deemed to have commenced until the 706 Agency receives a copy of the allegation of discrimination. The Commission's long-standing procedure of counting the deferral period from the date on which such allegations are mailed is authorized by the last sentence of section 706(c) of Title VII which states that such proceedings "shall be deemed to have been commenced * * * at the time such statement is sent by registered mail * * *."

Section 1601.13(d)(2). One commentor argued that the Commission should require 706 Agencies to cease processing a charge when the Commission assumes jurisdiction over the charge. The Commission recognizes the burden to respondents and the inefficient use of governmental resources which could be involved in any simultaneous investigations conducted by the Commission and 706 Agencies. It contemplates the establishment and expansion of work-sharing agreements with 706 Agencies which provide that only one agency will have primary responsibility for the initial investigation. The Commission does not have the authority to require a 706 Agency to terminate its proceedings.

Section 1601.13(f). Upon review, the Commission has determined that its procedure would be more clearly expressed by adding that the Commission may "make a preliminary investigation" for purposes of determining the need for relief pursuant to § 706(f)(2) of Title VII, notwithstanding the deferral provisions of Title VII.

Section 1601.13(g). Upon review, the Commission has determined that its procedure would be more clearly expressed by specifying the date on which a charge by a member of the Commission is deemed filed. A new sentence for this purpose has been added to the subsection numbered (f) in the proposed regulations.

Section 1601.14. The Commission received suggestions that a copy of the charge be served upon respondents in all instances, as well as suggestions that the notice be substituted for the charge only in rare circumstances. The title of this section has been changed to "service of a charge or notice of a charge" to reflect the Commission's intent to serve the charge in most instances. It was also suggested that a respondent be notified of the deferral of a charge within 10 days of receipt. The Commission contemplates continuing its procedure of notifying respondents when a charge has been deferred to a 706 Agency.

Section 1601.15(b). A wide range of comment was received regarding this subsection. Commentors suggested that the section be revised to provide that the Commission "shall require" the person claiming to be aggrieved to provide the information specified in this subsection. Other commentors suggested that the Commission should not require a charging party to provide the information because the charging party may not reasonably have the information or may lack the technical competence to identify and provide the information.

The Commission believes that discretion must be retained with regard to the requirements of § 1601.15(b). Although the Commission contemplates requiring the information from the charging party

in all circumstances where the charging party possesses the information, it would be inappropriate for the Commission to require the charging party to provide information not reasonably within his or her knowledge. Recognizing that most charging parties are not trained in the requirements of Title VII, the Commission intends to provide assistance to charging parties in identifying and providing the information during the course of the intake process.

Section 1601.15(c). A wide range of comment was also received regarding this subsection. A few commentors argued that the fact-finding conference is unauthorized by Title VII; other commentors stated that the fact-finding conference should be mandatory in every case or that either party should be able to demand a fact-finding conference. A number of commentors expressed concern that the conference would be scheduled at inconvenient times or places making it difficult for the parties to attend.

The procedure for fact-finding conferences is one of the several techniques to be used by the Commission to investigate charges of discrimination. There are instances, however, in which a fact-finding conference would be inappropriate, e.g., if there is no factual issue in dispute, and therefore the Commission rejects the suggestion that it be mandatory in every case or at either party's request. Further, the Commission recognizes that the circumstances of the parties may occasionally make it unreasonable to have the parties meet together, e.g., where a charging party is employed in a location distant from the District Office or other appropriate meeting places.

Section 1601.16. Several commentors objected to the delegation of authority to issue subpoenas to "any representative designated by the Commission," arguing that it was an unwarranted expansion of the number of persons accorded such authority. The inclusion of this language in the regulation does not expand the number of persons authorized to issue a subpoena, but it does recognize the possibility that the Commission may wish to designate additional officials at a subsequent time.

One commentor suggested that the section be amended to provide that materials subpoenaed must be relevant to the Commission's investigation. The Commission recognizes that it is empowered to subpoena only relevant information, but believes that this requirement is sufficiently clear in the body of subpoena law and need not be included in the regulation.

Additionally, it was suggested that the Regional Director review each subpoena before issuance. The Commission believes that this requirement is unnecessary and would make the subpoena process unduly cumbersome.

It was suggested that the Commission exercise caution in adopting the N.L.R.A. enforcement procedure noted at subsection (c). This authority is provided by statute and has been used by the Commission since the 1972 amendments to Title VII.

Upon review, the Commission has determined to insert the language "the person filing a charge on behalf of such person" after "aggrieved" in the final sentence of subsection (a). The addition of this language reflects the Commission's current practice.

In addition, the Commission has determined to modify the subpoena appeal procedures in light of the introduction of Model Offices. Where the subpoena is issued by the Director of a Model Office, the initial petition to revoke or modify shall be mailed to that Director for determination. Any appeal from that determination to the Commission would be made by following procedures similar to present procedures for revocation or modification of subpoenas. In non-model offices, the procedures in the proposed revision of the procedural regulations, 42 FR 42022, are still applicable.

Section 1601.17. A few commentors questioned the authority of the Commission to compel testimony at public hearings. While the Commission recognizes that it may not wish to assert this authority in all instances, it retains this section as proposed, for use in appropriate instances as necessary for carrying out the purposes of Title VII.

Section 1601.19. A number of comments were received on this section. Many sought more clarification or concerned matters which will be contained in staff manuals. Comments varied widely. One commentor stated that the Commission must dismiss if a claimant refused to proceed, while another commentor stated that there should be no dismissal for failure to attend a fact-finding conference. The Commission has decided not to accept these comments. In the instance of a dismissal of a charge, a certain degree of discretion must be exercised. Staff manuals will contain guidance on these matters, will retain flexibility, and will be designed to provide for dismissal in the situations discussed only where the action or inaction of the person claiming to be aggrieved is deliberate.

Upon its own consideration of this section, the Commission has decided to make the following changes.

Subsection (a) is modified to provide that charges raising claims exclusively under section 717 of Title VII will not be taken, but the Commission shall refer the person to the appropriate federal agency. Subsection (e) is modified by inserting a cross-reference to § 1601.20. Subsection (f) is modified in two respects. The word "A" is removed from the first line of this subsection to preclude any inference that the notice of disposition provided will always be an independent document separate from the notice of right to sue. The Commission's notice of right to sue will itself include the notice of disposition in most instances when the Commission does not reach a determination on the charge, i.e. those instances described in subsections (a), (c), (d) and (e) of this section.

Subsection (f) is also amended by deleting the requirement that "Such notice shall be issued together with the reasons therefor," since this may have suggested that a full discussion of the facts was contemplated in every instance. Dismissals made pursuant to subsections (c), (d) and (e) will generally only inform the parties that the dismissal was made pursuant to one of those sections. Dismissals made pursuant to subsection (b), i.e. "no cause" determinations, will be accompanied by a letter of determination which will identify the issues addressed and the ultimate conclusion, but will not, in most cases, contain further discussion of the reasoning which led to the conclusion. Decisions on Commissioner charges and decisions on charges in which there is not existing Commission precedent on which to base a finding of no couse are exceptions to this policy and will contain further discussion.

Before any dismissal on the merits of the charge or before the issuance of a determination, a conference will be held with the parties to review the evidence which has been gathered. The Commission has determined that it is more efficient to engage in such conferences rather than to draft a written analysis of this same material in most no-cause cases, since, with the issuance of the notice of right to sue the case file is immediately available to the charging party for review. The Commission believes that, in view of these provisions, the allocation of additional staff time to the preparation of no cause determinations would represent a reduction in the amount of staff resources available to investigate charges in a timely and effective manner and remedy discrimination which the Commission has identified in "cause" cases, and that allocating sufficient resources to these latter functions is a more productive way to carry out its statutory mandate.

Section 1601.20. Two commentors suggested that this section specifically provide that "nothing said or done during a negotiated settlement agreement proceeding will be made public by the Commission * * *." Those comments were rejected since the subject of confidentiality is addressed in § 1601.26. One commentor stated that the Commission should not maintain that in all instances it has not considered the appropriateness of the settlement agreement. The Commission accepts this comment and the regulation is modified accordingly.

Section 1601.21. Several commentors addressed the reconsideration of reasonable cause findings. Some wanted reconsideration upon the motion of either party, while others wanted definite time limits placed upon reconsideration. The Commission rejects the comments because it does not wish to establish any formal, more cumbersome reconsideration procedure at this time.

Several commentors felt that the determinations of 706 Agencies should be binding upon the Commission. The Commission rejects these comments since the statute provides only that the Commission is to give "substantial weight" to the final findings and orders of such agencies. The Commission could not abdicate responsibility for making determinations on those charges under Federal law. One commentor suggested that

any 706 Agency action which terminates its proceedings be given substantial weight. While the Commission does consider all 706 Agency actions and gives them such weight as it deems appropriate, this regulation refers only to the Commission's statutory requirement to give substantial weight to final findings and orders of such agencies.

Notwithstanding the revision made to proposed § 1601.19(f), the Commission shall continue its existing practice of stating reasons for its determinations in Letters of Determination or Commission Decisions whenever the Commission finds reasonable cause to believe that the Act has been violated.

Section 1601.22. Some commentors assumed that this regulation represented a change in the Commission's disclosure policies. No change is contemplated. The addition of the parties' attorneys as persons to whom disclosure may be made merely reflects the Commission's prior practice.

Section 1601.23. Two commentors urged that the Commission not grant private parties the right to seek preliminary relief since the Commission has such authority and may exercise it on their behalf. However, private individuals' rights in this regard are not granted by the Commission; rather, this section merely recognizes an independent right already recognized by the case law.

For purposes of clarity, the Commission has changed the last sentence of subsection (b) of this section to subsection (c).

Section 1601.24. One commentor urged that subsection (c) be amended to note that persons who are beneficiaries of a conciliation agreement even though not signatories to such an agreement should not be able to proceed in court under section 706(f)(1) of Title VII on matters covered by the agreement. This regulation is not intended to address the rights of persons who have accepted benefits and executed waivers of Title VII rights; determination of what rights, if any, remain after waiver depends upon individual facts and circumstances. Rather, the regulation clarifies that the mere existence of a conciliation agreement is not determinative of the rights of persons not parties to the agreement.

Section 1601.25. Two commentors suggested that charging party and respondent be simultaneously notified of failure of conciliation. Inasmuch as the Commission does not litigate until a failure of conciliation, it rejects the suggestion that the notice to respondent of the failure of conciliation issue only after a litigation judgment is made. Since the provision of a notice to charging party of the failure of conciliation has given rise to litigation on the issue of whether such notice commences the running of the 90-day period during which suit can be filed, the Commission does not intend to give charging party this notice until after it has completed its processing of the charge by making its litigation decision. Accordingly, this section remains unchanged.

Section 1601.26. Comments received on this section focused on subpart (b), which was questioned as in apparent conflict with the District Court decision in *Sears, Roebuck and Co.* v. *EEOC*, 77-393 and 77-924 (D.D.C. July 26, 1977), motion for interlocutory appeal pending. The section, which reflects the Commission's position on the matter, remains unchanged. The section, although also applicable to settlement attempts after a determination of reasonable cause, was inserted primarily to clarify disclosure principles in light of the Commission's intention to make settlement attempts during the investigative, pre-determination phase a routine practice which will be central to its processing of charges.

The Commission has substituted the word "persons" for the word "parties" in subsection (a), which describes the nescessity of obtaining written consent. This change is made to conform the subsection more precisely to the statute.

Section 1601.28. One commentor suggested that the Commission has no authority for subsection (a)(2), which provides for the issuance of a notice of right to sue before the passage of 180 days when the appropriate Commission official determines that the Commission will be unable to complete its administrative processing of the charge within that time period. The statute permits issuance of notices of right to sue after the passage of 180 days. The Commission is willing to issue notices before 180 days when it is clear that the administrative process cannot be completed, based on the legal principle that a party is not required to perform a useless act, i.e., wait for the passage of 180 days when the passage of such time will not accomplish any purpose.

One commentor suggested that the Commission ought not offer assistance to persons other than to persons who have received reasonable cause determinations. No rationale was presented for this assertion and the Commission does not accept it.

A suggestion that no right to sue letter should be issued when the Commission finds no reasonable cause was rejected as contrary to the statute, as was a suggestion that the charging party be required to request a notice of right to sue at a specific time after the filing of the charge, and presumably at no other time.

A general concern was raised that there would be a change in the method of measuring the 180-day period. No change is contemplated.

For the purpose of clarity, the Commission has amended subsection (b) by adding a new subsection (b)(2) to provide that when the Commission enters into a conciliation agreement to which a person claiming to be aggrieved is not a party, a notice of right to sue shall be issued to such person. This is current Commission practice. Subsection (d) has been amended by deleting the words "requests for" and by substituting the words "issued by" for the words "referred to". Subsection (e) has been amended to separate proposed subsection (e)(3) into two subsections, (e)(3) and (e)(4). The additional subpart avoids the inference that a copy of an independent document will always be enclosed.

Section 1601.29. One commentor recommended that the Commission retain its former regulation (29 CFR 1601.26) by which cases arising under section 707 of the Act (pattern and practice cases) were to be referred to the Department of Justice. As we noted in our explanatory comment at 42 FR 42025, the previous reference was deleted because 707 authority was transferred to the Commission by the Equal Employment Opportunity Act of 1972.

Section 1601.57. A comment that a timetable should be established for the issuance of reasonable cause findings under this section was rejected on the grounds that it would be inadvisable to establish fixed timetables for its administrative process.

Section 1601.58. One commentor suggested that a minimum period of time be established for voluntary compliance efforts before litigation could be commenced, inferring that the Office of General Counsel might otherwise institute litigation at the earliest possible date. Since it is the Commission that determines the onset of litigation, it was not deemed pertinent to the intent of the commentor to establish such a minimum period of time for conciliation.

Section 1601.59. Inasmuch as the procedural regulations contemplate that notices of right to sue shall be issued only to persons claiming to be aggrieved, the title of this section was amended by deleting the reference to persons filing charges on behalf of (aggrieved) persons.

Section 1601.70. One commentor, addressing Subpart H in its entirety, suggested that the Commission adopt more stringent certification criteria for "706 Agencies" to insure that it would more frequently accord substantial weight to the findings and orders of such agencies. In the Commission's view, § 706(c) of Title VII of the Civil Rights Act of 1964, as amended, does not permit the Commission to adopt more stringent certification requirements. However, in order to enable the Commission to cooperate more effectively with 706 Agencies and to accept State findings and orders more frequently, the EEOC has initiated a program to work more closely with 706 Agencies, developing work-sharing agreements, mutual standards and common staff training.

Section 1601.74. Appropriate changes have been made to correct and update the designations of 706 Agencies.

Dated: September 19, 1977.

ELEANOR HOLMES NORTON,
Chair, Equal Employment Opportunity Commission.

According, the procedural regulations of the Equal Employment Opportunity Commission, 29 CFR Part 1601, are amended to read as follows:

Sec.
1601.1 Purpose.

Subpart A—Definitions

1601.2 Terms defined in Title VII of the Civil Rights Act of 1964, as amended.
1601.3 Other definitions.
1601.4 Vice Chairman's functions.
1601.5 Region; district; supervisory authority.

Subpart B—Procedure for the Prevention of Unlawful Employment Practices

1601.6 Submission of information.
1601.7 Charges by or on behalf of persons claiming to be aggrieved.
1601.8 Where to make a charge.
1601.9 Form of charge.
1601.10 Withdrawal of a charge by a person claiming to be aggrieved.
1601.11 Charges by members of the Commission.
1601.12 Contents of charge; amendment of charge.
1601.13 Filing; deferrals to State and local agencies.
1601.14 Service of charge or notice of charge.

Investigation of a Charge

1601.15 Investigative authority.
1601.16 Access to and production of evidence; testimony of witnesses: procedure and authority.
1601.17 Witnesses for public hearings.
1601.18 Right to inspect or copy data.

Procedure Following Filing of a Charge

1601.19 Dismissal: Procedure and authority.
1601.20 Negotiated settlement.
1601.21 Reasonable cause determination: Procedure and authority.
1601.22 Confidentiality.

Procedure To Rectify Unlawful Employment Practice

1601.23 Preliminary or temporary relief.
1601.24 Conciliation: Procedure and authority.
1601.25 Failure of conciliation; notice.
1601.26 Confidentiality of endeavors.

Procedure Concerning the Institution of Civil Actions

1601.27 Civil Actions by the Commission.
1601.28 Notice of right to sue: Procedure and authority.
1601.29 Referral to the Attorney General.

Subpart C—Notices to Employees, Applicants for Employment and Union Members

1601.30 Notices to be posted.

Subpart D—Interpretations and Opinions by the Commission

1601.31 Request for interpretation or opinion.
1601.32 Contents of request; where to file.
1601.33 Issuance of interpretation or opinion.

Subpart E—Construction of Rules

1601.34 Rules to be liberally construed.

Subpart F—Issuance, Amendment or Repeal of Rules

1601.35 Petitions.
1601.36 Action on petition.

Subpart G—Case Processing Under Section 707 of Title VII

1601.50 Purpose.
1601.51 Delegation of authority.
1601.52 Initiation of section 707 charge.
1601.53 Service of notice of charge.
1601.54 Deferral.
1601.55 Investigation.
1601.56 Issuance of subpoenas; petitions to revoke subpoenas; enforcement of subpoenas.
1601.57 Commission reasonable cause finding.
1601.58 Voluntary compliance; settlements; Commission authority to file suit.
1601.59 Notice to persons claiming to be aggrieved.

Subpart H—706 Agency Designation Procedures

1601.70 706 Agency designation.
1601.71 Commission determinations on 706 Agency applications.
1601.72 706 Agency performance standards.
1601.73 706 Agency conference.
1601.74 Designated 706 and Notice Agencies.

Authority: Sec. 713(a), Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e–12(a).

§ 1601.1 Purpose.

The regulations set forth in this part 1601 contain the procedures established by the Equal Employment Opportunity Commission for carrying out its responsibilities in the administration and enforcement of Title VII of the Civil Rights Act of 1964, as amended. Based upon its experience in the administration of the Act and upon its evaluation of suggestions and petitions for amendments submitted by interested persons in accordance with § 1601.35, the Commission may from time to time amend and revise these procedures.

Subpart A—Definitions

§ 1601.2 Terms defined in Title VII of the Civil Rights Act of 1964, as amended.

The terms "person," "employer," "employment agency," "labor organization," "employee," "commerce," "industry affecting commerce," "State" and "religion" as used herein shall have the meanings set forth in section 701 of Title VII of the Civil Rights Act of 1964, as amended.

§ 1601.3 Other definitions.

For the purposes of this Part, the term "Title VII" or "the Act" shall mean Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972; the term "Commission" shall mean the Equal Employment Opportunity Commission or any of its designated representatives; the term "706 Agency" shall mean a state or local agency which the Commission has determined satisfies the criteria stated in section 706(c) of Title VII; and the term "verified" shall mean sworn to or affirmed before a notary public, designated representative of the Commission, or other person duly authorized by law to administer oaths and take acknowledgements, or supported by an unsworn declaration in writing under penalty of perjury.

The delegations of authority in subpart B of this part are applicable to charges filed pursuant to either section 706 or section 707 of Title VII.

§ 1601.4 Vice Chairman's functions.

The member of the Commission designated by the President to serve as Vice Chairman shall act as Chairman in the absence or disability of the Chairman or in the event of a vacancy in that office.

§ 1601.5 Region; district; supervisory authority.

The term "region" as used herein shall mean that part of the United States or any territory thereof fixed by the Commission as a particular region. The term "regional director" shall refer to that person designated as the Commission's chief officer in each region. The term "district" shall mean that area within a region fixed by the Commission as a particular sub-unit of a region. The term "district director" shall refer to that person designated as the Commission's chief officer in each district. The regional director is hereby delegated all of the authority granted in this part to district directors to be exercised within the scope of his or her supervisory authority over each district director in his or her region, except with regard to model offices. The term "model office" refers to a district office which, although located within a region, has been designated by the Commission to operate under the direct supervision of the Executive Director and the General Counsel. The Executive Director is hereby delegated all of the authority granted in this part to directors of model offices to be exercised within the scope of his or her authority over such model offices. The regional offices of the General Counsel are under direct control of the Commission's General Counsel.

Subpart B—Procedure for the Prevention of Unlawful Employment Practices

§ 1601.6 Submission of information.

The Commission shall receive information concerning alleged violations of Title VII from any person. Where the information discloses that a person is entitled to file a charge with the Commission, the appropriate office shall render assistance in the filing of a charge. Any person or organization may request the issuance of a Commissioner charge for an inquiry into individual or systematic discrimination. Such request, with any pertinent information, should be submitted to the nearest District Office.

§ 1601.7 Charges by or on behalf of persons claiming to be aggrieved.

(a) A charge that any person has engaged in or is engaging in an unlawful employment practice within the meaning of Title VII may be made by or on behalf of any person claiming to be aggrieved. A charge on behalf of a person claiming to be aggrieved may be made by any person, agency, or organization. The written charge need not identify by name the person on whose behalf it is made. The person making the charge, however, must provide the Commission with the name, address and telephone number of the person on whose behalf the charge is made. During the Commission investigation, Commission personnel shall verify the authorization of such charge by the person on whose behalf the charge is made. Any such person may request that the Commission shall keep his or her

identity confidential. However, such request for confidentiality shall not prevent the Commission from disclosing the identity to federal, state or local agencies that have agreed to keep such information confidential. If this condition is violated by a recipient agency, the Commission may decline to honor subsequent requests for such information.

(b) The person claiming to be aggrieved has the responsibility to provide the Commission with notice of any change in address and with notice of any prolonged absence from that current address so that he or she can be located when necessary during the Commission's consideration of the charge.

§ 1601.8 Where to make a charge.

A charge may be made in person or by mail at the offices of the Commission in Washington, D.C., or any of its district or regional offices or with any designated representative of the Commission. The addresses of the Commission's district offices appear in § 1610.4.

§ 1601.9 Form of charge.

A charge shall be in writing and signed and shall be verified.

§ 1601.10 Withdrawal of a charge by a person claiming to be aggrieved.

A charge filed by or on behalf of a person claiming to be aggrieved may be withdrawn only by the person claiming to be aggrieved and only with the consen tof the Commission. The Commission hereby delegates authority to District Directors and the Director of the Office of Compliance Programs as appropriate, to grant consent t oa request to withdraw a charge, other than a Commissioner charge, where the withdrawal of the charge will not defeat the purposes of Title VII.

§ 1601.11 Charges by members of the Commission.

Any member of the Commission may file a charge with the Commission. Such charge shall be in writing and signed and shall be verified.

§ 1601.12 Contents of charge; amendment of charge.

(a) Each charge should contain the following: (1) The full name, address and telephone number of the person making the charge except as provided in § 1601.7;

(2) The full name and address of the person against whom the charge is made, if known (hereinafter referred to as the respondent);

(3) A clear and concise statement of the facts, including pertinent dates, constituting the alleged unlawful employment practices: See § 1601.15(b);

(4) If known, the approximate number of employees of the respondent employer or the approximate number of members of the respondent labor organization, as the case may be; and

(5) A statement disclosing whether proceedings involving the alleged unlawful employment practice have been commenced before a State or local agency charged with the enforcement of fair employment practice laws and, if so, the date of such commencement and the name of the agency.

(b) Notwithstanding the provisions of paragraph (a) of this section, a charge is sufficient when the Commission receives from the person making the charge a written statement sufficiently precise to identify the parties and to describe generally the action or practices complained of. A charge may be amended to cure technical defects or omissions, including failure to verify the charge, or to clarify and amplify allegations made therein. Such amendments and amendments alleging additional acts which constitute unlawful employment practices related to or growing out of the subject matter of the original charge will relate back to the date the charge was first received. A charge that has been so amended shall not be required to be redeferred.

§ 1601.13 Filing; deferrals to State and local agencies.

(a) The timeliness of a charge shall be measured for purposes of satisfying the filing requirements of section 706(e) of Title VII by the date on which the charge is received by the Commission.

(b) The Commission shall assume jurisdiction over charges not subject to the jurisdiction of a 706 agency upon receipt.

(c) Deferral policy. (1) In order to give full weight to the policy of section 706(c) of the Act, which affords State and local fair employment practice agencies that come within the provisions of that section an opportunity to remedy alleged discrimination concurrently regulated by Title VII and State or local law, the Commission adopts the following procedures with respect to allegations of discrimination filed with the Commission where there is no evidence that such allegations were earlier presented to an appropriate 706 Agency. It is the intent of the Commission to thereby encourage the maximum degree of effectiveness in the State and local agencies. The Commission shall endeavor to maintain close communication with the State and local agencies with respect to all matters forwarded to such agencies and shall provide such assistance to State and local agencies as is permitted by law and as is practicable.

(2) Section 706(c) of Title VII grants States and their political subdivisions the exclusive right to process allegations of discrimination filed by a person other than a Commissioner for a period of sixty days or 120 days during the first year after the effective date of the qualifying State or local law. This right exists where pursuant to Subpart I of this part it has been demonstrated to the Commission that a State or local law prohibits the employment practice alleged to be unlawful and a State or local agency has been authorized to enforce and does enforce that law through civil or criminal proceedings. After the expiration of the exclusive processing period, the Commission may commence processing the allegation of discrimination.

(3) A 706 Agency may waive its right to the period of exclusive processing of charges provided under section 706(c) of Title VII with respect to any charge or category of charges. Where a 706 Agency has waived its right to the exclusive processing period with respect to any category of charges, the Commission will assume jurisdiction over charges within that category upon receipt. Copies of such charges shall be forwarded to the appropriate 706 Agency.

(d) The following procedures shall be followed with respect to cases arising in the jurisdiction of "706 Agencies."

(1) Where any document, whether or not verified, is received by the Commission as provided in § 1601.8 which may constitute a charge cognizable under Title VII, and where the 706 Agency has not waived its right to the period of exclusive processing with respect to that document, that document shall be deferred to the appropriate 706 Agency as provided in the procedures set forth below:

(i) All such documents shall be dated and time stamped upon receipt.

(ii) If the original document does not meet the requirements of § 1601.12(a), the Commission shall endeavor to obtain a perfected complaint meeting those requirements. A copy of the original document and of the perfected complaint, if applicable, shall be transmitted by registered mail, return receipt requested, to the appropriate State or local agency, or, where the State or local agency has consented thereto, by certified mail, by regular mail or by hand delivery. State or local proceedings are deemed to have commenced on the date such document is mailed or hand delivered.

(iii) The person claiming to be aggrieved and any person filing a charge on behalf of such person shall be notified, in writing, that the document which he or she sent to the Commission has been forwarded to the State or local agency pursuant to the provisions of section 706(c).

(2) For purposes of satisfying the filing requirement of section 706(c) of Title VII, the Commission shall assume jurisdiction over a document described in paragraph (c)(1) of this section as follows:

(i) Where the document on its face constitutes a charge within a category of charges over which the 706 Agency has waived its right to the period of exclusive processing referred to in paragraph (b)(3) of this section, the Commission will assume jurisdiction over the charge upon receipt of the document;

(ii) Where the document is submitted to the Commission within 180 days from the date of the alleged violation but beyond the period of limitation of the appropriate 706 Agency, the Commission shall assume jurisdiction on receipt of the document;

(iii) Where the proceedings of a 706 Agency have been commenced pursuant to paragraph (c)(1) of this section, the Commission shall assume jurisdiction sixty (or where appropriate 120) days after the 706 Agency proceedings have been commenced, except where the Commission is earlier notified of the termination of State proceedings, it shall imme-

diately assume jurisdiction upon receipt of such notice.

(iv) Where the proceedings of a 706 Agency have been commenced less than sixty (or, where appropriate, 120) days prior to the time the Commission receives the document and those proceedings have not previously been terminated, the Commission shall assume jurisdiction 60 (or, where appropriate, 120) days after the 706 Agency proceedings have been commenced, except where the Commission is earlier notified of the termination of state proceedings, it shall immediately assume jurisdiction upon receipt of such notice.

(e) In addition to the provisions in paragraphs (a), (b) and (c) of this section and pursuant to section 705(g)(1) and section 709(b) of Title VII, the Commission shall endeavor to enter into agreements with 706 Agencies and other fair employment practice agencies to establish effective and integrated resolution procedures. Such agreements may include, but need not be limited to, cooperative arrangements to provide for processing of certain charges by the Commission, rather than by the 706 Agency during the period specified in section 706(c) and section 706(d) of Title VII.

(f) Notwithstanding the deferral provisions of this section, the Commission may make a preliminary investigation and commence judicial action for immediate, temporary or preliminary relief pursuant to section 706(f)(2) of Title VII.

(g) A charge made by a member of the Commission shall be deemed filed upon receipt by the Commission office responsible for investigating the charge. The Commission will notify a 706 Agency when an allegation of discrimination is made by a member of the Commission concerning an employment practice occurring within the jurisdiction of the 706 Agency. The 706 Agency will be entitled to process the charge exclusively for a period of not less than sixty days if the 706 Agency makes a written request to the Commission within ten days of receiving notice that the allegation has been filed. The sixty day period shall be extended to one hundred and twenty days during the first year after the effective date of the qualifying State or local law.

§ 1601.14 Service of charge or notice of charge.

(a) Within ten days after the filing of a charge in the appropriate Commission office, the Commission shall serve respondent a copy of the charge, by mail or in person, except when it is determined that providing a copy of the charge would impede the law enforcement functions of the Commission. Where a copy of the charge is not provided, the respondent will be served with a notice of the charge within ten days after the filing of the charge (including the date, place, circumstances and identity of the person filing the charge, or, in the case of a charge filed on behalf of any individual, the identity of the person or organization so filing).

(b) The District Directors, the Director of the Office of Compliance Programs, and the designated representative of each are hereby delegated the authority to issue the notice described in paragraph (a) of this section.

INVESTIGATION OF A CHARGE

§ 1601.15 Investigative authority.

(a) The investigation of a charge shall be made by the Commission, its investigators, or any other representative designated by the Commission. During the course of such investigation, the Commission may utilize the services of State and local agencies which are charged with the administration of fair employment practice laws or appropriate Federal agencies, and may utilize the information gathered by such authorities or agencies. As part of each investigation, the Commission will accept any statement of position or evidence with respect to the allegations of the charge which the person claiming to be aggrieved, the person making the charge on behalf of such person, if any, or the respondent wishes to submit.

(b) As part of the Commission's investigation, the Commission may require the person claiming to be aggrieved to provide a statement which includes

(1) a statement of each specific harm that the person has suffered and the date on which each harm occurred;

(2) for each harm, a statement specifying the act, policy or practice which is alleged to be unlawful;

(3) for each act, policy, or practice alleged to have harmed the person claiming to be aggrieved, a statement of the facts which lead the person claiming to be aggrieved to believe that the act, policy or practice is discriminatory.

(c) The Commission may require a fact-finding conference with the parties prior to a determination on a charge of discrimination. The conference is primarily an investigative forum intended to define the issues, to determine which elements are undisputed, to resolve those issues that can be resolved and to ascertain whether there is a basis for negotiated settlement of the charge.

(d) The Commission's authority to investigate a charge is not limited to the procedures outlined in paragraphs (a), (b) and (c) of this section.

§ 1601.16 Access to and production of evidence; testimony of witnesses; procedure and authority.

(a) To effectuate the purposes of Title VII, any member of the Commission shall have the authority to sign and issue a subpoena requiring:

(i) the attendance and testimony of witnesses;

(ii) the production of evidence including, but not limited to; books, records, correspondence, or documents, in the possession or under the control of the person subpoenaed; and

(iii) access to evidence for the purposes of examination and the right to copy.

Any District Director or any representatives designated by the Commission may sign and issue a subpoena on behalf of the Commission. The subpoena shall state the name and address of its issuer, identify the person or evidence subpoenaed, the person to whom and the place, date, and the time at which it is returnable or the nature of the evidence to be examined or copied, and the date and time when access is requested. A subpoena shall be returnable to a duly authorized investigator or other representative of the Commission. Neither the person claiming to be aggrieved, the person filing a charge on behalf of such person nor the respondent shall have the right to demand that a subpoena be issued.

(b) Any person served with a subpoena who intends not to comply therewith shall, within five days (excluding Saturdays, Sundays and Federal legal holidays) after the date of service of the subpoena upon him or her, petition the Director of the Office of Compliance Programs by mail to revoke or modify the subpoena. Such petition shall be mailed to 2401 E Street NW., Washington, D.C. 20506, and a copy thereof shall be served on the person who issued the subpoena. The petition shall separately identify each portion of the subpoena with which the petitioner does not intend to comply and shall state, with respect to each such portion, the grounds upon which the petitioner relies. A copy of the subpoena shall be attached to the petition and shall be designated "Attachment A." Within eight days after receipt thereof, or as soon thereafter as practicable, the Director of the Office of Compliance Programs, shall make a determination upon the petition, stating reasons, and shall submit the petition and determination to the Commission for its review. The Commission shall review the petition and make a final determination. A Commissioner who has issued a subpoena shall abstain from reviewing any petition to modify or revoke the subpoena. The Commission shall serve a copy of the final determination of the petition upon the petitioner. For purposes of this section, service shall be made and proof thereof established pursuant to section 11(4) of the National Labor Relations Act, as amended, 29 U.S.C. 161(4), as made applicable to Commission hearings and investigations by section 710 of Title VII: *Provided, however,* That whenever the subpoena was issued by the Director of a Model Office, the petition to revoke or modify the subpoena shall be mailed to that Director, within the 5-day period specified above, who will make a determination on the petition. Any petitioner who wishes to appeal the determination of the Director shall do so by following the standard procedures specified above. Such appeal shall, in addition, be clearly labeled as "Appeal of Petition to Revoke or Modify Subpoena," and shall attach the initial petition and determination, designated as "Attachments B and C." No argument not presented to the Director of the Model Office will be considered by the Commission.

(c) Upon the failure of any person to comply with a subpoena issued under this section, the Commission may utilize

the procedures of section 11(2) of the National Labor Relations Act, as amended, 29 U.S.C. 161(2), to compel enforcement of the subpoena.

(d) Witnesses who are subpoenaed pursuant to § 1601.16(a) shall be entitled to the same fees and mileage that are paid witnesses in the courts of the United States.

§ 1601.17 Witnesses for public hearings.

(a) To effectuate the purposes of Title VII, any Commissioner, upon approval of the Commission, may demand in writing that a person appear at a stated time and place within the State in which such person resides, transacts business, or is served with the demand, for the purpose of testifying under oath before the Commission or its representative. If there be noncompliance with any such demand, the Commission may utilize the procedures of section 710 of Title VII to compel such person to testify. A transcript of testimony may be made a part of the record of each investigation.

(b) Witnesses who testify as provided in paragraph (a) of this section shall be entitled to the same fees and mileage that are paid witnesses in the courts of the United States.

§ 1601.18 Right to inspect or copy data.

A person who submits data or evidence to the Commission may retain or, on payment of lawfully prescribed costs, procure a copy or transcript thereof, except that a witness may for good cause be limited to inspection of the official transcript of his or her testimony.

PROCEDURE FOLLOWING FILING OF A CHARGE

§ 1601.19 Dismissal: Procedure and authority.

(a) Where a charge on its face, or as amplified by the statements of the person claiming to be aggrieved discloses, or where after investigation the Commission determines, that the charge and every portion thereof is not timely filed, or otherwise fails to state a claim under Title VII, the Commission shall dismiss the charge. A charge which raises a claim exclusively under section 717 of Title VII shall not be taken and persons seeking to raise such claims shall be referred to the appropriate federal agency.

(b) Where the Commission determines after investigation that there is not reasonable cause to believe that Title VII has been violated, the Commission shall dismiss the charge.

(c) Where the person claiming to be aggrieved fails to provide requested necessary information, fails or refuses to appear or to be available for interviews or conferences as necessary, fails or refuses to provide information requested by the Commission pursuant to § 1601.15 (b), or otherwise refuses to cooperate to the extent that the Commission is unable to resolve the charge, and after due notice, the charging party has had thirty days in which to respond, the Commission may dismiss the charge.

(d) Where the person claiming to be aggrieved cannot be located, the Commission may dismiss the charge: *Provided*, That reasonable efforts have been made to locate the charging party and the charging party has not responded within 30 days to a notice sent by the Commission to the person's last known address.

(e) Where a respondent has made a settlement offer described in § 1601.20 which is in writing and specific in its terms, the Commission may dismiss the charge if the person claiming to be aggrieved refuses to accept the offer: *Provided*, That the offer would afford full relief for the harm alleged by the person claiming to be aggrieved and the person claiming to be aggrieved fails to accept such an offer within 30 days after actual notice of the offer.

(f) Written notice of disposition, pursuant to paragraphs (a), (b), (c), (d), or (e) of this section, shall be issued to the person claiming to be aggrieved and to the person making the charge on behalf of such person, where applicable; in the case of a Commissioner charge, to all persons specified in § 1601.-28(b)(2); and to the respondent. Appropriate notices of right to sue shall be issued pursuant to § 1601.28.

(g) The Commission hereby delegates authority to its District Directors and to the Director of the Office of Compliance Programs, as appropriate, to dismiss charges, as limited by § 1601.21(d). The authority of the Commission to reconsider decisions and determinations as set forth in § 1601.21 (b) and (d) shall be applicable to this section.

§ 1601.20 Negotiated settlement.

(a) Prior to the issuance of a determination as to reasonable cause, the Commission will encourage the parties to settle the charge on terms that are mutually agreeable. District Directors and the Office of Compliance Programs shall have the authority to sign any settlement agreement which is agreeable to both parties. The Commission shall limit its undertaking in such settlements to an agreement not to process that charge further. Such settlements shall note that the Commission has made no judgment on the merits of the charge. Such an agreement shall not affect the processing of any other charge, including, but not limited to, a Commissioner charge or a charge, the allegations of which are like or related to the individual allegations settled.

(b) In the alternative, the Commission may facilitate a settlement between the person claiming to be aggrieved and the respondent by permitting withdrawal of the charge pursuant to § 1601.10.

§ 1601.21 Reasonable cause determination: Procedure and authority.

(a) Where a charge has not been settled or dismissed, the Commission shall, after making investigative efforts, determine whether reasonable cause exists to believe that Title VII has been violated. A determination as to reasonable cause is based on, and limited to, evidence obtained by the Commission and does not reflect any judgment on the merits of allegations not addressed in the determination.

(b) The Commission shall provide prompt notification of its determination under paragraph (a) of this section to the person claiming to be aggrieved, the person making the charge on behalf of such person, if any, and the respondent, or in the case of a Commissioner charge, the person named in the charge or identified by the Commissioner in the third-party certificate, if any, and the respondent. The Commission's determination is final when issued. The Commission may, however, on its own initiative reconsider its decision or the determination of any of its designated officers who have authority to issue Letters of Determination. When it does reconsider, the Commission shall provide prompt notification of its decision to amend, alter or revoke such decision or Letter of Determination to the person claiming to be aggrieved, the person making the charge on behalf of such person, if any, and the respondent, or in the case of a Commissioner charge, the person named in the charge or identified by the Commissioner in the third-party certificate, if any, and the respondent.

(c) Where a member of the Commission has filed a Commissioner charge, he or she shall abstain from making a determination in that case.

(d) The Commission hereby delegates to District Directors and to the Director of the Office of Compliance Programs the authority, in those cases in which previously issued Commission Decisions serve as precedent for the determination and in those cases in which the Commission's Guidelines provide a statement of policy which serves as authority for the determination, upon completion of an investigation, to dismiss a charge, make a determination, issue a Letter of Determination and serve a copy thereof upon the parties. Such determination is final when the Letter of Determination is issued. However, the Director of the Office of Compliance Programs and each District Director for determinations issued by his or her office may on his or her own initiative reconsider determinations. When he or she has done so, the issuing Director shall promptly notify the person claiming to be aggrieved, the person making the charge on behalf of such person, if any, and the respondent, or in the case of a Commissioner charge, the person named in the charge or identified by the Commissioner in the third-party certificate, if any, and the respondent of his or her decision to amend, alter or revoke such Letter of Determination.

(e) In making a determination as to whether reasonable cause exists, substantial weight shall be accorded final findings and orders made by designated 706 Agencies to which the Commission defers charges pursuant to § 1601.13. For the purposes of this section, the following definitions shall apply:

(1) "Final findings and orders" shall mean: (i) The findings of fact and order incident thereto issued by a 706 Agency on the merits of a charge; or

(ii) The consent order or consent decree entered into by the 706 Agency on the merits of a charge.

Provided, however, That no findings and order of a 706 Agency shall be considered final for purposes of this section unless the 706 Agency shall have served a copy of such findings and order upon the Commission and upon the person claiming to be aggrieved and shall have informed such person of his or her rights of appeal or to request reconsideration, or rehearing or similar rights; and the time for such appeal, reconsideration, or rehearing request shall have expired or the issues of such appeal, reconsideration or rehearing shall have been determined.

(2) "Substantial weight" shall mean that such full and careful consideration shall be accorded to final findings and orders, as defined above, as is appropriate in light of the facts supporting them when they meet all of the prerequisites set forth below:

(i) The proceedings were fair and regular; and

(ii) The practices prohibited by the State or local law are comparable in scope to the practices prohibited by Federal law; and

(iii) The final findings and order serve the interest of the effective enforcement of Title VII: *Provided,* That giving substantial weight to final findings and orders of a 706 Agency does not include according weight, for purposes of applying Federal law, to such Agency's conclusions of law.

§ 1601.22 Confidentiality.

Neither a charge, nor information obtained pursuant to section 709(a) of Title VII, nor information obtained from records required to be kept or reports required to be filed pursuant to section 709 (c) and (d) of Title VII, shall be made matters of public information by the Commission prior to the institution of any proceedings under this Title involving such charge or information. This provision does not apply to such earlier disclosures to charging parties or their attorneys, respondents or their attorneys, or witnesses where disclosure is deemed necessary for securing appropriate relief. This provision also does not apply to such earlier disclosures to representatives of interested Federal, State, and local authorities as may be appropriate or necessary to the carrying out of the Commission's function under Title VII, nor to the publication of data derived from such information in a form which does not reveal the identity of charging parties, respondents, or persons supplying the information.

Procedure To Rectify Unlawful Employment Practices

§ 1601.23 Preliminary or temporary relief.

(a) In the interest of the expeditious procedure required by section 706(f)(2) of Title VII, the Commission hereby delegates to the Director of the Office of Compliance Programs and each District Director the authority, upon the basis of a preliminary investigation, to make the initial determination on its behalf that prompt judicial action is necessary to carry out the purposes of the Act and recommend such action to the General Counsel. The Commission authorizes the General Counsel to institute an appropriate action on behalf of the Commission in such a case not involving a government, governmental agency, or political subdivision.

(b) In a case involving a government, governmental agency, or political subdivision, any recommendation for preliminary or temporary relief shall be transmitted directly to the Attorney General by the Director of the Office of Compliance Programs or the District Director.

(c) Nothing in this section shall be construed to prohibit private individuals from exercising their rights to seek temporary or preliminary relief on their own motion.

§ 1601.24 Conciliation: Procedure and authority.

(a) Where the Commission determines that there is reasonable cause to believe that an unlawful employment practice has occurred or is occurring, it shall endeavor to eliminate such practice by informal methods of conference, conciliation, and persuasion. In conciliating a case in which a determination of reasonable cause has been made, the Commission shall attempt to achieve a just resolution of all violations found and to obtain agreement that the respondent will eliminate the unlawful employment practice and provide appropriate affirmative relief. Where such conciliation attempts are successful, the terms of the conciliation agreement shall be reduced to writing and shall be signed by the Commission's designated representative and the parties. A copy of the signed agreement shall be sent to the respondent and the person claiming to be aggrieved who are signatories thereto.

(b) District Directors, the Director of the Office of Compliance Programs and their designated representatives are hereby delegated authority to enter into informal conciliation efforts. District Directors and the Director of the Office of Compliance Programs are hereby delegated the authority to sign conciliation agreements. When a suit brought by the Commission is in litigation, the General Counsel is hereby delegated the authority to negotiate and sign conciliation agreements where, pursuant to section 706(f)(1) of Title VII, a court has stayed proceedings in the case pending further efforts of the Commission to obtain voluntary compliance.

(c) Proof of compliance with Title VII in accordance with the terms of the agreement shall be obtained by the Commission before the case is closed. In those instances in which a person claiming to be aggrieved or a member of the class claimed to be aggrieved by the practices alleged in the charge is not a party to such an agreement, the agreement shall not extinguish or in any way prejudice the rights of such person to proceed in court under section 706(f)(1) of Title VII.

§ 1601.25 Failure of conciliation; notice.

Where the Commission is unable to obtain voluntary compliance as provided by Title VII and it determines that further efforts to do so would be futile or nonproductive, it shall, through the appropriate District Director, the Director of the Office of Compliance Programs, or their designated representatives, so notify the respondent in writing.

§ 1601.26 Confidentiality of endeavors.

(a) Nothing that is said or done during and as part of the informal endeavors of the Commission to eliminate unlawful employment practices by informal methods of conference, conciliation, and persuasion may be made a matter of public information by the Commission, its officers or employees, or used as evidence in a subsequent proceeding without the written consent of the persons concerned. This provision does not apply to such disclosures to the representatives of Federal, State or local agencies as may be appropriate or necessary to the carrying out of the Commission's functions under Title VII: *Provided however,* That the Commission may refuse to make disclosures to any such agency which does not maintain the confidentiality of such endeavors in accord with this section or in any circumstances where the disclosures will not serve the purposes of the effective enforcement of Title VII.

(b) Factual information obtained by the Commission during such informal endeavors, if such information is otherwise obtainable by the Commission under section 709 of Title VII, for disclosure purposes will be considered by the Commission as obtained during the investigatory process.

Procedure Concerning the Institution of Civil Actions

§ 1601.27 Civil actions by the Commission.

The Commission may bring a civil action against any respondent named in a charge not a government, governmental agency or political subdivision, after thirty (30) days from the date of the filing of a charge with the Commission unless a conciliation agreement acceptable to the Commission has been secured: *Provided, however,* That the Commission may seek preliminary or temporary relief pursuant to section 706(f)(2) of Title VII, according to the procedures set forth in § 1601.23 hereof, at any time.

§ 1601.28 Notice of right to sue: Procedure and authority.

(a) Issuance of notice of right to sue upon request. (1) When a person claiming to be aggrieved requests, in writing, that a notice of right to sue be issued and the charge to which the request relates is filed against a respondent other than a government, governmental agency or political subdivision, the Commission shall promptly issue such notice as described in § 1601.28(e) to all parties, at

any time after the expiration of one hundred eighty (180) days from the date of filing of the charge with the Commission, or in the case of a Commissioner charge 180 days after the filing of the charge or 180 days after the expiration of any period of reference under Section 706(d) of Title VII as appropriate.

(2) When a person claiming to be aggrieved requests, in writing, that a notice of right to sue be issued, and the charge to which the request relates is filed against a respondent other than a government, governmental agency or political subdivision, the Commission may issue such notice as described in § 1601.28(e) with copies to all parties, at any time prior to the expiration of 180 days from the date of filing the charge with the Commission; *Provided*, that the District Director or the Director of the Office of Compliance Programs has determined that it is probable that the Commission will be unable to complete its administrative processing of the charge within 180 days from the filing of the charge and has attached a written certificate to that effect.

(3) Issuance of a notice of right to sue shall terminate further processing of any charge not a Commissioner charge unless the Director of the Office of Compliance Programs, the appropriate District Director, or the General Counsel, determines at that time or at a later time that it would effectuate the purposes of Title VII to further process the charge. Issuance of a notice of right to sue shall not terminate the processing of a Commissioner charge.

(4) The issuance of a notice of right to sue does not preclude the Commission from offering such assistance to a person issued such notice as the Commission deems necessary or appropriate.

(b) Issuance of notice of right to sue following Commission disposition of a charge.

(1) Where the Commission has found reasonable cause to believe that the Act has been violated, has been unable to obtain voluntary compliance with Title VII, and where the Commission has decided not to bring a civil action against the respondent, it will issue a notice of right to sue on the charge as described in § 1601.28(e) to:

(i) The person claiming to be aggrieved, or,

(ii) In the case of a Commissioner charge, to any member of the class who is named in the charge, identified by the Commissioner in a third-party certificate, or otherwise identified by the Commission as a member of the class,

and provide a copy thereof to all parties.

(2) Where the Commission has entered into a conciliation agreement to which the person claiming to be aggrieved is not a party, the Commission shall issue a notice of right to sue on the charge to the person claiming to be aggrieved.

(3) Where the Commission has dismissed a charge pursuant to § 1601.19, it shall issue a notice of right to sue as described in § 1601.28(e) to:

(i) The person claiming to be aggrieved, or,

(ii) In the case of a Commissioner charge, to any member of the class who is named in the charge, identified by the Commissioner in a third-party certificate, or otherwise identified by the Commission as a member of the class,

and provide a copy thereof to all parties.

(4) The issuance of a notice of right to sue does not preclude the Commission from offering such assistance to a person issued such notice as the Commission deems necessary or appropriate.

(c) The Commission hereby delegates authority to District Directors and the Director of the Office of Compliance Programs to issue notices of right to sue, in accordance with this section, on behalf of the Commission.[1]

(d) Notices of right to sue for charges against Governmental respondents. Notices of right to sue in cases where the respondent is a government, governmental agency, or a political subdivision thereof, shall be issued by the Attorney General, who has the authority to issue such notices.

(e) Content of notice of right to sue. The notice of right to sue shall include:

(1) Authorization to the aggrieved person to bring a civil action pursuant to section 706(f)(1) of the Act within 90 days from receipt of such authorization;

(2) Advice concerning the institution of such civil action by the person claiming to be aggrieved, where appropriate;

(3) A copy of the charge

(4) The Commission's decision, determination, or dismissal, as appropriate.

§ 1601.29 Referral to the Attorney General.

If the Commission is unable to obtain voluntary compliance in a charge involving a government, governmental agency or political subdivision, it shall inform the Attorney General of the appropriate facts in the case with recommendations for the institution of a civil action by him or her against such respondent or for intervention by him or her in a civil action previously instituted by the person claiming to be aggrieved.

Subpart C—Notices to Employees, Applicants for Employment and Union Members

§ 1601.30 Notices to be posted.

(a) Every employer, employment agency, labor organization, and joint labor-management committee controlling an apprenticeship or other training program, as the case may be, shall post and keep posted in conspicuous places upon its premises where notices to employees, applicants for employment, members, and trainees, are customarily posted the following notice:

EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

DISCRIMINATION IS PROHIBITED

By the Civil Rights Act of 1964, as amended, and by Executive Order Numbers 11246 and 11375.

Title VII of the Civil Rights Act of 1964, as amended, administered by the Equal Employment Opportunity Commission prohibits discrimination because of Race, Color, Religion, Sex, or National Origin by employers with 15 or more employees, by Labor Organizations having a hiring hall or 15 or more members, by Employment Agencies, and by Joint Labor-Management Committees for Apprenticeship or Training.

Any person who believes he or she has been discriminated against should contact: The Equal Employment Opportunity Commission, 2401 E Street N.W., Washington, D.C. 20506 or any of its district offices.

Executive Order Numbers 11246 and 11375 administered by the Office of Federal Contract Compliance Programs prohibits discrimination because of Race, Color, Religion, Sex or National Origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment by all Federal Government Contractors and Subcontractors, and by contractors and subcontractors performing work under a Federally assisted construction contract regardless of the number of employees in either case.

Any person who believes he or she has been discriminated against should contact: The Office of Federal Contract Compliance Programs, U.S. Department of Labor, Washington, D.C. 21210.

(b) Copies of such notice may be obtained on request from the Commission.

(c) Section 711(b) of Title VII makes failure to comply with this section punishable by a fine of not more than $100 for each separate offense.

Subpart D—Interpretations and Opinions by the Commission

§ 1601.31 Request for interpretation or opinion.

Any interested person desiring a written interpretation or opinion from the Commission may make a request therefor. However, issuance of such interpretations or opinions is discretionary.

§ 1601.32 Contents of request; where to file.

A request for an "opinion letter" shall be in writing, signed by the person making the request, addressed to the Chairman, Equal Employment Opportunity Commission, 2401 E Street NW., Washington, D.C., 20506, and shall contain:

(a) The names and addresses of the person making the request and of other interested persons.

(b) A statement of all known relevant facts.

(c) A statement of reasons why the interpretation or opinion should be issued.

§ 1601.33 Issuance of interpretation or opinion.

Only (a) a letter entitled "opinion letter" and signed by the General Counsel on behalf of the Commission or (b) matter published and specifically designated as such in the FEDERAL REGISTER may be relied upon as "written interpretation or

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[1] *Formal Ratification*—Notice is hereby given that the EEOC at a Commission meeting on March 12, 1974, formally ratified the acts of the District Directors of EEOC District Offices in issuing notices of right to sue pursuant to Commission practice instituted on October 15, 1969, and continued through March 18, 1974. 39 FR 10178 (March 18, 1974).

opinion of the Commission" within the meaning of section 713 of Title VII.

Subpart E—Construction of Rules

§ 1601.34 Rules to be liberally construed.

These rules and regulations shall be liberally construed to effectuate the purpose and provisions of Title VII.

Subpart F—Issuance, Amendment, or Repeal of Rules

§ 1601.35 Petitions.

Any interested person may petition the Commission, in writing, for the issuance, amendment, or repeal of a rule or regulation. Such petition shall be filed with the Equal Employment Opportunity Commission, 2401 E Street NW., Washington, D.C. 20506, and shall state the rule or regulation proposed to be issued, amended, or repealed, together with a statement of grounds in support of such petition.

§ 1601.36 Action on petition.

Upon the filing of such petition, the Commission shall consider the same and may thereupon either grant or deny the petition in whole or in part, conduct an appropriate proceeding thereon, or make other disposition of the petition. Should the petition be denied in whole or in part, prompt notice shall be given of the denial, accompanied by a simple statement of the grounds unless the denial be self-explanatory.

Subpart G—Case Processing Under Section 707 of Title VII

§ 1601.50 Purpose.

The General Counsel shall process charges designated for processing under the Commission's authority as set forth in Section 707 of the Act in accordance with this subpart. The provisions of this subpart shall not apply when such charges are processed under Subpart B of this part.

§ 1601.51 Delegation of authority.

The General Counsel is hereby delegated authority to give notice of and to defer charges to State and local 706 Agencies as defined in § 1601.3, to give notice of charges to respondents, to investigate charges, to sign and issue subpoenas, and to conciliate charges of employment discrimination.

§ 1601.52 Initiation of Section 707 charge.

Any member of the Commission may designate a charge for Section 707 processing under this subpart. Any related charge shall be processed under this subpart if the General Counsel determines that it should be consolidated with the charge designated for Section 707 processing by a member of the Commission.

§ 1601.53 Service of notice of charge.

Within 10 days of the filing of a charge, the General Counsel shall furnish the respondent with a notice of the charge (including the date, place and circumstances of the alleged unlawful employment practice) by mail or in person. The General Counsel need not furnish such notice if, prior to the designation of the charge for Section 707 processing, the notice has been furnished pursuant to § 1601.14.

§ 1601.54 Deferral.

(a) Where the alleged unlawful employment practice occurs in a State or political subdivision of a State which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local agency to grant or seek relief from such practice (or to institute criminal proceedings), the General Counsel shall notify, on behalf of the Commission, the appropriate State or local 706 Agency, as defined in § 1601.3, before taking any action with respect to a Commissioner charge.

(b) The General Counsel, on behalf of the Commission, shall not defer such Commissioner charge unless the State or political subdivision notified in paragraph (a) of this section within 10 days of receipt of such notice requests submission of the charge to its jurisdiction.

(c) Where deferral is made by the General Counsel in paragraph (b) of this section, the deferral shall be for no less than 60 days, unless a shorter period is requested.

(d) Charges filed by individuals shall be deferred pursuant to the provisions of § 1601.13, except that they shall be deferred by the General Counsel.

§ 1601.55 Investigation.

The General Counsel shall investigate any charge designated for Section 707 processing or any charges consolidated with that charge pursuant to § 1601.52.

§ 1601.56 Issuance of subpoenas; petitions to revoke subpoenas; enforcement of subpoenas.

(a) To effectuate the purposes of Title VII the General Counsel of the Commission shall have the authority to sign and issue a subpoena requiring:

(1) The attendance and testimony of witnesses;

(2) The production of evidence including, but not limited to books, records, correspondence, or documents, in the possession or under the control of the person subpoenaed; and

(3) Access to evidence for the purposes of examination and the right to copy.

The subpoena shall state the name and address of the issuer; and identify the person or evidence subpoenaed, and the person to whom and the place, date, and time at which it is returnable or the nature of the evidence to be examined or copied, and the date and time when access is requested. A subpoena may be returnable to any attorney designated in the subpoena. The General Counsel shall not issue a subpoena upon the request of a person filing a charge, a person on whose behalf a charge was filed or a respondent.

(b) Any person served with a subpoena who intends not to comply with the subpoena shall, within five days (excluding Saturdays, Sundays and Federal legal holidays) of the service of the subpoena, petition the Commission in writing to revoke or modify the subpoena. The petition shall be served on the Director of the Office of Compliance Programs by mail at the Equal Employment Opportunity Commission, 2401 E Street, NW., Washington, D.C. 20506, and a copy shall be served on the Commission attorney to whom the subpoena is returnable. The petition shall separately identify each portion of the subpoena with which the petitioner does not intend to comply and shall state, with respect to each portion, the grounds upon which petitioner relies. A copy of the subpoena shall be attached to the petition and shall be designated "Attachment A." Within eight days of receipt, or as soon thereafter as practicable, the Commission shall pass on the petition and shall serve a copy of its determination on the petitioner. For the purposes of this section, service shall be made and proof thereof established pursuant to Section 11(4) of the National Labor Relations Act, as amended, 29 U.S.C. Section 161(4), as made applicable to the proceeding hereunder by Section 710 of Title VII, 42 U.S.C. (Supp. II) 2000e9.

(c) If any person fails to comply with a subpoena, the General Counsel may institute enforcement proceedings in the appropriate district court pursuant to Section 11(2) of the National Labor Relations Act, as amended, 29 U.S.C. 161(2).

(d) Witnesses who are subpoenaed pursuant to Section 1601.56(a) shall be entitled to the same fees and mileage that are paid witnesses in the courts of the United States.

§ 1601.57 Commission reasonable cause finding.

Upon completion of the investigation, the Commission shall determine whether there exists reasonable cause to believe that the respondent is engaged in a pattern or practice of unlawful discrimination within the meaning of section 707 (a) of Title VII. A finding of no reasonable cause shall constitute dismissal of the charge.

§ 1601.58 Voluntary compliance; settlements; Commission authority to file suit.

A finding of reasonable cause by the Commission shall be deemed to authorize the General Counsel to endeavor to eliminate the alleged unlawful employment practices by informal methods of conference, conciliation and persuasion. Should such endeavors fail to produce a conciliation agreement satisfactory to the General Counsel, the General Counsel may commence litigation upon approval by the Commisison.

§ 1601.59 Notice to persons claiming to be aggrieved.

In any charge designated for processing under this subpart, the General Counsel shall issue the notice as required by § 1601.28.

Subpart H—706 Agency Designation Procedures

§ 1601.70 706 Agency Designation.

(a) Because of the large number of State and local fair employment practice agencies, only those agencies which notify the Commission of their qualifications under section 706(c) of Title VII and this section and request designation as "706 Agencies" or "Notice Agencies" or both will be eligible for such designation. Such notification must be submitted by written request to the Director of the Office of Compliance Programs. The request shall include the following materials and information:

(1) A copy of the agency's fair employment practices law and any rules, regulations and guidelines of general interpretation issued pursuant thereto.

(2) A chart of the organization of the agency responsible for administering and enforcing said law.

(3) The amount of funds made available to or allocated by the agency for fair employment purposes.

(4) The identity and telephone number of the agency attorney whom the Commission may contact in reference to any legal questions that may arise in the process of its review of the agency's application.

(5) A statement certifying the following:

(i) That the State or political subdivision has a fair employment practice law;

(ii) That such law authorizes the applicant agency to grant or seek relief from employment practices found to be illegal under such law or that it authorizes the agency to institute criminal proceedings; and

(iii) That such agency has been established and is operational and processing charges filed under such law.

(b) Where both State and local 706 Agencies exist, the Commission reserves the right to defer to the State 706 Agency only. However, if the Commission determines that it would best serve the purposes of the Act, it may defer to either or both State and local 706 Agencies.

(c) The continued designation of a 706 Agency for certain bases of discrimination will be dependent upon the 706 Agency's continuing operation and ability to grant or seek relief or to institute criminal proceedings with respect to those bases of discrimination.

§ 1601.71 Commission determinations on 706 agency applications.

The Commission, after examining the materials and application required in § 1601.70(a) and after applying criteria outlined in section 706(c) of Title VII, shall make a determination.

(1) If the Commission determines that an agency shall be designated as a 706 Agency, it shall notify the agency that it proposes to issue such designation. Such proposed designation shall be published in the FEDERAL REGISTER and shall provide any person or organization not less than 15 days in which to file written comments with the Commission. If after evaluating any comments so received, the Commission is still of the opinion that issuance of the proposed designation as published in the FEDERAL REGISTER is appropriate, it shall effect such designation by issuance and publication of an amendment to § 1601.74. Thereafter, the procedure in § 1601.13(c) and § 1601.13(f) shall be followed for charges in the jurisdiction of the 706 Agency, except as modified by agreement pursuant to § 1601.13(d).

(2) If the Commission determines that any agency shall not be designated as a 706 Agency, it shall notify the applicant agency of its decision and such notice shall provide the reason(s) why it proposes not to designate the agency and shall grant it not less than 15 days to request a conference concerning the matter in accordance with § 1601.73.

(3) Where the Commission determines that a State or local agency does not come within the definition of a 706 Agency for purposes of a particular basis of discrimination or where the agency applies for designation as a Notice Agency, the Commission shall notify that agency of the filing of charges for which the agency is not a 706 Agency. For such purposes the State or local agency will be deemed a Notice Agency.

§ 1601.72 706 Agency performance standards.

(a) The continued designation of a 706 Agency will be dependent upon the 706 Agency's willingness and ability to administer its law in such a manner that, in fact, the practices prohibited are comparable in scope to those practices prohibited under Federal law and satisfy the performance standards set forth below:

(1) In all cases where the 706 Agency finds cause to credit the allegations of a charge, it shall effectively eliminate the discrimination and provide for full compensatory and prospective relief consistent with applicable Federal law, except where State or local law authorizes no relief except to allow the agency to institute criminal proceedings. Where State or local law does no more than authorize the agency to institute criminal proceedings, the agency must utilize its authority effectively to eliminate the discrimination.

(2) In all cases where the 706 Agency enters into a conciliation agreement, consent order, or order after public hearing, it shall include in any such agreement or order mechanisms for monitoring compliance with the terms thereof and mechanisms for enforcing compliance in the event any terms thereof are not implemented.

(b) The Commission may upon its own motion, withdraw the designation as a 706 Agency previously issued to any agency based upon:

(1) Reconsideration of the request and materials and the information referenced in § 1601.70; or,

(2) consideration of the agency's performance as set forth in paragraph (a) of this section.

Whenever the Commission has reason to believe that such designation as a 706 Agency no longer serves the interest of effective enforcement of Title VII, it may, after following the procedures below, including the opportunity for a conference provided for in § 1601.73, withdraw such designation. Before taking such action it shall notify the 706 Agency of its proposed withdrawal of such designation. Such notification shall set forth the reasons for the proposed withdrawal and provide the agency not less than 15 days to submit data, views, and arguments in opposition and to request a conference in accordance with § 1601.73. Such proposed withdrawal of designation shall also be published in the FEDERAL REGISTER and shall provide any persons or organizations who take an interest at least 15 days in which to file written comments on the proposal with the Commission and to request a conference. If a request for a conference in accordance with § 1601.73 is not received within the time period provided, the Commission shall evaluate any arguments or comments it has received from the agency and from any persons and organizations who take an interest. If, after such evaluation, the Commission still is of the opinion that designation should be withdrawn because it has determined that such designation no longer serves the interest of effective enforcement of Title VII, the Commission shall so notify the Agency. The withdrawal shall be effected by the issuance and publication of an amendment to § 1601.74.

§ 1601.73 706 Agency Conference.

In order to provide a State or local agency full opportunity to present its views whenever, pursuant to § 1601.71 or § 1601.72(b), a conference is requested within the time allowed by said section for making such request, the Executive Director or his or her designee shall hold such a conference. Said conference official shall issue a pre-conference order. The order shall indicate the issues to be resolved and any initial procedural instructions which might be appropriate for the particular conference. It shall fix the date, time, and place of the conference. The date shall not be less than 20 days after the date of the order. The date and place shall be subject to change for good cause.

(1) A copy of such pre-conference order shall be served on the State or local agency. After service of the order or of a notice designating a conference officer, and until such officer submits his or her recommended determination, all communications relating to the subject matter of the conference shall be addressed to him or her. The conference officer shall have authority to regulate the course and conduct of the conference. A transcript shall be made of the proceedings at the conference. The transcript and all comments and petitions relating to the proceedings shall be made available for inspection by interested persons.

(2) The conference officer shall prepare his or her proposed findings and recommended determination, a copy of which shall be served on the agency. Within 20 days after such service the agency may file written exceptions. After the expiration of the period for filing exceptions,

the conference officer shall certify the entire record, including his or her proposed findings, and recommended determination and exceptions thereto to the Commission, which shall review the record and issue a final determination.

(3) Such determination shall become effective by the issuance and publication of an amendment to § 1601.74.

§ 1601.74 Designated 706 and notice agencies.

(a) The designated 706 Agencies are:

Alaska Commission for Human Rights.
Alexandria Human Rights Office.
Allentown Human Relations Commission.
Arizona Civil Rights Division.
Baltimore Community Relations Commission.
Bloomington Human Rights Commission.
California Fair Employment Practices Commission.
Charleston Human Rights Commission.
Colorado Civil Rights Commission.
Connecticut Commission on Human Rights and Opportunities.
Dade County Fair Housing and Employment Commission.
Delaware Department of Labor.
District of Columbia Office of Human Rights
East Chicago Human Relations Commission.
Evansville (Indiana) Human Relations Commission.
Fairfax County Human Rights Commission.
Fort Wayne (Indiana) Metropolitan Human Relations Commission.
Fort Worth (Texas) Human Relations Commission.
Gary Human Relations Commission.
Howard County (Maryland) Human Rights Commission.
Hawaii Department of Labor and Industrial Relations.
Idaho Commission on Human Rights.
Illinois Fair Employment Practices Commission.
Indiana Civil Rights Commission.
Iowa Commission on Civil Rights.
Kansas Commission on Civil Rights.
Kentucky Commission on Human Rights.
Lexington-Fayette Urban County Human Rights Commission.
Madison (Wisconsin) Equal Opportunities Commission.
Maine Human Relations Commission.
Maryland Commission on Human Relations.
Massachusetts Commission Against Discrimination.
Michigan Civil Rights Commission.
Minneapolis Department of Civil Rights.
Minnesota Department of Human Rights.
Missouri Commission on Human Rights.
Montana Commission for Human Rights.
Montgomery County Human Relations Commission.
Nebraska Equal Opportunity Commission.
Nevada Commission on Equal Rights of Citizens.
New Hampshire Commission for Human Rights.
New Jersey Division on Civil Rights, Department of Law and Public Safety.
New York City Commission on Human Rights.
New York State Division of Human Rights.
Ohio Civil Rights Commission.
Oklahoma Human Rights Commission.
Omaha Human Relations Department.
Oregon Bureau of Labor.
Orlando (Florida) Human Relations Department.
Pennsylvania Human Relations Commission.
Philadelphia Commission on Human Relations.
Pittsburgh Commission on Human Relations.
Prince Georges County (Maryland) Human Relations Commission.
Rhode Island Commission for Human Rights.
Rockville (Maryland) Human Rights Commission.
St. Paul Department of Human Rights.
Seattle Human Rights Commission.
Sioux Falls (South Dakota) Human Relations Commission.
South Bend (Indiana) Human Rights Commission.
South Dakota Division of Human Rights.
South Dakota Human Relations Commission.
Springfield (Ohio) Human Relations Department.
Tacoma Human Rights Commission.
Utah Industrial Commission.
Vermont Attorney General's Office, Civil Rights Division.
Virgin Island Department of Labor.
Washington State Human Rights Commission.
West Virginia Human Rights Commission.
Wheeling Human Rights Commission.
Wichita Commission on Civil Rights.
Wisconsin Equal Rights Division, Department of Industry, Labor and Human Relations.
Wyoming Fair Employment Practices Commission.

(b) The designated Notice Agencies are:

Arkansas Governor's Committee on Human Resources.
Florida Commission on Human Relations.
Georgia Office of Human Affairs.
Montana Department of Labor and Industry.
North Dakota Commission on Labor.
Ohio Director of Industrial Relations.
Raleigh (North Carolina) Human Resources Department, Civil Rights Unit.

[FR Doc.76-27715 Filed 9-21-76;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5623]
[Montana 37274]

SOUTH DAKOTA

Modification of Public Land Order No. 1168

Correction

In FR Doc. 77-25331, on page 43842 in the issue of Wednesday, August 31, 1977, the 7th line should read, "EFFECTIVE DATE: August 31, 1977." Also, in the 2d full paragraph, the 1st line should read, "Public Land Order No. 1168 of June 15, . . .".

Title 50—Wildlife and Fisheries

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

SUBCHAPTER B—TAKING, POSSESSION, TRANSPORTATION, SALE, PURCHASE, BARTER, EXPORTATION AND IMPORTATION OF WILDLIFE AND PLANTS

PART 17—ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Final Rule; Correction and Augmentation of Published Rulemaking

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule: Correction and augmentation of published rulemaking on Critical Habitats.

SUMMARY: Errors that appeared in the Fish and Wildlife Service's FEDERAL REGISTER publication of August 11, 1977 (42 FR 40685), determining Critical Habitat for six species, are corrected; the list of all Critical Habitats that was included in that publication is reprinted and augmented with Critical Habitat for the giant anole and five fishes which have been published in the interim.

EFFECTIVE DATE: September 22, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Keith M. Schreiner, Associate Director—Federal Assistance, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240 (Phone: 202-343-4646).

SUPPLEMENTARY INFORMATION:

BACKGROUND

The descriptions and maps of Critical Habitats that were published in 42 FR 40685 are herein republished, with the errors that originally appeared in that document corrected. A map of the Critical Habitat for the St. Croix ground lizard, which was inadvertently excluded from 42 FR 40685, is published here, and maps of Critical Habitats for the giant anole, and five fish species for which Critical Habitats were determined subsequent to 42 FR 40685, are added in order to make the present publication complete. Because the Critical Habitat of the giant anole is not subject to coordinate description, no written description of it is attempted.

The primary author of this is John L. Paradiso, Office of Endangered Species, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240 (202-343-7814).

REPUBLICATION OF CRITICAL HABITATS AND MAPS

Subpart F—Critical Habitat is corrected to read as set forth below:

Subpart F—Critical Habitat

§§ 17.60-17.66 [Deleted]

Subpart I—Interagency Cooperation

§§ 17.90—17.94 [Reserved]

§ 17.95 Critical habitat—fish and wildlife.

The following areas (exclusive of those existing manmade structures or settlements which are not necessary to the normal needs or survival of the species) are Critical Habitat for the species indicated. Pursuant to Section 7 of the Act, all Federal agencies must insure that actions authorized, funded, or carried out by them do not result in the destruction or adverse modification of these areas:

(a) *Mammals.*

INDIANA BAT (*Myotis sodalis*)

Illinois. The Blackball Mine, La Salle County.

Indiana. Big Wyandotte Cave, Crawford County; Ray's Cave, Greene County.

Kentucky. Bat Cave, Carter County; Coach Cave, Edmonson County.

Missouri. Cave 021, Crawford County; Cave 009, Franklin County; Cave 017, Frank-

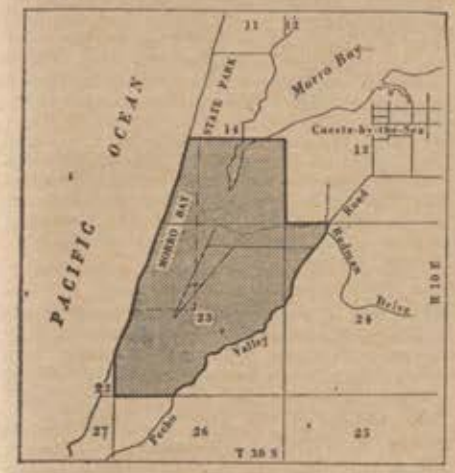
lin County; Pilot Knob Mine, Iron County; Bat Cave, Shannon County; Cave 029, Washington County (numbers assigned by Division of Ecological Services, U.S. Fish and Wildlife Service, Region 6).

Tennessee. White Oak Blowhole Cave, Blount County.

West Virginia. Hellhole Cave, Pendleton County.

MORRO BAY KANGAROO RAT (*Dipodomys heermanni morroensis*)

California. An area of land, water, and airspace in San Luis Obispo County, with the following components (Mt. Diablo Meridian): T30S R10E S½ Sec. 14, those portions of Sec. 23–24 west of Pecho Valley Road.



CRITICAL HABITAT FOR THE MORRO BAY KANGAROO RAT

FLORIDA MANATEE (*Trichechus manatus*)

Florida. Crystal River and its headwaters known as King's Bay, Citrus County; the Little Manatee River downstream from the U.S. Highway 301 bridge, Hillsborough County; the Manatee River downstream from the Lake Manatee Dam, Manatee County; the Myakka River downstream from Myakka River State Park, Sarasota and Charlotte Counties; the Peace River downstream from the Florida State Highway 760 bridge, De Soto and Charlotte Counties; Charlotte Harbor north of the Charlotte-Lee county line, Charlotte County; Caloosahatchee River downstream from the Florida State Highway 31 bridge, Lee County; all U.S. territorial waters adjoining the coast and islands of Lee County; all U.S. territorial waters adjoining the coast and islands and all connected bays, estuaries, and rivers from Gordon's Pass, near Naples, Collier County, southward to and including Whitewater Bay, Monroe County; all waters of Card, Barnes, Blackwater, Little Blackwater, Manatee, and Buttonwood sounds between Key Largo, Monroe County, and the mainland of Dade County; Biscayne Bay, and all adjoining and connected lakes, rivers, canals, and waterways from the southern tip of Key Biscayne northward to and including Maule Lake, Dade County; all of Lake Worth, from its northernmost point immediately south of the intersection of U.S. Highway 1 and Florida State Highway A1A southward to its southernmost point immediately north of the town of Boynton Beach, Palm Beach County; the Loxahatchee River and its headwaters, Martin and West Palm Beach Counties; that section of the intracoastal waterway from the town of Sewalls Point, Martin County to Jupiter Inlet, Palm Beach County; the entire inland section of water known as the Indian River, from its northernmost point immediately south of the intersection of U.S. Highway 1 and Florida State Highway 3, Volusia County, southward to its southernmost point near the town of Sewalls Point, Martin County, and the entire inland section of water known as the Banana River and all waterways between Indian and Banana rivers, Brevard County; the St. Johns River including Lake George, and including Blue Springs and Silver Glen Springs from their points of origin to their confluences with the St. Johns River; that section of the Intracoastal Waterway from its confluence with the St. Marys River on the Georgia-Florida border to the Florida State Highway A1A bridge south of Coastal City, Nassau and Duval Counties.

(b) *Birds.*

CALIFORNIA CONDOR (*Gymnogyps californianus*)

California. Sespe-Piru Condor Area: an area of land, water, and airspace to an elevation of not less than 3,000 feet above the terrain, in Ventura and Los Angeles Counties, with the following components (San Bernardino Meridian): Sespe Condor Sanctuary, as delineated by Public Land Order 695 (January 1951); T4N R20W Sec. 2, 5–10, N½ Sec. 11; T4N R21W Sec. 1–3, 10–12, N¼ Sec. 13, N¼ Sec. 14, N¼ Sec. 15; T5N R18W Sec. 4–9, 18, 19, 30, 31, N½ Sec. 3, N½ Sec. 17; T5N R21W Sec. 1–4, 9–16, 21–28, 33–36; T6N R18W Sec. 7–11, 14–23, 26–35; T6N R19W Sec. 7–36; T6N R20W Sec. 8–36; T6N R21W Sec. 13–36; T6N R22W Sec. 3–26, 35, 36; T6N R23W Sec. 1–3, 10–14, 24, N½ Sec. 23; T7N R22W Sec. 31; T7N R23W Sec. 34–36.

Matilija Condor Area: An area of land, water, and airspace to an elevation of not less than 3,000 feet above the terrain, in Ventura and Santa Barbara Counties, with the following components (San Bernardino Meridian): T5N R24W W½ Sec. 3, Sec. 4–11, 14, 15, N½ Sec. 16, N¼ Sec. 17; T5N R25W E½ Sec. 1, NE¼ Sec. 12; T5½N R24W Sec. 31–34; T6N R24W S½ Sec. 32, S½ Sec. 33, S½ Sec. 34.

Sisquoc-San Rafael Condor Area: An area of land, water, and airspace to an elevation of not less than 3,000 feet above the terrain, Santa Barbara County, with the following components (San Bernardino Meridian): T6N R26W Sec. 5, 6; T6N R27W Sec. 1, 2; T7N R26W Sec. 5–8, 17–20, 29–32; T7N R27W Sec. 1–14, 23–26, 35, 36; T7N R28W Sec. 1, 2, 11, 12; T8N R26W Sec. 19–22, 27–34; T8N R27W Sec. 19–36.

Hi Mountain-Beartrap Condor Areas: Areas of land, water, and airspace to an elevation of not less than 3,000 feet above the terrain in San Luis Obispo County, with the following components (Mt. Diablo Meridian): T30S R16E Sec. 13, 14, 23–26, SE¼ Sec. 11, S½ Sec. 12; T30S R17E Sec. 17–20, 29, 30; T31S R14E Sec. 1, 2, 11, 12, E½ Sec. 3, E½ Sec. 10, N½ Sec. 14, N½ Sec. 13; T31S R15E W½ Sec. 6, W½ Sec. 7, NW¼ Sec. 18.

Mt. Pinos Condor Area: An area of land, water, and airspace in Ventura and Kern Counties, with the following components (San Bernardino Meridian): T8N R21W W½ Sec. 5, Sec. 6 N½ Sec. 7, NW¼ Sec. 8; T8N R22W Sec. 1, 2, E½ Sec. 3, NE¼ Sec. 10, N½ Sec. 11, N½ Sec. 12; T9N R21W Sec. 31, 32, W½ Sec. 33; T9N R22W E½ Sec. 35, Sec. 36.

Blue Ridge Condor Area: An area of land, water, and airspace in Tulare County, with the following components (Mt. Diablo Meridian): T19S R29E Sec. 5–9, 15–22, 27–30.

Tejon Ranch: An area of land, water, and airspace in Kern County, with the following components (San Bernardino Meridian): R16W T10N, R17W T10N, R17W T11N, R18W T9N, R18W T10N, R19W T10N.

Kern County rangelands: An area of land, water, and airspace in Kern County between California State Highway 65 and the western boundary of Sequoia National Forest, with the following components (Mt. Diablo Meridian): R29E T25S, R29E T26S, R30E T25S, R30E T26S.

Tulare County rangelands: An area of land, water, and airspace in Tulare County between California State Highway 65, State Highway 198, and the western boundary of Sequoia National Forest, with the following components (Mt. Diablo Meridian): R28E T18S (all sections); R28E T19S (all sections); R28E T20S (all sections); R28E T21S Sec. 1–18; R29E T20S (all sections); R29E T21S Sec. 1–18.

FLORIDA EVERGLADE KITE (*Rostrhamus sociabilis plumbeus*)

Florida. Areas of land (predominantly marsh), water, and airspace, with the following components (Tallahassee Meridian): (1) St. Johns Reservoir, Indian River County: T33S R37E SW¼ Sec. 6, W½ Sec. 7, Sec. 18, Sec. 19; (2) Cloud Lake Reservoir, St. Lucie County: T34S R38E S½ Sec. 16, N½ Sec. 21; (3) Strazzulla Reservoir, St. Lucie County: T34S R38E SW¼ Sec. 21; (4) western parts of Lake Okeechobee, Glades and Hendry Counties, extending along the western shore to the east of the levee system and the undiked high ground at Fisheating Creek, and from the Hurricane Gate at Clewiston northward to the mouth of the Kissimmee River, including all the *Eleocharis* flats of Moonshine Bay, Monkey Box, and Observation Shoal, but excluding the open water north and west of the northern tip of Observation Shoal, north of Monkey Box, and east of Fisheating Bay; (5) Loxahatchee National Wildlife Refuge (Central and Southern Florida Flood Control District Water Conservation Area 1), Palm Beach County, including Refuge Management Compartments A, B, C, and D, and all of the main portion of the Refuge as bounded by Levees L–7, L–39, and L–40; (6) Central and Southern Florida Flood Control District Water Conservation Area 2A, Palm Beach and Broward Counties, as bounded by Levees L–6, L–35B, L–36, L–38, and L–39; (7) Central and Southern Florida Flood Control District Water Conservation Area 2B, Broward County, as bounded by Levees L–35, L–35B, L–36, and L–38; (8) Central and Southern Florida Flood Control District Water Conservation Area 3A, Broward and Dade Counties, as bounded by Florida Highway 84, Levees L–68A, L–67A (north of Miami Canal), L–67C (south of Miami Canal), L–29, and L–28, and a line along the undiked northwestern portion of the Area; (9) that portion of Everglades National Park, Dade County, within the following boundary: beginning at the point where the Park boundary meets Florida Highway 94 in T54S R35E Sec. 20, thence eastward and southwest along the Park boundary to the southwest corner of Sec. 31 in T7S R37E, thence southwestward along a straight line to the southwest corner of Sec. 2 in T58S R35E, thence westward along the south sides of Sec. 3, 4, 5, and 6 in T58S R35E to the Dade-Monroe county line, thence northward along the Dade-Monroe county line to the Park boundary, thence eastward and northward along the Park boundary to the point of beginning.

CRITICAL HABITAT FOR THE FLORIDA EVERGLADE KITE

AMERICAN PEREGRINE FALCON (*Falso peregrinus anatum*)

California. Dry Creek Zone: areas of land, water, and airspace in Sonoma County, with the following components (Mt. Diablo Base Meridian): (1) T10N R11W W½ of SW¼ Sec. 6, W½ of NW¼ Sec. 6, NW¼ of NW¼ Sec. 7; T10N R12W Sec. 1, E½ of NE¼ Sec. 2, SW¼ of NE¼ Sec. 2, SE¼ Sec. 2, E½ of SW¼ Sec. 2, SE¼ of NW¼ Sec. 2, N½ of NE¼ Sec. 11, NE¼ of NW¼ Sec. 11, N½ of NE¼ Sec. 12, N½ of NW¼ Sec. 12; T11N R11W SW¼ of SE¼ Sec. 31, S½ of SW¼ Sec. 31; T11N R12W S½ of SE¼ Sec. 36, SE¼ of SW¼ Sec. 36; (2) T10N R11W NW¼ of SW¼ Sec. 1, W½ of NW¼ Sec. 1, N½ Sec. 2, N½ of SE¼ Sec. 2, N½ of SW¼ Sec. 2, N½ Sec. 3, N½ of SE¼ Sec. 3, N½ of SW¼ Sec. 3, NE¼ Sec. 4, N½ of SE¼ Sec. 4, NE¼ of SW¼ Sec. 4, E½ of NW¼ Sec. 4; T11N R11W E½ of SE¼ Sec. 33, S½ Sec. 34, S½ Sec. 35, W½ of SE¼ Sec. 36, SW¼ Sec. 36; (3) T11N R12W S½ Sec. 19, Sec. 30; T11N R13W SE¼ Sec. 24, E½ of SW¼ Sec. 24, E½ Sec. 25, E½ of SW¼ Sec. 25, E½ of NW¼ Sec. 25.

Palisades-Table Rock Zone: an area of land, water, and airspace in Napa County, with the following components (Mt. Diablo Base Meridian): T9N R6W S½ Sec. 5, S½ Sec. 6, Sec. 7, Sec. 8, Sec. 9, Sec. 16, Sec. 17, Sec. 18, Sec. 19, Sec. 20; T9N R7W E½ Sec. 12, E½ Sec. 13, NE¼ Sec. 24, E½ of SE¼ Sec. 24.

Mount St. Helena Zone: An area of land, water, and airspace in Lake, Napa, and Sonoma counties, with the following components (Mt. Diablo Base Meridian): T9N R7W W½ of NE¼ Sec. 3, W½ of SE¼ Sec. 3, W½ Sec. 3, Sec. 4, E½ Sec. 5, E½ of SW¼ Sec. 5, E½ of NW¼ Sec. 5; T10N R7W that portion of Sec. 20 east of Ida Clayton Road, Sec. 21, W½ of NE¼ Sec. 22, W½ of SE¼ Sec. 22, W½ Sec. 22, W½ of NE¼ Sec. 27, W½ of SE¼ Sec. 27, W½ Sec. 27, Sec. 28, that portion of Sec. 29 east of Ida Clayton Road, that portion of the NE¼ Sec. 32 east and south of Ida Clayton Road, SE¼ Sec. 32, E½ of SW¼ Sec. 32, that portion of the SE¼ of NW¼ Sec. 32 south of the Ida Clayton Road, Sec. 33, W½ of NE¼ Sec. 34, W½ of SE¼ Sec. 34, W½ Sec. 34.

CRITICAL HABITAT FOR THE AMERICAN PEREGRINE FALCON

PALILA (*Psittirostra bailleui*)

HAWAII. An area of land, water, and airspace on the Island of Hawaii, Hawaii County, with the following components: (1) The State of Hawaii Mauna Kea Forest Reserve, except (a) that portion above the 10,000 foot contour line, (b) that portion south of the Saddle Road (State Highway 20), (c) lands owned by the United States in the Pohakuloa Training Area north of the Saddle Road (State Highway 20) established by Executive Order 1719 (Parcel 6, State of Hawaii Tax Map Key 4–4–16, Third Division), (d) that portion (Parcel 10, Kaohe IV, State of Hawaii Tax Map Key 4–4–16, Third Division) lying north of the Saddle Road (State Highway 20) and south of the Power Line Road; (2) that portion of the State of Hawaii Kaohe Game Management Area (Parcel 4, State of Hawaii Tax Map Key 4–4–15, Third Division) to the north and east of the Saddle Road (State Highway 20); (3) that portion of the Upper Waikii Paddock (Parcel 2, State of Hawaii Tax Map Key 4–4–15, Third Division) northeast of the Saddle Road (State Highway 20); (4) that portion of the lands of Humuula between Puu Kahinahina and Kole lying southeast of the Mauna Kea Forest Reserve fence (portions of Parcels 2, 3, and 7, State of Hawaii Tax Map Key 3–8–1, Third Division) which are included in the State conservation district.

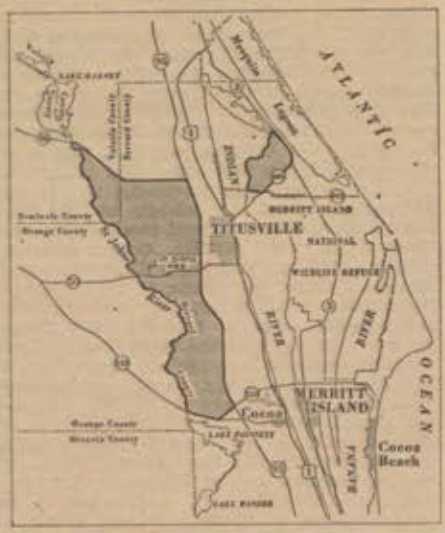
CRITICAL HABITAT FOR THE PALILA

YELLOW-SHOULDERED BLACKBIRD (*Agelaius xanthomus*)

Puerto Rico. Areas of land, water, and airspace with the following components: (1) All of Mona Island; (2) that portion of the main island of Puerto Rico within the following boundary: Beginning at a point where the Quebrada Boqueron joins the Bahia de Boqueron, thence proceeding southwesterly along the coast to Cabo Rojo, thence eastward along the coast, including offshore cays, to the point where Highway 332 meets the Bahia de Guanica, thence northward on Highway 332 to its junction with Highway 116, thence westward on Highway 116 to its junction with Highway 305, thence westward on Highway 305 to its junction with Highway 303, thence northward on Highway 303 to its junction with Highway 101, thence westward on Highway 101 to the point where it crosses Quebrada Boqueron, thence along the Quebrada Boqueron to the point where it joints the Bahia de Boqueron; (3) a circular portion of the main island of Puerto Rico with a one mile radius, the center being the junction of Highways 360 and 102 in the town of San German; (4) Roosevelt Roads Naval Station, southeast of Ceiba.

DUSKY SEASIDE SPARROW (*Ammospiza maritima nigrescens*)

Florida. Cordgrass (*Spartina bakeri*) savannas and associated land, water, and airspace within the following boundary, Brevard County: Beginning at the point where Florida Highway 528 intersects Interstate Highway 95; thence westward along Florida Highways 528 and 520 to the main channel of the St. Johns River; thence northward along said channel to Florida Highway 46; thence eastward along Florida Highway 46 to Interstate Highway 95; thence southward along Interstate Highway 95 to the point of beginning. Marshes and associated airspace within the mosquito control impoundments designated by the Brevard County Mosquito Control District as T–10–J and T–10–K, northwest of Florida Highway 406 on the Merritt Island National Wildlife Refuge, Brevard County.

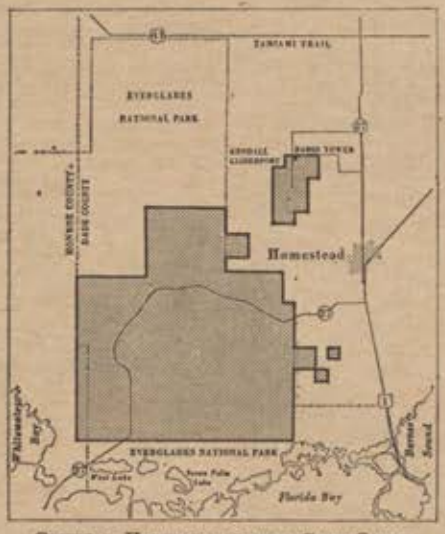


CRITICAL HABITAT FOR THE DUSKY SEASIDE SPARROW

CAPE SABLE SPARROW (*Ammospiza maritima mirabilis*)

Florida. Areas of land, water, and airspace in the Taylor Slough vicinity of Collier, Dade, and Monroe counties, with the following components (Tallahassee Meridian):

Those portions of Everglades National Park within T57S R36E, T57S R36½E, T57S R37E, T58S R35E, T58S R36E, T58S R37E, T58½S R35E, T58½S R36½E, T59S R35E, T59S, R36E, T59S R37E. Areas outside of Everglades National Park within T55S R37E Sec. 36; T55S R38E Sec. 31, 32; T56S R37E Sec. 1, 2, 11–14, 23–26; T56S R38E Sec. 5–7, 18, 19; T57S R37E Sec. 5–8, T58S R38E Sec. 27, 29–32; T59S R38E Sec. 4.



CRITICAL HABITAT FOR THE CAPE SABLE SPARROW

(c) *Reptiles.*

AMERICAN CROCODILE (*Crocodylus acutus*)

Florida. All land and water within the following boundary: Beginning at the easternmost tip of Turkey Point, Dade County, on the coast of Biscayne Bay; thence southeastward along a straight line to Christmas Point at the southernmost tip of Elliott Key; thence southwestward along a line following the shores of the Atlantic Ocean side of Old Rhodes Key, Palo Alto Key, Anglefish Key, Key Largo, Plantation Key, Windley Key, Upper Matecumbe Key, Lower Matecumbe Key, and Long Key, to the westernmost tip of Long Key; thence northwestward along a straight line to the westernmost tip of Middle Cape; thence northward along the shore of the Gulf of Mexico to the north side of the mouth of Little Sable Creek; thence eastward along a straight line to the northernmost point of Nine-Mile Pond; thence northeastward along a straight line to the point of beginning.

ST. CROIX GROUND LIZARD (*Ameiva polops*)

U.S. Virgin Islands. Protestant Cay, roughly defined by the coordinates 64° 42'15" N. and 17°45'7.5" W.; and Green Cay, roughly defined by the coordinates 67°37'30" N. and 17°46'15" W.

CRITICAL HABITAT FOR THE ST. CROIX GROUND LIZARD

CRITICAL HABITAT FOR THE GIANT ANOLE

GIANT ANOLE (*Anole roosevetti*)

(d) [Reserved]

(e) *Fishes.*

SNAIL DARTER (*Percina tanasi*)

Tennessee. From river mile 0.5 to river mile 17 of the Little Tennessee River, Loudon County, as shown on a map entitled "Tellico Project," prepared by Tennessee Valley Authority, Bureau of Water Control Planning, August 1965 (map 65–MS–453 K 501).

SLENDER CHUB (*Hybopsis cahni*)

Tennessee. Claiborne and Hancock Counties. Powell River, main channel from backwaters of Norris Lake upstream to the Tennessee-Virginia State line. Clinch River, main channel from backwaters of Norris Lake upstream to the Tennessee-Virginia State line.

Virginia. Lee and Scott Counties. Powell River, main channel from the Tennessee-Virginia State line upstream through Lee County, Va. Clinch River, main channel from the Tennessee-Virginia State line upstream through Scott County, Va.

CRITICAL HABITAT FOR THE SLENDER CHUB

SPOTFIN CHUB (*Hybopsis monacha*)

North Carolina. Macon and Swain Counties. Little Tennessee River, main channel from the backwaters of Fontana Lake upstream to the North Carolina-Georgia State line.

CRITICAL HABITAT FOR THE SPOTFIN CHUB

Tennessee. Cumberland, Fentress, and Morgan Counties. Emory and Obed Rivers and Clear and Daddys Creek in Morgan County. Clear Creek in Fentress County. Obed River upstream to U.S. Interstate Highway 40. Clear Creek upstream to U.S. Interstate Highway 40 and Daddys Creek upstream to U.S. Highway 127 in Cumberland County.

CRITICAL HABITAT FOR THE SPOTFIN CHUB

Tennessee. Hawkins and Sullivan Counties. North Fork Holston, main channel upstream from junction with South Fork Holston River to the Tennessee-Virginia State line.

Virginia. Scott and Washington Counties. North Fork Holston River, main channel from the Virginia-Tennessee State line upstream through Scott and Washington Counties.

CRITICAL HABITAT FOR THE SPOTFIN CHUB

SLACKWATER DARTER (*Etheostoma boschungi*)

Alabama. Lauderdale County. All permanent and intermittent streams with flowing water from December to June tributary to Cypress Creek and its tributaries upstream from the junction of Burcham Creek, including Burcham Creek, excluding Threet Creek and its tributaries.

Tennessee. Wayne County. All permanent and intermittent streams with flowing water from December to June tributary to Cypress and Middle Cypress Creek drainage.

CRITICAL HABITAT FOR THE SLACKWATER DARTER

Tennessee. Lawrence County. Buffalo River and its tributaries in Lawrence County, Tenn.

CRITICAL HABITAT FOR THE SLACKWATER DARTER

YELLOWFIN MADTOM (*Noturus flavipinnis*)

Tennessee. Claiborne and Hancock Counties. Powell River, main channel from backwaters of Norris Lake upstream to the Tennessee-Virginia State line.

Virginia.. Lee, Scott, and Russell Counties. Powell River, main channel from the Virginia-Tennessee State line upstream through Lee County. Copper Creek, main channel from its junction with Clinch River upstream through Scott County and upstream in Russell County to Dickensonville.

CRITICAL HABITAT FOR THE YELLOWFIN MADTOM

Alabama: Lauderdale County.

(f)—(j) [Reserved]

§ 17.96 Critical habitat—plants [Reserved]

Dated: September 15, 1977.

WALTER R. MCALLESTER,
Acting Director,
Fish and Wildlife Service.

[FR Doc.77-27542 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Arrowwood National Wildlife Refuge, North Dakota, to Deer Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to deer hunting of Arrowwood National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: Season dates November 11, 1977 through November 20, 1977.

FOR FURTHER INFORMATION CONTACT:

John R. Foster, Refuge Manager, Arrowwood National Wildlife Refuge, Pingree, North Dakota 58476, phone 701-285-3341.

SUPPLEMENTARY INFORMATION:

§ 32.5 Special regulations; deer hunting; for individual wildlife refuge areas.

Deer hunting is permitted on the Arrowwood National Wildlife Refuge, North Dakota, only on the areas designated by signs as being open to deer hunting. These areas comprising 14,814 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, P.O. Box 25486, Denver Federal Center, Denver, Colo. 80225.

Hunting shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Hunting is permitted from 12:00 noon to sunset November 11, 1977 and from sunrise to sunset November 12, 1977 through November 20, 1977.

(2) From 12:00 noon November 11, 1977 through sunset November 13, 1977 hunting is permitted by special refuge permit only, thereafter hunting is permitted to anyone possessing a valid state license for the unit encompassing the refuge.

(3) That part of the refuge lying north of the gravel road, known as the Kensal-Edmunds road, will be closed to deer hunting.

The provisions of this special regulation supplement the regulations which govern deer hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

JOHN R. FOSTER,
Refuge Manager.

SEPTEMBER 15, 1977.

[FR Doc.77-27647 Filed 9-21-77;8:45 am

PART 32—HUNTING

Opening of Arrowwood National Wildlife Refuge, North Dakota, to Fox Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to fox hunting of Arrowwood National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: Season dates October 22, 1977 through January 31, 1978.

FOR FURTHER INFORMATION CONTACT:

John R. Foster, Refuge Manager, Arrowwood National Wildlife Refuge, Pingree, North Dakota 58476, phone 701-285-3341.

SUPPLEMENTARY INFORMATION:

§ 32.5 Special regulations; fox hunting; for individual wildlife refuge areas.

Fox hunting is permitted on the Arrowwood National Wildlife Refuge, North Dakota, only on the areas designated by signs as being open to fox hunting. These areas comprising 15,900 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, P.O. Box 25486, Denver Federal Center, Denver, CO 80225.

Hunting shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Hunting is permitted from 12:00 noon to sunset October 22, 1977 and from one-half hour before sunrise to sunset October 23, 1977 through January 31, 1978.

(2) During the deer gun season red fox may be taken only by those hunters possessing a valid deer hunting license for the refuge and only on that part of the refuge open to deer hunting.

The provisions of this special regulation supplement the regulations which govern fox hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

JOHN R. FOSTER,
Refuge Manager.

SEPTEMBER 15, 1977.

[FR Doc.77-27648 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Arrowwood National Wildlife Refuge, North Dakota, to Upland Bird Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening to upland bird hunting of Arrowwood National Wildlife Refuge is compatible with the objectives for which the area was established, will

utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: Season dates November 21 through the closing of the State seasons.

FOR FURTHER INFORMATION CONTACT:

John R. Foster, Refuge Manager, Arrowwood National Wildlife Refuge, Pingree, North Dakota 58476, phone 701–285–3341.

SUPPLEMENTARY INFORMATION:

§ 32.5 Special regulations; upland bird hunting; for individual wildlife refuge areas.

Upland bird hunting is permitted on the Arrowwood National Wildlife Refuge, North Dakota, only on the areas designated by signs as being open to upland bird hunting. These areas comprising 15,900 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, P.O. Box 25486, Denver Federal Center, Denver, CO 80225.

Hunting shall be in accordance with all applicable State regulations subject to the following condition: (1) Hunting is permitted from sunrise to sunset November 21, 1977 through the closing date of the state seasons.

The provisions of this special regulation supplement the regulations which govern upland bird hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

JOHN R. FOSTER,
Refuge Manager.

SEPTEMBER 15, 1977.

[FR Doc.77-27649 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Long Lake National Wildlife Refuge, North Dakota, to Deer Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The director has determined that the opening to deer hunting of Long Lake National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: Season dates November 11, 1977 through November 20, 1977.

FOR FURTHER INFORMATION CONTACT:

John R. Foster, Refuge Manager, Arrowwood National Wildlife Refuge, Pingree, North Dakota 58476, phone 701–285–3341.

SUPPLEMENTARY INFORMATION:

§ 32.5 Special regulations; deer hunting; for individual wildlife refuge areas.

Deer hunting is permitted on the Long Lake National Wildlife Refuge, North Dakota, only on the areas designated by signs as being open to deer hunting. These areas comprising 19,500 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, P.O. Box 25486, Denver Federal Center, Denver, CO 80225.

Hunting shall be in accordance with all applicable State regulations subject to the following condition: (1) Hunting is permitted from 12:00 noon to sunset November 11, 1977 and from sunrise to sunset November 12, 1977 through November 20, 1977.

The provisions of this special regulation supplement the regulations which govern deer hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

JOHN R. FOSTER,
Manager.

SEPTEMBER 15, 1977.

[FR Doc.77-27650 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Shiawassee National Wildlife Refuge, Saginaw, Mich., to Archery Deer Hunting

AGENCY: U.S. Fish and Wildlife Service, Department of the Interior.

ACTION: Special regulation.

SUMMARY: The Director has determined that the opening of archery deer hunting of Shiawassee National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: December 1, 1977, to December 31, 1977.

FOR FURTHER INFORMATION CONTACT:

Robert G. Johnson, Refuge Manager, 6975 Mower Road, Saginaw Mich. 48601. Telephone 517–777–5930.

SUPPLEMENTARY INFORMATION:

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

Hunting of deer with bow and arrow is permitted on the entire refuge area from 6 a.m. to 7 p.m. EST each day from December 1, 1977, through December 31, 1977, only.

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

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

(2) Applications for Federal permits must be received at the refuge office on or before October 31, 1977.

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

(4) Bow hunters are prohibited from constructing or using any permanent blind, platform, or scaffold.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1977. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a minor proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A–107.

ROBERT G. JOHNSON,
Refuge Manager, Shiawassee National Wildlife Refuge, Saginaw, Mich.

SEPTEMBER 9, 1977.

[FR Doc.77-27651 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Sabine National Wildlife Refuge, Louisiana, to Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION. Special regulation.

SUMMARY: The Director has determined that the opening to hunting of Sabine National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: November 5–December 4, 1977 and December 17, 1977–January 5, 1978.

FOR FURTHER INFORMATION CONTACT:

John R. Walther, Refuge Manager, Sabine National Wildlife Refuge, MRH Box 107, Hackberry, Louisiana 70645, telephone 318–762–5135.

SUPPLEMENTARY INFORMATION:

§ 32.12 Special regulations; hunting; for individual wildlife refuge areas.

Hunting is permitted on the Sabine National Wildlife Refuge, Louisiana, only on the areas designated by signs as being open to hunting. These areas comprising 10,000 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, 17 Executive Park Drive, N.E., Atlanta, Georgia 30329. Hunting shall be in accordance with all State regulations subjet to the following conditions:

1. All hunters must have a federal refuge hunting permit in their possession in order to hunt on the refuge. Permits will be issued at the refuge from October 1 through the duck hunting season.

2. Hunting is restricted to 12 gauge shotguns and steel shot shells only. No lead shot or other gauge shotguns will be permitted on the refuge.

3. *Hunting Season:* November 5 to December 4, 1977 and December 17, 1977 to January 5, 1978. Five half-days per week, Wednesday through Sunday. No hunting on Mondays and Tuesdays, and no hunting on December 25.

4. *Shooting Hours:* One-half hour before sunrise until 11:00 a.m. Hunters may enter the hunting area two hours before legal shooting time and must depart the refuge by 12 noon.

5. Hunting is restricted to ducks, geese, and coots. No other species of birds, mammals, or reptiles may be shot or taken on the refuge.

6. Each hunter under age 18 must be under the close supervision of an adult. For safety reasons the ratio should be one adult to one juvenile but in no case should one adult have more than two juveniles under his/her supervision.

7. Hunters are required to check in at the check station before entering the hunt area and must check out after completing the hunt. All access to refuge hunting area must be from within refuge boundary. Area cannot be entered through adjacent private property. Any waterfowl bagged must be shown to one of the refuge agents.

8. Hunting parties may not blind-up and hunt closer than 100 yards apart. The first hunter(s) at a pond or blind site are the holders of that site until they complete their hunt; other parties must move away from them at least 100 yards.

9. Firearms must be encased or dismantled when carried in transit through refuge canals.

10. Temporary blinds made of native vegetation may be constructed, or portable blinds may be carried in for each hunt.

11. Use of retriever dogs is permitted and encouraged, but they must be under control at all times.

12. Livestock, furbearers, and trapping equipment present in the hunting areas shall not be molested or disturbed.

13. Hunters must station themselves a minimum of 50 yards inland from refuge canals.

14. Running lights are required on all boats using refuge canals before sunrise. Life jackets must be worn by all juvenile hunters while traveling on refuge waters.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

Dated: September 15, 1977.

EARL F. HAMPTON,
Acting Regional Director.

[FR Doc.77-27725 Filed 9-21-77;8:45 am]

PART 32—HUNTING

Opening of Slade National Wildlife Refuge, N. Dak., to Deer Hunting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Special regulation.

SUMMARY: The director has determined that the opening to deer hunting of Slade National Wildlife Refuge is compatible with the objectives for which the area was established, will utilize a renewable natural resource, and will provide additional recreational opportunity to the public.

DATES: Season dates November 11, 1977, through November 20, 1977.

FOR FURTHER INFORMATION CONTACT:

John R. Foster, Refuge Manager, Arrowwood National Wildlife Refuge, Pingree, N. Dak. 58476. Phone number 701-285-3341.

SUPPLEMENTARY INFORMATION:

§ 32.5 Special regulations; deer hunting; for individual wildlife refuge areas.

Dear hunting is permitted on Slade National Wildlife Refuge, N. Dak., only on the areas designated by signs as being open to deer hunting. These areas comprising 2,840 acres are delineated on maps available at the refuge headquarters and from the office of the Regional Director, P.O. Box 25486, Denver, Federal Center, Denver, Colo. 80225.

Hunting shall be in accordance with all applicable State regulations subject to the following condition:

(1) Hunting is permitted from 12 noon to sunset November 11, 1977, and from sunrise to sunset November 12, 1977, through November 20, 1977.

The provisions of this special regulation supplement the regulations which govern deer hunting on wildlife refuge areas generally which are set forth in Title 50 Code of Federal Regulations, Part 32. The public is invited to offer suggestions and comments at any time.

NOTE.—The U.S. Fish and Wildlife Service has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11949 and OMB Circular A-107.

JOHN R. FOSTER,
Manager.

SEPTEMBER 15, 1977.

[FR Doc.77-27652 Filed 9-21-77;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

Agricultural Marketing Service

[7 CFR Part 1201]

TYPE 62 SHADE-GROWN CIGAR LEAF

Tobacco Grown in Designated Production Area of Florida and Georgia

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This notice of proposed rulemaking concerns a proposed termination of marketing agreement and order No. 195, as amended, (7 CFR Part 1201) regulating the handling of Type 62 shade-grown cigar-leaf tobacco grown in the designated production area of Florida and Georgia. This order has been in effect since 1962, but the program has been inactive since June 3, 1973. There has been a substantial reduction in production and in the number of growers and handlers in the designated area due to rising costs and a decline in the demand for natural cigar leaf wrapper.

DATES: Comments due on or before October 25, 1977.

ADDRESSES: Send comments, in quadruplicate, to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250. Comments will be made available for public inspection at the Office of the Hearing Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT:

Leonard J. Ford, Acting Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202–447–7235).

SUPPLEMENTARY INFORMATION: Notice is hereby given that, pursuant to the provisions of the Agricultural Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of marketing agreement and order number 195, as amended (7 CFR Part 1201), regulating the handling of Type 62 shade-grown cigar-leaf tobacco grown in the designated production area of Florida and Georgia is being considered.

All persons who desire to submit data, views, or arguments in connection with the proposed termination should file the same with the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250, not later than October 25, 1977. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The provisions proposed to be terminated include all provisions of marketing agreement and order number 195, as amended (7 CFR Part 1201) with the exception of section 1201.71 (7 CFR 1201-.71) which provides for proceedings after termination.

Dated: September 16, 1977.

WILLIAM T. MANLEY,
Deputy Administrator,
Program Operations.

[FR Doc.77-27550 Filed 9-21-77;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 230, 249]

[Release No. 33-5865; 34-13964; File No. S7-717]

RESALES OF BANKRUPTCY-RELATED SECURITIES

Objective Standards

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule and proposed form amendments.

SUMMARY: The Commission is soliciting public comments on a proposed new rule that would establish objective standards for the resale of certain types of securities relating to bankruptcy proceedings. The purpose of the proposed rule is to provide some degree of certainty as to when a person could sell such securities without the need for registering them under the Federal securities laws. In a related matter, the Commission also is proposing the adoption of amendments to one of its periodic reporting forms for the purpose of assuring that current information about a debtor and the bankruptcy proceedings in which it has participated will be available to the public shortly after such proceedings have been completed.

DATES: Comments must be received on or before December 15, 1977.

ADDRESSES: Interested persons should submit their views and comments in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. All comments should refer to File No. S7-717 and will be available for public inspection at the Commission's Public Reference Section, Room 6101, 1100 L Street, NW., Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT:

Peter J. Romeo, Division of Corporation Finance, Securities and Exchange Commission, Washington, D.C. 20549 (202–755–1240).

SUPPLEMENTARY INFORMATION: The Commission today announced that it is soliciting public comments on a proposed new rule under the Securities Act of 1933 ("1933 Act") (15 U.S.C. 77a et seq., as amended by Pub. L. No. 94–29 (June 4, 1975)). The proposed rule has been designated as Rule 148 (17 CFR 230.148) and is intended to establish objective standards for the resale without registration under the 1933 Act of two types of securities that are directly related to bankruptcy proceedings: (1) Securities issued by a debtor to creditors and others pursuant to a plan of bankruptcy; and (2) securities issued by someone other than the debtor which were held in the debtor's portfolio at the time the bankruptcy proceedings were commenced.

BACKGROUND

The necessity for proposed Rule 148 arises from the fact that there is considerable uncertainty on the part of holders of bankruptcy-related securities as to when it is necessary for them to register their securities for resale under the 1933 Act. Generally, when attempting to resell such securities, the holders thereof seek to rely on the exemption from registration provided by section 4(1) of the 1933 Act. That section states in essence that transactions by any person who is not an "issuer, underwriter, or dealer" need not be registered. Since most persons who seek to resell securities clearly are not issuers or dealers, the majority of questions arising under section 4(1) focus on the term "underwriter." The nature of these questions generally is under what circumstances will a person not be deemed an underwriter and consequently be free to resell his securities without registration.

The term "underwriter" is broadly defined in section 2(11) of the Act.[1] Among other things, section 2(11) states that a person who purchased his securities "with a view to * * * distribution" shall be deemed an underwriter. The inter-

[1] Section 2(11) reads in pertinent part as follows: The term "underwriter" means any person who has purchased from an issuer with a view to, or offers or sells for an issuer in connection with, the distribution of any security, or participates or has a direct or indirect participation in any such undertaking, or participates or has a participation in the direct or indirect underwriting of any such undertaking * * *.

pretation of section 2(11) traditionally has focused on these quoted words. They create difficulty, however, because they are subjective in nature and appear to require a determination as to the security holder's purpose in acquiring his securities. Since it is difficult to ascertain a purchaser's state of mind at the time of acquisition, it generally is necessary to look to subsequent acts and circumstances to formulate an opinion as to whether he purchased with a view to distribution. The use of objective standards relating to a purchaser's subsequent acts and circumstances obviously would be useful in making such a determination.

In recognition of the utility of objective standards insofar as the definition of "underwriter" is concerned, the Commission in 1972 adopted Rule 144 (17 CFR 230.144) under the 1933 Act.[2] Basically, the rule establishes certain objective standards which, if satisfied, permit holders of "restricted" securities [3] to sell them without registration and without being deemed underwriters of those securities. There are four basic requirements inherent in these standards: (1) The securities must have been held by the seller for at least two years; (2) the amount of securities that can be sold during any six-month period must not exceed one percent of the outstanding securities of that class; (3) there must be current information available to the public about the issuer of the securities; and (4) the securities must be sold in brokers' transactions. Generally, it is the Commission's view that a person who complies with the above requirements has satisfactorily demonstrated that he did not acquire his securities with a view to distribution and that the interests of investors will not be harmed by permitting him to resell them without registration.

Although the Commission's experience with Rule 144 generally has been favorable, the rule itself is somewhat limited in its application. Basically, it can be used to sell restricted securities only, which by definition must have been acquired in a transaction or chain of transactions not involving any public offering. As a result, securities issued by a debtor in bankruptcy proceedings frequently do not qualify for resale under Rule 144 because they were issued in public, nonregistered offerings in reliance upon some exemption from registration, such as that provided by section 3(a)(10) of the 1933 Act. Thus, many persons who acquire such securities are left in a state of uncertainty similar to that which existed prior to the adoption of Rule 144 insofar as resales of their securities are concerned.

The Commission recognizes the limited applicability of Rule 144 to bankruptcy situations and the fact that there is a need to provide some degree of certainty in connection with resales of bankruptcy-related securities. Accordingly, it has determined to propose the adoption of Rule 148, which would establish certain objective standards that, if met, would permit the holders of such securities to resell them without registration and without being deemed underwriters.

SYNOPSIS OF THE RULE

The provisions of the proposed rule are modeled to a large extent after Rule 144, although there are several significant variances designed to reflect the exigencies of bankruptcy situations. Chief among these variances is the lack of a holding period requirement in Rule 148. Such a requirement has not been included in recognition of the special, involuntary circumstances under which a debtor's securities frequently are acquired. Other variances include different volume limitations and current public information requirements and the lack of a notice requirement with respect to resales under the rule.

A. PRELIMINARY NOTES

In terms of organization, the operative provisions of the proposed new rule have been preceded by two preliminary notes. These notes provide summary information about the purpose and scope of the rule in a manner similar to that utilized in connection with Rules 144–147 (17 CFR 230.144–147) under the 1933 Act. Thus, Note 1 briefly states the purpose of the rule and the reasons why the standards for resale set forth therein are deemed appropriate. And Note 2 emphasizes the fact that the rule would be nonexclusive and therefore would not have to be complied with if some other exemption for resale were available.

B. DEFINITIONS

Paragraph (a) of the rule contains definitions of five terms which appear throughout the rule. To a large extent, these definitions are self-explanatory. The Commission, however, wishes to call particular attention to the definition of the term "debtor," which states that the term shall mean an "individual, partnership, or corporation concerning which a case has been commenced under the Bankruptcy Act." By including individual persons within that definition, it would be possible for restricted securities held in a bankrupt individual's portfolio to be sold under the rule without the necessity for those securities to have been held for two years, as Rule 144 presently requires. The Commission is aware of the possibility that some individuals might, if the rule is adopted, attempt to abuse it by filling their portfolios with so-called "cheap stocks" prior to bankruptcy for the purpose of having them quickly resold under Rule 148. As paragraph (d) to the rule indicates, however, the rule would not be available for such schemes, notwithstanding the fact that there had been technical compliance with its provisions.

C. SECURITIES ISSUED UNDER A PLAN

Paragraph (b) sets forth the standards for resale that would be applicable to one of the two types of securities that could be sold under the rule (viz., securities issued by a debtor under a plan of bankruptcy). The introductory portion of the paragraph makes it clear that the rule would provide a "safe harbor" for the resale of such securities, provided they were issued in a transaction exempt from registration under the 1933 Act and provided that the three conditions set forth in the paragraph were satisfied. The exempt transaction requirement was inserted to make certain that the rule would not be utilized to perpetuate a prior violation of the 1933 Act whereby securities were issued pursuant to a plan of bankruptcy but were neither registered nor issued in compliance with one of the exemptions from registration.

There are three standards for resale contained in paragraph (b), all of which, as previously noted, are modeled after Rule 144. The first of these is set forth in paragraph (b)(1) and would limit the amount of securities that could be sold during any six-month period under the rule. Basically, it provides that the amount sold during such a period shall not exceed one percent of the shares or other units of the class outstanding upon distribution under the plan. This provision differs somewhat from the one in Rule 144 after which it is modeled [4] in that it would not require that the trading volume in the debtor's securities also be considered in determining the maximum amount that could be sold. The trading volume factor has not been used in Rule 148 because it would permit relatively few securities to be sold under the rule, inasmuch as the trading volume for a debtor's securities generally is not very large.

The second objective standard is set forth in paragraph (b)(2) and relates to the adequacy of information available about the debtor after the issuance of securities under the plan of bankruptcy. This provision is intended to assure that there would be current information about the debtor available to the investing public at the time any sales of its securities were made under the rule.

The public information requirement in paragraph (b)(2) would require a debtor who is subject to the registration and/or periodic reporting provisions of

[2] See in this regard Release No. 33-5223 (37 FR 596) dated January 11, 1972.

[3] The term "restricted securities" is defined in paragraph (a)(3) of Rule 144 to mean securities acquired directly or indirectly from the issuer thereof, or from an affiliate of such issuer, in a transaction or chain of transactions not involving any public offering or from the issuer in a transaction in reliance on Rule 240 under the Act or which were issued by an issuer in a transaction in reliance on Rule 240 and were acquired in a transaction or chain of transactions not involving any public offering.

[4] In connection with Rule 144, it should be noted that the Commission presently is engaged in a study to determine the feasibility of relaxing somewhat the volume limitations contained in that rule. Should the Commission deem it appropriate to revise those limitations, it anticipates making corresponding changes in the volume limitation presently proposed in Rule 148.

the Securities Exchange Act of 1934 ("1934 Act") (15 U.S.C. 78a et seq., as amended by Pub. L. No. 94-29 (June 4, 1975)) to have filed with the Commission all documents and reports required by those provisions subsequent to the distribution of securities under the plan. Debtors who are not subject to those provisions would be deemed to have satisfied the public information requirement if they made available to the public at the time of the sale the information specified in clauses (1) to (14), and clause (16) of Rule 15c2-11(a)(4) (17 CFR 240.15c2-11(a)(4)) under the 1934 Act.

In connection with the public information requirement discussed above, the Commission also is proposing the adoption of amendments to Items 3 and 6 of Form 8-K (17 CFR 249.308) relating to bankruptcy proceedings. Heretofore, Item 3 has required only that information about such proceedings be filed with the Commission when they are commenced. The Commission believes, however, that it is also important that information about bankruptcy proceedings be furnished after they have been completed for all practical purposes. Thus, the Commission proposes to add a new Item 3(b) to Form 8-K which would require that the following information be furnished within 15 days after a plan of reorganization, arrangement or liquidation has been confirmed by a court or governmental agency having supervision or jurisdiction over substantially all of the assets or business of the debtor: (1) The identity of the court or governmental agency; (2) the date of confirmation by the court or governmental agency; (3) a fair summarization of the material features of the plan; (4) the total number of securities of the debtor outstanding or to be outstanding upon the distribution of securities under the plan; and (5) information as to the assets and liabilities of the debtor as of the date of confirmation, or a date as close thereto as practicable. In addition, the Commission proposes to amend Item 6 of Form 8-K to require the filing of the plan as an exhibit to the form. Paragraph (b)(2)(A) of the proposed rule makes it clear that the information specified above must be filed with the Commission before any offers or sales can be made in reliance upon the rule.

There are two essential differences between the public information requirement in proposed Rule 148 and its counterpart in Rule 144. First, unlike Rule 144, there would be no necessity in Rule 148 for the debtor to have been subject to the periodic reporting provisions of the 1934 Act for at least 90 days before sales could be effected under the rule. The 90-day requirement has been omitted from Rule 148 because the special circumstances attendant to bankruptcy situations do not appear to justify a waiting period such as that required by Rule 144.

The second major difference is that Rule 148 would not require the debtor to have filed all reports required by the 1934 Act during the 12 months preceding the sale or such shorter period that the debtor was required to filed such reports. One reason for this provision is that many debtors might be unable to satisfy such a requirement, since they might not have funds available for the preparation and filing of such reports during the period they are involved in bankruptcy proceedings. In addition, the information that would be included in such reports would appear to be of minimal interest to the investing public as a barometer of future performance, since the debtor would essentially be a different entity after it has completed the reorganization process. What is important from a disclosure standpoint is that there be information available about the debtor after it has been reorganized and has issued securities under the plan, since it is at that point that it becomes essentially a new entity. In recognition of the above facts, Rule 148, together with the proposed amendments to Form 8-K previously discussed, would require only that the debtor have filed all reports and documents required to be filed after the distribution of securities under the plan has occurred.

The third standard for the resale of securities issued by a debtor under a plan is set forth in paragraph (b)(3) and would require that the securities be sold in brokers' transactions within the meaning of section 4(4) of the 1933 Act. In addition, paragraph (b)(3) would restrict the person selling the securities from either (1) soliciting or arranging for the solicitation of orders to buy the securities in anticipation of or in connection with such transactions, or (2) making any payment in connection with the offer or sale of the securities to any person other than the broker who executes the order to sell the securities. The foregoing standard is the same in all material respects as its counterpart in Rule 144. It has been included in Rule 148 because it would provide some degree of assurance that sales made in reliance upon the rule would be executed in an orderly manner and with all of the protections afforded by brokers' transactions.

D. PORTFOLIO SECURITIES

Paragraph (c) of the proposed rule sets forth the standards for resale that would be applicable to the second type of securities covered by the rule (viz., restricted securities of issuers other than the debtor which were held in the debtor's portfolio at the time bankruptcy proceedings were commenced). The paragraph basically provides that a debtor or court-appointed trustee for the debtor would not be deemed an underwriter with respect to resales of such securities if such resales were approved by the Bankruptcy Court and were made in accordance with the various limitations contained in Rule 144, with the exception of the two-year holding period requirement. By not applying the holding period provision, the securities in the debtor's portfolio could be liquidated without undue difficulty under the rule, and the bankruptcy proceedings would be expedited accordingly.

E. CAUTIONARY PROVISION

The final paragraph of the proposed rule (i.e., paragraph (d)) is intended simply to caution persons who may perhaps wish to utilize the rule for plans or schemes designed to avoid the registration provisions of the 1933 Act that the rule will not be available for such purposes. Thus, even if such individuals comply with all of the technical requirements of Rule 148, the rule will not be available for the types of activities noted above.

TEXT OF THE PROPOSED RULE AND PROPOSED FORM AMENDMENTS

I. It is proposed to amend Part 230 of Chapter II of Title 17 of the Code of Federal Regulations by adding a new § 230.148 to read as follows:

§ 230.148 Persons deemed not to be underwriters of securities issued or sold in connection with bankruptcy proceedings.

PRELIMINARY NOTES

1. Rule 148 relates to securities which were either issued in bankruptcy proceedings by a debtor or related entity or which were in the debtor's portfolio at the time the bankruptcy proceedings were commenced. Its purpose is to establish standards which, if met, will enable the holder of such securities to sell them without registration under the Securities Act of 1933 and without being deemed an underwriter under section 2(11) of the Act. The standards set forth in the rule are intended to provide some degree of assurance that there will be adequate current information about the issuer available in the market place at the time the securities are sold and that the trading market for such securities will not be disrupted by such sales.

2. Although the rule provides a means for reselling bankruptcy-related securities without registration, it is not intended to be the exclusive means for selling such securities. Therefore, it does not affect the availability of any exemption for resales under the Securities Act that a person may be able to rely upon.

(a) *Definitions.* The following definitions shall apply for the purposes of this rule.

(1) The term "Bankruptcy Act" means the Federal Bankruptcy Act.

(2) The term "debtor" means an individual, partnership or corporation concerning which a case has been commenced under the Bankruptcy Act.

(3) The term "plan" means a plan for the payment of debts and other claims filed pursuant to the Bankruptcy Act and confirmed by the bankruptcy court.

(4) The term "securities issued under a plan" shall include all securities issued by the debtor or any successor thereof under a plan.

(5) The term "restricted securities" means securities acquired directly or indirectly from the issuer thereof, or from an affiliate of such issuer, in a transaction or chain of transactions not involving any public offering or from the issuer in a transaction in reliance on Rule 240

(§ 230.240) under the Securities Act or which were issued by an issuer in a transaction in reliance on Rule 240 (§ 230.240) and were acquired in a transaction or chain of transactions not involving any public offering.

(b) *Securities issued under a plan.* A person who acquires securities issued under a plan in a transaction exempt from the registration requirements of the Securities Act of 1933 shall not be deemed an underwriter within the meaning of section 2(11) of the Act with respect to resales of such securities if all of the following conditions are met:

(1) *Volume limitation.* The amount of such securities sold by the person during any six-month period shall not exceed one percent of the shares or other units of the class outstanding upon distribution under the plan. For the purpose of determining the limitation on the amount of securities sold, all such securities sold under this rule by persons acting in concert shall be aggregated.

(2) *Current public information.* The issuer of the securities shall make available to the public current information about itself and its activities. This condition shall be deemed satisfied if:

(i) The issuer is subject to the registration requirements of section 12 of the Securities Exchange Act of 1934 and/or the periodic reporting requirements of sections 13 and 15(d) of the Exchange Act and has filed all documents and reports required by those sections to be filed subsequent to the distribution of securities under the plan; in no event, however, shall any offers or sales of the debtor's securities be made in reliance upon this rule unless the information specified in Item 3(b) of Form 8–K (§ 249.308) has been filed by the debtor with the Commission; or

(ii) The issuer is not subject to the registration and reporting requirements of sections 12, 13, or 15(d), but there is publicly available the information concerning the issuer specified in clauses (1) to (14), inclusive, and clause (16) of paragraph (a)(4) of Rule 15c2–11 (§ 240.15c2–11) under the Exchange Act.

(3) *Manner of sale.* The securities shall be sold in brokers' transactions within the meaning of section 4(4) of the Securities Act and the person selling the securities shall not (i) solicit or arrange for the solicitation of orders to buy the securities in anticipation of or in connection with such transactions, or (ii) make any payment in connection with the offer or sale of the securities to any person other than the broker who executes the order to sell the securities. For the purpose of this rule, the term "brokers' transactions" shall be deemed to include transactions of the type described in Rule 144(g) (§ 230.144(g)) under the Securities Act.

(c) *Securities held in the debtor's portfolio.* A debtor or a court-appointed trustee for the debtor shall not be deemed an underwriter with respect to resales of restricted securities of an issuer other than the debtor or any successor thereof; *Provided*, That:

(1) Such securities were owned by the debtor on the date of filing the petition under the Bankruptcy Act;

(2) Such resales are made in accordance with the provisions of paragraphs (c), (e), (f), and (g) of Rule 144 (§ 230.144) under the Securities Act; and

(3) Such resales are approved by the bankruptcy court.

(d) This rule shall not be available to any individual or entity with respect to any transaction which, although in technical compliance with the provisions of the rule, is part of a plan or scheme by such individual or entity to distribute or redistribute securities to the public without registration.

(Secs. 2(11), 4(1), 4(4), 19(a), 48 Stat. 74, 77, 85; secs. 201, 203, 209, 210, 48 Stat. 905, 906, 908; secs. 1–4, 6, 68 Stat. 683, 684; sec. 12, 78 Stat. 580 (15 U.S.C. 77b(11), 77d(1), 77d(4), 77s(a)).)

II. Items 3 and 6 of Form 8–K are proposed to be revised to read as follows:

§ 249.308 Form 8–K, for current reports.

* * * * *

Item 3. *Bankruptcy or receivership.* (a) (No change from the paragraph currently set forth in Item 3).

(b) If a plan of reorganization, arrangement or liquidation has been confirmed by a court or governmental agency having supervision or jurisdiction over substantially all of the assets or business of the registrant or its parent, furnish the following:

(1) The identity of the court or governmental agency;

(2) The date of confirmation by the court or governmental agency;

(3) A fair summarization of the material features of the plan and, pursuant to Item 6 of this form relating to exhibits, a copy of the plan as confirmed;

(4) The total number of securities of the registrant or its parent outstanding or to be outstanding upon the distribution of securities under the plan; and

(5) Information as to the assets and liabilities of the registrant or its parent as of the date of confirmation, or a date as close thereto as practicable. Such information may be presented in the form in which it was furnished to the court or governmental agency.

* * * * *

Item 6. Financial statements and exhibits.

* * * * *

(b) *Exhibits.* Subject to the rules as to incorporation by reference, the following documents shall be filed as exhibits to this report:

1. [No change]
2. [No change]
3. Copies of any plan of reorganization, arrangement or liquidation described in Item 3(b).

* * * * *

(Secs. 13, 15(d), 23(a), 48 Stat. 894, 895, 901; sec. 203(a), 49 Stat. 704; secs. 3, 8, 49 Stat. 1377, 1379; secs. 4, 6, 78 Stat. 569, 570–574; sec. 2, 82 Stat. 454; secs. 1, 2, 84 Stat. 1479; secs. 10, 18, 89 Stat. 119, 155; sec. 308(b), 90 Stat. 47 (15 U.S.C. 78m, 78o(d), 78w(a)).)

AUTHORITY

Rule 148 is proposed to be adopted pursuant to the Securities Act of 1933, particularly sections 2(11), 4(1), 4(4), and 19(a) thereof. Items 3 and 6 of Form 8–K are proposed to be amended pursuant to the Securities Exchange Act of 1934, particularly sections 13, 15(d), and 23(a) thereof.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 16, 1977.

[FR Doc.77–27739 Filed 9–21–77;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 157]

[CGD 77–058]

TANK VESSELS CARRYING OIL IN TRADE

Protection of Marine Environment

AGENCY: Coast Guard, DOT.

ACTION: Extension of time for comments on proposed rules.

SUMMARY: This document extends the comment period from September 1, 1977, to November 15, 1977, for the proposed rules published in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24868) which would require all oil tankers of 20,000 tons deadweight or more, U.S. and foreign, that call at U.S. ports to have segregated ballast capabilities and that those built after (proposed date, December 31, 1979) or delivered after (proposed date, December 31, 1981) have double bottoms. Requests have been received by the Coast Guard to extend the comment period to allow sufficient time for studies on the proposal to be completed and comments on those studies to be submitted for consideration.

DATE: Comments on the proposed regulations must be received by November 15, 1977.

ADDRESS: Comments should be submitted to the Commandant (G–CMC/81), U.S. Coast Guard, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G–CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590 (202–426–1477).

SUPPLEMENTARY INFORMATION: The Coast Guard has been notified that there are several studies on the subject matter of the proposed regulations in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24868) that are being conducted internationally by Inter-Governmental Maritime Consultative Organization (IMCO) member nations. In addition, there are several studies being conducted within the United States on the subject matter of the proposal. These studies will not be completed by September 1, 1977, which is the deadline for comments. The Coast Guard has been requested to extend the time for comments so that the results of these studies

could be considered before a final determination is made on the proposal. The Coast Guard has found the request to be reasonable and has extended the comment period to November 15, 1977.

DRAFTING INFORMATION

The principal persons involved in drafting this document are: Bruce P. Novak, Project Manager, Office of Merchant Marine Safety, and Stanley M. Colby, Project Attorney, Office of the Chief Counsel.

(Sec. 201, 86 Stat. 427, as amended 46 U.S.C. 391a; 49 CFR 1.46(n)(4).)

Dated: September 14, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.77-27732 Filed 9-21-77;8:45 am]

[33 CFR Part 157]

[CGD 77-063]

IMPROVED EMERGENCY STEERING STANDARDS FOR OIL TANKERS

AGENCY: Coast Guard, DOT.

ACTION: Extension of time for comments on proposed rules.

SUMMARY: This document extends the comment period from September 1, 1977, to November 15, 1977, for the proposed rules published in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24869) which would require all oil tankers of 20,000 deadweight tons or more, U.S. and foreign, that call at U.S. ports, to meet improved emergency steering standards. Requests have been received by the Coast Guard to extend the comment period to allow sufficient time for studies on the proposal to be completed and comments on those studies to be submitted for consideration.

DATE: Comments on the proposed regulations must be received by November 15, 1977.

ADDRESS: Comments should be submitted to the Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: The Coast Guard has been notified that there are several studies on the subject matter of the proposed regulations in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24869) that are being conducted internationally by Inter-Governmental Maritime Consultative Organization (IMCO) member nations. In addition, there are several studies being conducted within the United States on the subject matter of the proposal. These studies will not be completed by September 1, 1977, which is the deadline for comments. The Coast Guard has been requested to extend the time for comments so that the results of these studies could be considered before a final determination is made on the proposal. The Coast Guard has found the request to be reasonable and has extended the comment period to November 15, 1977.

DRAFTING INFORMATION

The principal persons involved in drafting this document are: Bruce P. Novak, Project Manager, Office of Merchant Marine Safety, and Stanley M. Colby, Project Attorney, Office of the Chief Counsel.

(Sec. 201, 86 Stat. 427, as amended 46 U.S.C. 391a; 49 CFR 1.46(n)(4).)

Dated: September 14, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.77-27733 Filed 9-21-77;8:45 am]

[33 CFR Part 164]

[CGD 77-016]

VESSELS OF 10,000 GROSS TONS OR MORE

Proposed Additional Equipment

AGENCY: Coast Guard, DOT.

ACTION: Extension of time for comments on proposed rules.

SUMMARY: This document extends the comment period from September 1, 1977, to November 15, 1977, for the proposed rules published in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24871) which would require all vessels of 10,000 gross tons or more, U.S. and foreign, that call at U.S. ports to have a second radar system and collision avoidance equipment. Requests have been received by the Coast Guard to extend the comment period to allow sufficient time for studies on the proposal to be completed and comments on those studies to be submitted for consideration.

DATE: Comments on the proposed regulations must be received by November 15, 1977.

ADDRESS: Comments should be submitted to the Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: The Coast Guard has been notified that there are several studies on the subject of the proposed regulations in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24871) that are being conducted internationally by Inter-Governmental Maritime Consultative Organization (IMCO) member nations. In addition, there are several studies being conducted within the United States on the subject matter of the proposal. These studies will not be completed by September 1, 1977, which is the deadline for comments. The Coast Guard has been requested to extend the time for comments so that the results of these studies could be considered before a final determination is made on the proposal. The Coast Guard has found the request to be reasonable and has extended the comment period to November 15, 1977.

DRAFTING INFORMATION

The principal persons involved in drafting this document are: Bruce P. Novak, Project Manager, Office of Merchant Marine Safety, and Stanley M. Colby, Project Attorney, Office of the Chief Counsel.

(Sec. 201, 86 Stat. 427, as amended 46 U.S.C. 391a; 49 CFR 1.46(n)(4).)

Dated: September 14, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.77-27734 Filed 9-21-77;2:45 am]

[46 CFR Parts 30, 32]

[CGD 77-057]

INERT GAS SYSTEMS

Proposed Amendment

AGENCY: Coast Guard, DOT.

ACTION: Extension of time for comments on proposed rules.

SUMMARY: This document extends the comment period from September 1, 1977, to November 15, 1977, for the proposed rules published in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24874) which would require all oil tankers of 20,000 deadweight tons or more, U.S. and foreign, that call at U.S. ports, to have inert gas systems. Requests have been received by the Coast Guard to extend the comment period to allow sufficient time for studies on the proposal to be completed and comments on those studies to be submitted for consideration.

DATE: Comments on the proposed regulations must be received by November 15, 1977.

ADDRESS: Comments should be submitted to the Commandant (G-CMC/81), U.S. Coast Guard, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: The Coast Guard has been notified that

there are several studies on the subject matter of the proposed regulations in the May 16, 1977, issue of the FEDERAL REGISTER (42 FR 24874) that are being conducted internationally by Inter-Governmental Maritime Consultative Organization (IMCO) member nations. In addition, there are several studies being conducted within the United States on the subject matter of the proposal. These studies will not be completed by September 1, 1977, which is the deadline for comments. The Coast Guard has been requested to extend the time for comments so that the results of these studies could be considered before a final determination is made on the proposal. The Coast Guard has found the request to be reasonable and has extended the comment period to November 15, 1977.

DRAFTING INFORMATION

The principal persons involved in drafting this document are: Bruce P. Novak, Project Manager, Office of Merchant Marine Safety, and Stanley M. Colby, Project Attorney, Office of the Chief Counsel.

(Sec. 201, 86 Stat. 427, as amended 46 U.S.C. 391a; 49 CFR 1.46(n)(4).)

Dated: September 14, 1977.

E. L. PERRY,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[FR Doc.77-27731 Filed 9-21-77;8:45 am]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1080]

[No. 36572]

CONTRACTS, FORWARDERS—MOTOR COMMON CARRIERS

Petition Seeking Institution of Rulemaking Proceeding

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: Proposed rule would modify the existing rule that compensation to be paid for services in connection with contracts between freight forwarders of household goods and motor common carriers pursuant to section 409 of the Interstate Commerce Act must be specified in United States dollars per unit of weight or in other specified units. The modification would allow the use of a specific percentage of the applicable motor carrier or freight forwarder charges, as long as specific reference is made to the tariffs containing such charges, identified by official designation. This action was taken pursuant to a petition of Household Goods Forwarders Tariff Bureau.

DATES: Comments must be received on or before October 25, 1977.

ADDRESSES: Send comments to: Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423.

FOR FURTHER INFORMATION CONTACT:

Janice M. Rosenak, Deputy Director or Harvey Gobetz, Assistant Deputy Director, Section of Rates, Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423 (202-275-7693).

SUPPLEMENTARY INFORMATION: By petition filed April 27, 1977, Household Goods Forwarders Tariff Bureau seeks the institution of a rulemaking proceeding with a view toward amending 49 CFR 1080.2(c) to permit the statement of compensation in contracts pursuant to section 409 of the Interstate Commerce Act as a percentage of the motor carrier or freight forwarder rate. Petitioner's request for such rulemaking was first made as an alternative to its petition for declaratory order interpreting regulations governing section 409 contracts but denied by order of the Commission entered December 3, 1976 in Docket No. 36402. However, in the initial decision in that proceeding, the Administrative Law Judge declined to make the interpretation sought by the petitioner but instead suggested that a modification of the rule would be the appropriate method for reaching the desired result. In response, rulemaking was again requested.

We now believe that modification of the rule may be warranted to simplify the formulation, application and administration of section 409 contracts to the benefit of regulated freight forwarders and motor carriers, in furtherance of the public interest and the National Transportation Policy. Accordingly, it is the purpose of this notice to initiate such a rulemaking, inform all interested parties of its scope, and invite comment thereon.

Therefore, it is proposed that Part 1080 be amended by revising paragraph (c) of § 1080.2 to read as follows:

§ 1080.2 Specifications.

* * * * *

(c) A description of the transportation service to be performed by the motor carrier, and all other services in connection therewith; the points between which, or the geographical area to or from which, the service is to be performed; the compensation to be paid therefor, specified in lawful money of the United States per unit of weight or in other specifically defined units, *or as a specific percentage of the applicable motor carrier or freight forwarder charges provided that specific reference be made to the tariffs containing such charges by MF ICC or ICC FF number of its ICC Alpha Code designation;* and where transportation is for a total distance of 450 highway miles or more, whether it is linehaul transportation in truckload lots between concentration points and breakbulk points.

* * * * *

The proposed rulemaking proposal herein under consideration does not appear to constitute a major Federal action requiring preparation of an environmental impact statement under the procedures of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321, et seq. However, comments regarding environmental issues, if any, should be included in statements filed with the Commission in response to this notice.

It is ordered: 1. The petition is granted and a rulemaking proceeding is hereby instituted with the objective of simplifying the formulating application, and administration of section 409 contracts.

2. All motor common carriers and all freight forwarders of household goods are hereby made respondents to this proceeding.

3. Respondents and other interested persons will file an original and 15 copies (if possible) of their views at the dates and places noted above.

4. To expedite procedures and to avoid the delay and expense associated with cross-service of pleadings by parties on each other, we only require that the above views and comments be filed with this Commission, one set of which will be available in the Secretary's Office for public inspection during regular business hours of the Commission. Since this is not an adversary proceeding, the filing of replies to the views and comments is not necesary.

This notice of proposed rulemaking is promulgated pursuant to authority under 49 U.S.C. §§ 304(a)(1) and 304(a)(6), 49 U.S.C. §§ 1003(a) and 1012(a), and 5 U.S.C. §§ 553 and 559, and was adopted formally at a General Session of the Interstate Commerce Commission on September 12, 1977.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-27738 Filed 9-21-77;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.

DEPARTMENT OF AGRICULTURE

GEOTHERMAL LEASING; GILA NATIONAL FOREST

Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for Geothermal Leasing, USDA–FS–R3 DES (Adm.) 77–07.

The environmental statement considers probable environmental effects of the proposed project to 855,256 acres in Grant and Catron counties, New Mexico.

The draft environmental statement was transmitted to CEQ on September 15, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, S. Agriculture Bldg., Room 3210, 14th and Independence Ave., SW., Washington, D.C. 20013.
USDA, Forest Service, Southwestern Region, 517 Gold Avenue, SW., Albuquerque, N. Mex. 87102.
Gila National Forest, 2610 North Silver St., Silver City, N. Mex. 88061.

A limited number of single copies are available upon request to the Forest Supervisor, Gila National Forest, 2610 North Silver Street, Silver City, New Mexico 88061.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor, Gila National Forest, 2610 North Silver Street, Silver City, New Mexico 88061 by November 15, 1977, in order to be considered in the preparation of the final environmental statement.

GARY E. CARGILL,
Deputy Regional Forester Resources, Region 3.

SEPTEMBER 15, 1977.

[FR Doc.77-27664 Filed 9-21-77;8:45 am]

Forest Service

BEARTOOTH FACE PLANNING UNIT

Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the Beartooth Face Planning Unit, Forest Service Report Number USDA–FS–R1(08) DES–ADM–77–11.

The environmental statement concerns the proposed implementation of a Land Management Plan for the Beartooth Face Planning Unit; Custer (Montana), Gallatin (Montana), and Shoshone (Wyoming) National Forests. The Planning Unit includes 239,680 gross acres of which 226,277 are National Forest land, Park County, Wyoming, contains 10,934 acres of the Planning Unit and the remainder is in Carbon, Stillwater, Sweet Grass and Park Counties, Montana.

This draft environmental statement was transmitted to CEQ on September 15, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA Forest Service, South Agriculture Bldg., Room 3230, 12th St. and Independence Ave., SW., Washington, D.C. 20250.
USDA Forest Service, Northern Region, Federal Building, Missoula, Mont. 59807.
USDA Forest Service, Custer National Forest, 2602 First Avenue North, Billings, Mont. 59103.

A limited number of single copies are available upon request to:

USDA Forest Service, Custer National Forest, 2602 First Avenue North, Billings, Mont. 59103.

Copies of the environmental statement have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public and from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Forest Supervisor Daniel C. MacIntyre, Custer National Forest, P.O. Box 2556, Billings, MT 59103. Comments must be received by November 30, 1977, in order to be considered in the preparation of the final environmental statement.

TOM COSTON,
Acting Regional Forester, Northern Region, Forest Service.

SEPTEMBER 15, 1977.

[FR Doc.77-27663 Filed 9-21-77;8:45 am]

RESOURCE MANAGEMENT PLAN; TIMBER MANAGEMENT PLAN—SOUTHERN CALIFORNIA NATIONAL FORESTS

Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a draft environmental statement for the proposed revision of the ten-year Timber Management Plan for the Angeles, Cleveland, Los Padres and San Bernardino National Forests, USDA–FS–R5–DES(Adm)–77–08. Portions of the Forests are located in San Diego, Riverside, Orange, San Bernardino, Los Angeles, Ventura, Kern, Santa Barbara, San Luis Obispo, and Monterey Counties, California.

The environmental statement concerns proposed silvicultural treatments to develop stand conditions which maintain an attractive, healthy forest capable of resisting disease, insects, fire, and the impacts of human use and development on the forest ecosystem.

The draft environmental statement was transmited to the Council on Environmental Quality (CEQ) on September 16, 1977.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service, South Agriculture Bldg., Room 3230, 12th St. & Independence, SW., Washington, D.C. 20250.
Angeles National Forest, 150 S. Los Robles Ave., Room 300, Pasadena, Calif. 91101.
Cleveland National Forest, 3211 Fifth Avenue, San Diego, Calif. 92103.
Regional Forester, U.S. Forest Service, Room 559, 630 Sansome St., San Francisco, Calif. 94111.
Los Padres National Forest, 42 Aero Camino, Coleta, Calif. 93017.
San Bernardino National Forest, 144 N. Mountain View Ave., San Bernardino, Calif. 92408.

A limited number of single copies are available, upon request, from Forest Supervisor Doug MacWilliams, San Ber-

nardino National Forest, 144 N. Mountain View, San Bernardino, Calif. 92408.

Copies of the environmental statements have been sent to various Federal, State, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, from State and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental effects for which comments have not been specifically requested.

Comments concerning the proposed action, and requests for additional information should be addressed to Forest Supervisor Doug MacWilliams, San Bernardino National Forest, 144 N. Mountain View Ave., San Bernardino, Calif. 92408.

Comments must be received within 60 days after transmittal to CEQ in order to be considered in the preparation of the finl environmental statement.

DOUGLAS R. LEISZ,
Regional Forester.

SEPTEMBER 16, 1977.

[FR Doc.77-27502 Filed 9-21-77;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

BAYLOR COLLEGE OF MEDICINE ET AL.

Consolidated Decision on Applications for Duty-Free Entry of Accessories for Foreign Instruments

The following is a consolidated decision on applications for duty-free entry of accessories for foreign instruments pursuant to Section 6(c) of the Educational Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301). (See especially Section 301.11(e).)

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00234. Applicant: Baylor College of Medicine, 1200 Moursund, Houston, Texas 77030. Article: Cryokit, Model 14800-1 with all accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of the molecular structure of three minimally denatured and minimally extracted membranes (the plasma membrane of photoreceptors, the plasma membrane of pigment epithelium, and outer segment disc membranes); and the unaltered locus of labeled lipid precursors in photoreceptor membranes. Application received by Commissioner of Customs: May 10, 1977. Advice submitted by the Department of Health, Education, and Welfare on: August 10, 1977.

Docket Number: 77-00247. Applicant: University of California, Los Angeles, 405 Hilgard Avenue, Los Angeles, California 90024. Article: Goniometer Stage for Electron Microscope, Model EM-1000B-1 B1003 High Resolution Universal Goniometer with Servo motor drive and accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used to study three dimensional organization of viruses, ribosomes and other macromolecules of biological interest. In addition, the article will be used to teach students in graduate electron microscopy course where a complete range of electron microscopy topics is covered. The objective of the course is to prepare the students to use the electron microscope in their Ph. D. projects on biological and health related research topics. Application received by Commissioner of Customs: May 23, 1977. Advice submitted by the Department of Health, Education, and Welfare on: August 11, 1977.

Comments: No comments have been received with respect to any of the foregoing applications.

Decision: Applications approved. No instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which the articles are intended to be used, is being manufactured in the United States.

Reasons: The applications relate to compatible accessories for instruments that have been previously imported for the use of the applicant institutions. The articles are being manufactured by the manufacturer's which produced the instruments with which they are intended to be used. We are advised by the Department of Health, Education, and Welfare (HEW) in the respectively cited memoranda that the accessories are pertinent to the applicants' intended uses and that it knows of no comparable domestic articles.

The Department of Commerce knows of no similar accessories manufactured in the United States which are interchangeable with or can be readily adapted to the instruments with which the foreign articles are intended to be used.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27504 Filed 9-21-77;8:45 am]

BROOKHAVEN NATIONAL LABORATORY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00170. Applicant: Brookhaven National Laboratory Associated Universities, Inc., Upton, New York 11973. Article: Angular Distribution Photoelectron Spectrometer, Model ADES 400 and Accessories. Manufacturer: VG Scientific Ltd., United Kingdom. Intended use of article: The article is intended to be used for measurements which give information about the electronic structures of solids-metals and alloys, semiconductors, superconductors and insulators. Specifically, the valence and conduction electrons which give these materials their properties; the energies and spatial characteristics of these electrons are investigated through measurements of their photoelectron spectra.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides an angular variation of ±180 degrees. The National Bureau of Standards advises in its memorandum dated July 18, 1977 that (1) the specification of the article described above is pertinent to the applicant's intended uses and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended purposes.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27506 Filed 9-21-77;8:45 am]

EMORY UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulation issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00113. Applicant: Emory University, Chemistry Department, 1515 Pierce Drive, Atlanta, Georgia 30322. Article: Vibrating Desimeter, Model 02D and Accessories. Manufacturer: Techneurop, Inc., Canada. Intended use of article: The article is intended to be used for the study of the density of pure materials and mixtures in the liquid state. Depending on the system studied, the density data will be converted into excess volume, partial molal volume, or coefficient of thermal expansion.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (December 2, 1976).

Reasons: The foreign article provides temperature control stability of ±0.001° centigrade over a 24 hour period. The National Bureau of Standards advises in its memorandum dated August 3, 1977 that (1) the specification of the article described above is pertinent to the applicant's intended purposes and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use which was available at the time the foreign article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27508 Filed 9-21-77;8:45 am]

NORTHWESTERN UNIVERSITY

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00220. Applicant: Northwestern University, 311 E. Chicago Ave., Chicago, Illinois 60611. Article: Woehler Fatigue Testing Machine, Type 1B with US type Motor. Manufacturer: GTG Engineering Co., United Kingdom. Intended use of article: The article is intended to be used for studies of fatigue properties of endodontic files and reamers.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

REASONS: The foreign article provides the capability for determining fatigue properties of endodontic files and reamers which are small specimens (about 1/32" thick and 1/2" long). The National Bureau of Standards advises in its memorandum dated July 18, 1977 that (1) the capability of the article described above is pertinent to the applicant's intended studies and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27510 Filed 9-21-77;8:45 am]

SIMON GREENBERG FOUNDATION

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00218. Applicant: Simon Greenberg Foundation, Post Office Box 8244, Philadelphia, PA 19101. Article: Combined Scanning Interferometer & Densitometer and Accessories. Manufacturer: Vickers, Ltd., United Kingdom. Intended use of article: The article is intended to be used for investigation of the changes in the stratum corneum, the outmost layer of the epidermis, in relation to aging and a variety of disease processes. In aging studies exfoliative cytological specimens are collected from protected and exposed regions of two age cohorts. In the disease, studies of psoriasis and dandruff, exfoliative cytological specimens will be collected before and during various treatment schedules. The objective of these studies are to develop non-invasive non-instrusive methods for evaluating changes in the human stratum corneum. This will provide a foundation for the development of effective therapeutic and prophylactic treatment for easing various dermatologic problems. In addition, the article will be used for instruction in the courses: Independent Study (U399) Independent Study and Research (G999) and Dermatologic Research (M800). Basic instruction on the article is achieved by having the student calibrate the projected area meter using standard polystyrene spheres of two different radii.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides the capabilities for microspectrophotometry and microinterferometry in the same instrument. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated July 11, 1977 that (1) the capabilities of the article described above are pertinent to the applicant's intended uses and (2) it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27509 Filed 9-21-77;8:45 am]

UNIVERSITY OF CALIFORNIA

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00210. Applicant: University of California, Lawrence Livermore Laboratory, P.O. Box 808, Livermore, Calif. 94550. Article: Combination Scanning Microinterferometer and Scanning Microdensitometer, Model M85/M86 with accessories. Manufacturer: Vickers Instruments Inc., United Kingdom. Intended use of article: The article is intended to be used to measure

the coatings that develop on targets used in laser fusion energy production experiments and to inspect the final targets themselves. For transparent targets, such as the hollow glass spheres currently being used, the instrument will be interfaced to a computer controlled ball manipulator and data taking station which will "map" the entire sphere. For spheres with opaque coatings, a modification of the optics will be made to allow reflection interferometric measurements of surface features. In this configuration, the computer controlled scan and data readout will again be used to map the sphere surface.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is capable of scanning the field of view while continuously making phase measurements over the entire area. The National Bureau of Standards (NBS) advises in its memorandum dated July 19, 1977 that (1) the specification described above is pertinent to the applicant's intended uses and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended purposes.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27512 Filed 9-21-77;8:45 am]

UNIVERSITY OF CALIFORNIA, LOS ALAMOS

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00116. Applicant: University of California, Los Alamos Scientific Laboratory, P.O. Box 990, Los Alamos, N. Mex. 87545. Article: Laser System, Model DD-300 and accessories. Manufacturer: Gen-Tec, Inc., Canada. Intended use of article: The article is intended to be used for the optical pumping of gases and nonlinear optical semiconductor materials. In both the optical pumping and nonlinear optical experiments, the wavelength, conversion efficiency and beam quality will be measured. The objective of this research is the creation of lasers at frequency ranges appropriate for exciting and photodissociating CH_3.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides a high power level of 2 megawatts at peak. The National Bureau of Standards advises in its memorandum dated August 5, 1977 that (1) the specification of the article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27511 Filed 9-21-77;8:45 am]

UNIVERSITY OF MICHIGAN

Withdrawal of Application for Duty-Free Entry of Scientific Article

The University of Michigan has withdrawn its application for duty-free entry of a Helium Liquefier/Refrigerator (Docket Number 77-00106). Accordingly, further administrative proceedings will not be taken by the Department of Commerce with respect to this application.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director, Special Import Programs Division.

[FR Doc.77-27503 Filed 9-27-77;8:45 am]

UNIVERSITY OF WISCONSIN—PLATTEVILLE

Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 77-00225. Applicant: University of Wisconsin-Platteville, Platteville, Wis. 53818. Article: Electron Microscope, Model HS-9-1, and Haskris Company Water Recirculator, Model RO33, and accessories. Manufacturer: Hitachi Ltd., Japan. Intended Use of Article: The article is intended to be used for research in the following projects:

1. Mesosome formation of Gram: Negative bacterial cells during division.
2. Septa and clamp connections in fungi.
3. Mitotic cycle of slime molds.
4. Effects of penicillin on bacterial cell wall formation.
5. Use of ferritin-conjugated antibody to investigate the production and maturation of mammalian viruses.
6. Diatom cell wall structure for purposes of taxonomy.
7. Effect of protein inhibitors in bacteriophage maturation.
8. Microtubule involvement in cell wall formation and cytokinesis of plant cells.
9. Cytological changes of a 8-nucleate developing megagametophyte and the egg nucleus.
10. Host-parasite relationships with tissue cells and intracellular bacteria.
11. Relationship of peroxisomes and spherosomes with other cytoplasmic organelles such as chloroplasts and mitochondria.
12. Sclerotia structure of slime molds and fungal plant pathogens.
13. Compared study of epithelial tissue of mammals and amphibians.
14. Shadow casting and surface replication of pollens and spores.
15. Cytological changes induced in host cells by plant pathogens.
16. Cellular de-diffentiation and degeneration of defunct megaspores after megasporogenesis.
17. Relationship between calcium and sporulation in bacteria.
18. Chloroplast structure in *Spirogyra* and *Zygnenm*.

The article will also be used for educational purposes in the course Cytology 403 which will include the teaching and application of electron microscopic techniques and interpretation of ultrastructure as part of the course sequence.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered January 7, 1977.

Reasons: The foreign article is a relatively-simple, easy to operate, medium resolution electron microscope designed for confident use in teaching beginning students with a minimum of detailed programing. The article provides 6Å point to point resolution, an accelerating voltage of 75 kilovolts, and low distortion magnification from 500X through 100,000X plus 200X for scanning which permits an overlap of light and electron microscopy. The Department of Health, Education, and Welfare (HEW) advises in its memorandum dated August 11,

1977, that the relative simplicity as well as low magnification capability described above are pertinent to the applicant's intended educational purposes. HEW also advises that it knows of no domestic instrument which provided the pertinent features at the time the article was ordered. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the article was ordered.

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

[FR Doc.77-27507 Filed 9-21-77;8:45 am]

Economic Development Administration

DIVISION GARMENT CO., INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Division Garment Co., Inc., 512 Seventh Avenue, New York, N.Y. 11018, a producer of apparel for ladies, was accepted for filing on September 13, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

CHARLES L. SMITH,
Acting Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.77-27630 Filed 9-21-77;8:45 am]

FAITH SHOE CO.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Faith Shoe Co., 25 Beekman Place, Wilkes-Barre, Pa. 18702, a producer of footwear for women and children, was accepted for filing on September 15, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and section 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

JICK W. OSBORN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.77-27629 Filed 9-21-77;8:45 am]

NELSON BROS. METAL ORNAMENTS, INC.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Nelson Bros. Metal Ornaments, Inc., 924 Bergen Street, Brookyln, N.Y. 11238, a producer of handbag frames and ornaments, and belt buckles, was accepted for filing on September 13, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

CHARLES L. SMITH,
Acting Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.77-27628 Filed 9-21-77;8:45 am]

TERRY SLIPPER CORP.

Petition for a Determination of Eligibility To Apply for Trade Adjustment Assistance

A petition by Terry Slipper Corp., 911 East 23rd Street, Paterson, N.J. 07513, a producer of slippers for children, was accepted for filing on September 13, 1977, pursuant to section 251 of the Trade Act of 1974 (Pub. L. 93-618) and § 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the U.S. Department of Commerce has initiated an investigation to determine whether increased imports into the United States of articles like or directly competitive with those produced by the firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of the petitioning firm.

Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for hearing must be received by the Chief, Trade Act Certification Division, Economic Development Administration, U.S. Department of Commerce, Washington, D.C. 20230, no later than the close of business of the tenth calendar day following the publication of this notice.

JACK W. OSBURN, Jr.,
Chief, Trade Act Certification Division, Office of Planning and Program Support.

[FR Doc.77-27627 Filed 9-21-77;8:45 am]

National Fire Prevention and Control Administration

ADVISORY COMMITTEE ON FIRE TRAINING AND EDUCATION FOR THE NATIONAL ACADEMY FOR FIRE PREVENTION AND CONTROL

Open Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following committee meeting:

NAME: Advisory Committee on Fire Training and Education for the National Academy for Fire Prevention and Control (Committee).

DATE OF MEETING: October 21-22, 1977.

PLACE: Sheraton St. Louis Hotel, Grant Room, 910 North Seventh Street, St. Louis, Mo.

TIME: 8:30 a.m. to 5 p.m.

PROPOSED AGENDA: October 21, 1977: Receive public comment; review activities of last Committee meeting; Committee and staff reports. October 22, 1977: New business; meetings of subcommittees; reports of subcommittees; selection of next meeting date and location.

The meeting will be open to the public with approximately 20 seats available on a first-come, first-served basis.

Friday, October 21, 1977, from 8:30 to 11:30 a.m. has been set aside for public comment, with participation on a first-come, first-served basis. Oral presentations shall be limited to 20 minutes per comment or proposal, with additional time being allowed by the Chairman at his discretion, if time per-

mits. Advanced scheduling is encouraged and may be made by contacting: Ms. Jane Sornberger, National Fire Academy, National Fire Prevention and Control Administration, P.O. Box 19518, Washington, D.C. 20036 (202–634–7541), on or before October 17, 1977.

Minutes of the meeting will be prepared by the Committee and will be available for public viewing in Room 214, National Fire Prevention and Control Administration, 2400 M Street NW., Washington, D.C. Copies of the minutes will be available upon request 30 days after the meeting.

Dated: September 15, 1977.

HOWARD D. TIPTON,
Administrator, National Fire Prevention and Control Administration.

[FR Doc.77-27626 Filed 9-21-77;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

PRIORITIES FOR COMMISSION ACTION

General Statement of Policy

AGENCY: Consumer Product Safety Commission.

ACTION: Statement of policy.

SUMMARY: This notice lists priority rankings of consumer products and related projects for Commission actions to reduce or eliminate risks of injury associated with consumer products. In the spring of 1977, High and Medium Priority categories were established: High Priority for 29 projects which are to be worked on as quickly as possible, and Medium Priority for 17 projects to be worked on as soon as possible after the High Priority Projects. These priority rankings provide guidance to the Commission staff; they are subject to review and may change when the Commission believes that revised priority rankings are appropriate or that other projects require Commission priority attention.

EFFECTIVE DATE: Policy now in effect.

FOR FURTHER INFORMATION CONTACT:

James F. Hoebel, Office of Strategic Planning, Consumer Product Safety Commission, Washington, D.C. 20207 (202–634–4350).

SUPPLEMENTARY INFORMATION: On July 8, 1976, the Commission published a policy for establishing priorities for Commission action under the laws administered by the Commission (41 FR 27960, July 8, 1976; 16 CFR 1009.8). In that document, the Commission set forth the following general criteria to be applied to projects for Commission action to reduce or eliminate risks of injury associated with consumer products: frequency and severity of injuries; causality of injuries; chronic illness and future injuries; costs and benefits of Commission actions; unforeseen nature of the risk of injury; vulnerability of the population at risk; probability of exposure to hazard; and, where appropriate, additional factors known to the staff and believed to warrant Commission attention. During the Commission's recent midyear review in the spring of 1977, the Commission applied these criteria to projected actions and issued the following priority rankings:

HIGH PRIORITY PROJECTS

1. Asbestos—Develop mandatory safety rules covering consumer products containing respirable free-form asbestos. A proposed rule banning consumer patching compounds and artificial embers and ash containing such asbestos was published in the FEDERAL REGISTER for public comment on July 29, 1977 (42 FR 38782).

2. Power mowers—Consider mandatory safety standard proposed for comment in the FEDERAL REGISTER on May 5, 1977 (42 FR 23052).

3. Gas space heaters—Develop a proposed mandatory rule that bans "unvented" gas space heaters.

4. Communication antennas—Develop regulation for labeling of communication antennas and investigate feasibility of mandatory standard.

5. Public playground equipment—Consider mandatory safety standard. A notice of proceeding to develop safety related requirements was published in the FEDERAL REGISTER on March 7, 1975 (40 FR 10706).

6. Chlorofluorocarbons—Complete labeling requirements for aerosol consumer products containing a chlorofluorocarbon propellant and continue cooperation with the Environmental Protection Agency, The Food and Drug Administration, and other Federal agencies in banning certain products. A final rule prescribing labeling requirements was published in the FEDERAL REGISTER on August 24, 1977 (42 FR 42779).

7. Architectural glazing materials—Develop certification regulation to help implement mandatory standard issued in the FEDERAL REGISTER on January 6, 1977 (42 FR 1428).

8. Unstable refuse bins—Implement mandatory banning safety rule issued in the FEDERAL REGISTER on June 13, 1977 (42 FR 30296).

9. Lead in paint—Implement mandatory safety rule that bans paint containing over 0.06 percent of lead, and also bans toys, children's articles, and furniture that bear paint containing over 0.06 percent of lead. The ban was issued in the FEDERAL REGISTER on September 1, 1977 (42 FR 44192).

10. Baby pacifiers—Consider development of mandatory safety standards.

11. Sharp points—Issue final safety regulation that deals with sharp points on children's toys. A proposed regulation was published in the FEDERAL REGISTER on August 4, 1977 (42 FR 39649).

12. First aid instructions for inducing vomiting—Issue final statement of policy on first-aid label instructions for which inducing vomiting is indicated following ingestion. A policy statement was published for comment in the FEDERAL REGISTER on June 23, 1977 (42 FR 31808).

13. Upholstered furniture—consider development of mandatory safety standard.

14. Sharp edges—Develop safety regulations that deal with sharp edges on children's toys. A proposed regulation was issued in the FEDERAL REGISTER on January 7, 1975 (40 FR 1488).

15. Children's sleepwear enforcement policy—Develop clearer definitions of children's sleepwear for standards issued under the Flammable Fabrics Act.

16. Miniature Christmas tree lights—Monitor mandatory safety standard now under development through offeror process.

17. Television sets—Consider mandatory safety standard developed by an offeror in proceedings begun with a FEDERAL REGISTER notice issued on February 28, 1975 (40 FR 8592).

18. Aluminum wire—Consider mandatory safety standard or voluntary standard.

19. Ranges and ovens—Monitor voluntary standards.

20. Skateboards—Determine the need for and feasibility of any regulatory action. Cooperate with industry effort to develop voluntary standard and educational materials.

21. Extension cords and trouble lights—Consider development of mandatory safety standards.

22. Bicycles—Consider amendment to existing mandatory standard published in the Code of Federal Regulations (16 CFR 1500.18(a)(12), 16 CFR, Part 1512).

23. Matchbooks—Develop certification regulation to implement mandatory standard issued in the FEDERAL REGISTER on May 4, 1977 (42 FR 22656).

24. Ladders—Monitor development of voluntary standard.

25. Energy conservation devices—Consider possible hazards and methods for dealing with them.

26. Bathtubs and showers—Monitor development of voluntary standard.

27. Smoke detectors—Evaluate known standards and consider role in the Commission's fire and thermal burn hazards program.

28. Children's football helmets—Consider possible hazards and methods of dealing with them.

29. Small parts—Develop safety regulations that deal with the hazards of ingesting and choking from small parts in children's toys.

MEDIUM PRIORITY PROJECTS

1. Power saws (portable)—Consider possible hazards and methods of dealing with them.

2. Chain saws—Consider possible hazards and methods of dealing with them.

3. Over-the-counter antihistamines—Examine the need for requiring child-protection packaging for such products.

4. Power drills—Consider possible hazards and methods of dealing with them.

5. Household chemicals/petroleum distillates (cleaning, lubricating and polishing agents)—Examine the need for requiring child-protection packaging for such products.

6. Household chemicals/drain cleaners—Consider a ban of certain drain cleaners containing sulfuric acid.

7. Power saws (nonportable)—Consider possible hazards and methods of dealing with them.

8. Eye irritants—Revise test methods under the Federal Hazardous Substances Act for this product category.

9. Wearing apparel—Determine the need for upgraded flammability regulations and the appropriateness of a general versus a specific garment approach.

10. Household chemicals/rust removers—Consider a ban of those containing hydrofluoric acid.

11. Household chemicals/ammonia—Consider need for developing special cautionary labeling and/or requiring child-protection packaging.

12. Skin irritants—Revise test methods under Federal Hazardous Substances Act for this product category.

13. Window bars—Encourage voluntary action.

14. Skiing equipment—Consider possible hazards and methods of dealing with them.

15. Federal Hazardous Substances Act (FHSA)/flammability — Develop improved test methods for determining flammability under FHSA.

16. Flammable Fabrics Act guaranties—Revise regulations governing guaranties of products subject to regulation under the Flammable Fabrics Act.

17. Drug exemptions—Consider whether to issue a final rule exempting from provisions of the Poison Prevention Packaging Act, four classes of drugs not expected to cause serious illness or injury to children. The proposal was published in the FEDERAL REGISTER on February 11, 1974 (39 FR 5197).

These priority rankings constitute general guidance for the Commission staff in planning and executing their tasks. These lists are subject to continuing review for additions or modifications that may be made necessary by more recent information. The Commission staff will prepare work schedules monitoring the accomplishment of approved projects and periodically report the status of work to the Commission.

An important reason for publishing this information is to advise the public that, given the limited resources available to it, Commission action will be based largely on the rankings discussed in this notice. The Commission believes that this information will enable the public to understand and follow Commission actions more easily. However, these priority rankings should not discourage persons from calling the Commission's attention to other consumer products that may present risks of injury to the public..

Dated: September 16, 1977.

RICHARD E. RAPPS,
Secretary, Consumer Product Safety Commission.

[FR Doc.77-27646 Filed 9-21-77;8:45 am]

[CP 76-9]

SNOWMOBILES

Denial of Petition

AGENCY: Consumer Product Safety Commission.

ACTION: Denial of Petition.

SUMMARY: In this document the Commission denies a petition to develop a mandatory safety standard for snowmobiles because the possible hazards associated with snowmobiles are addressed in voluntary standards to which there is a high degree of adherence, so that mandatory standard is not necessary to reduce or eliminate the risks of injury that the petitioner alleges are associated with this product. The Commission is unable to find, at the present time, that declining to initiate a rulemaking proceeding under section 7 would unreasonably expose the petitioner or other consumers to a risk of injury presented by snowmobiles.

FOR FURTHER INFORMATION CONTACT:

William Kitzes, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207 (301-492-6453).

SUPPLEMENTARY INFORMATION: Section 10 of the Consumer Product Safety Act (CPSA) (Pub. L. 92-573, 86 Stat. 1217; 15 U.S.C. 2059) provides that any interested person may petition the Consumer Product Safety Commission to commence a proceeding for the issuance of a Consumer Product Safety Rule. Section 10 also provides that if the Commission denies such a petition it shall publish its reasons for denial in the FEDERAL REGISTER.

On January 6, 1976, Mr. George A. Peters of Los Angeles, Calif., petitioned the Commission to develop a mandatory safety standard for snowmobiles (Petition No. CP 76-9).

The petition stated that "snowmobiles have experienced a long history of significant mechanical failures" and stated that the problem of snowmobile throttles freezing in the open position should be given special attention. The petition also pointed out the need for design improvements in shutoff switches and stated that there may be a problem of excessive speed capability of snowmobiles and that the feasibility and impact of (a) warnings and instructions as to safe speeds and stopping distances, (b) speed limiting means such as speed governors or the use of lower powered engines, and (c) a standard specifying a maximum permissible speed should be considered. The petition also implied that there is a problem with the weight distribution of snowmobiles and referred to a study as showing that inoperative brakes are also a primary form of mechanical failure. The petition also stated that a snowmobile offers no operator compartment protection.

After careful consideration of the petition and additional data and information collected by the Commission's staff, the Commission has decided to deny this petition.

Based on the information presently available to the Commission, and considering the Commission's resources available for rulemaking for all consumer products and considering the relative priority of snowmobiles, it does not appear that a mandatory standard is needed at this time to address the risks of injury alleged by the petitioner to be associated with snowmobiles. The Commission is unable to find, at the present time, that declining to initiate a rulemaking proceeding under § 7 would unreasonably expose the petitioner or other consumers to a risk of injury presented by snowmobiles.

In recent years, there has been a good deal of effort expended toward the development of recommended practices by the Society of Automotive Engineers' Committee on Snowmobiles and All-Terrain Vehicles (SAE Committee) and voluntary standards, by the Snowmobile Safety and Certification Committee (SSCC). The SSCC was formed in mid-1973 after the need for such an organization was identified by the International Snowmobile Industry Association.

At the present time there are two voluntary standards—the "Snowmobile Safety and Certification Committee Standards (SSCC)" and the "Society of Automotive Engineers (SAE) Recommended Practices"—and one mandatory standard—the "Canada Motor Vehicles Safety Standards for Snowmobiles," applicable to snowmobiles. Technical evaluation of these standards has been prepared by the National Bureau of Standards and by the Commission's staff.

Information available to the Commission indicates that there is a high degree of adherence to the presently existing voluntary standards. There are presently four domestic and two foreign major manufacturers marketing snowmobiles in the United States. Each of these manufacturers, except for one domestic manufacturer, is independently tested and then certified by the SSCC. Additionally, the other domestic manufacturer considers its products to be in compliance with the SSCC standards.

The Canadian snowmobile standard is mandatory and applies to all snowmobiles manufactured or imported in Canada. The six major snowmobile manufacturers market snowmobiles in Canada.

These standards contain provisions intended to reduce the risk of injury associated with snowmobiles.

A. THROTTLES AND KILL SWITCHES

The SSCC Standards, Canadian Standards, and SAE recommended practices require an emergency control or kill switch for snowmobiles. Although no test procedure is specified to determine whether this switch will function properly in all foreseeable conditions leading to emergencies requiring its use, a proposal is presently being considered by the SAE to include kill switch testing in its recommended practices. The

snowmobile industry claims, and recent in-depth investigation reports indicate, that all recently manufactured snowmobiles have a kill switch.

SSCC standards require snowmobiles to comply with the requirements of Throttle Control Systems SSCC–51. SSCC–51 provides that the throttle control systems, including linkage, are tested for proper operation after exposure to low temperature and high relative humidity, high temperature and wear, and panic forces that may be imposed by the operator.

Although the Canadian standards do not address this point, the proposed SAE recommended practice, "SAE J92," for throttle control systems, is similar to SSCC–51.

B. Brakes

SSCC standards require snowmobiles to comply with the requirements of snowmobile brake control systems standard SSCC–52. This standard provides that brake control systems are tested for proper operation after exposure to low temperature and high relative humidity, high temperature, wear of brakes, and panic forces that may be imposed by the operator. Although the Canadian standards do not address brake control systems, the SAE recommended practice, "Service Brake Performance Requirements–Snowmobile–SAEJ44" requires brake systems to remain functional under winter operating conditions and during panic application.

SSCC standards require snowmobiles to be equipped with a braking system which, when the snowmobile is traveling on packed snow and carrying an operator of specified weight, is capable of: (1) stopping the vehicle within 12m (40 ft) from an initial speed of 32km/h (20 mph), when the brake system is activated by applying a force of no greater than 11.3kg (25 lbs) in a specified manner to the brake lever; or (2) locking the vehicle's traction belt or belts. The requirement specified in Canadian standards is similar to that of SSCC standards, although the Canadian standards do not specify any force to actuate the brake system. The SAE recommended practices (SAE J44) contain test procedures for the braking capability of snowmobile brake systems that differ from those of the SSCC and Canadian Standards in the following respects:

1. The braking capability of the brake system is tested on turf rather than on packed snow; tests are conducted with the dry brakes and after wetting the brakes with water.

2. The brake system is also tested for fade and recovery.

3. The requirement specifies that the application of brakes should not cause the vehicles to lose stability, to overturn, or to pull or swerve to the side more than a distance of 1.2m (4 ft). The SSCC recently published PR–011, a proposed revision to their brake standard, SSCC–52. The SAE is in the process of revising SAE J45 concerning brakes.

C. Occupant Protection

(1) *Guards and Shields.* SSCC standards require snowmobiles to be equipped with guards and shields which are capable of: (1) preventing any physical contact between the vehicle's occupants or bystanders and the power driven parts of the engine, clutch and drive system during normal use of the vehicle; and (2) protecting the vehicle's occupants or bystanders from being contacted and injured by broken ejected parts in the event of failure or breakage of the drive train, centrifugal clutches, drive and driven pulleys, and torque converters. All guards and shields are required to comply with "SAE Recommended Practice J93" as revised in SSCC–57. If the centrifugal clutches, drive and driven pulleys, torque converters or similar mechanisms comply with the performance requirements of section SSCC–56 of SSCC–2 then their guards and shields are not required to have the second capability described above. The SSCC has recently published drafts PR–005 for Shields and Guards which contain test procedures SSCC–56 and 57 and PR–006, General Hazard Requirements. The SSCC currently has foot and finger probe tests under development.

The requirements for guards and shields specified in the Canadian standards are similar to those of the SSCC standards, although the Canadian standards do not specify any test procedures to evaluate these guards and shields, and do not suggest any alternative requirement. The requirements for guards and shields for children's snowmobiles specified in "SAE Recommended Practice J1038" are almost identical to those of the SSCC standard.

(2) *Protection Against Burns.* SSCC standards require snowmobiles to be equipped with additional guards and shields that prevent inadvertent contact by the vehicle's occupants with any exposed component sufficiently hot to cause burns during normal use of the vehicle. The SSCC plans to revise heat protection requirements by specifying a safe hot surface temperature and a test.

Although the Canadian standards do not cover this point, SAE recommended practices specify adequate shielding to protect against burns in SAE Recommended Practice J1038 for children's snowmobiles. The temperature of components to be shielded is 71 degrees C (160 degrees F).

(3) *Sharp Edges and Protrusions.* Although the Canadian standards and SAE recommended practices do not cover this point, the SSCC standards require that snowmobile controls be free from sharp edges and sharp protrusions. The SSCC currently has sharp edges and protrusion definitions in progress.

(4) *Windshield Material.* Although the SSCC and Canadian standards do not address this point, SAE Recommended Practice J1038 provides that if a children's snowmobile is equipped with a windshield, the windshield material must comply with the requirements specified in § 2.8 of SAE J1038. In 1975, the SSCC published drafts PR–007 and SSCC–54, Snowmobile Windshield Recommendations.

D. Speed Capability and Snowmobile Stability

The SSCC and Canadian standards, and SAE recommended practices do not address the concern of excessive speed capability, except for children's vehicles in SAE Recommended Practice J1038. In addition, the SSCC and Canadian standards, and SAE recommended practices do not address the concern of snowmobile stability, except for children's vehicles in SAE Recommended Practice J1038.

However, the need for consumer education in the areas of safe operator practices and in showing the need for adequate trails has been addressed by the publication by the SSCC of the Snowmobiler's Safety Handbook.

300,000 copies of this publication have been distributed in the 18 months preceding March 31, 1976.

In view of the recent voluntary standards, the continuing effort by the existing voluntary standard organizations to address the risks of injury alleged by the petitioner to be associated with snowmobiles, and the lack of data concerning risks associated with recently-manufactured snowmobiles, the Commission is unable to find, at the present time, that declining to initiate a rulemaking proceeding under § 7 would unreasonably expose the petitioner or other consumers to a risk of injury presented by snowmobiles. The Commission is unable to find that a mandatory federal standard is necessary in order to reduce or eliminate the risks alleged by the petitioner to be associated with snowmobiles. As a result, the Commission has decided to deny this petition.

The Commission will monitor the voluntary standards and programs as they are developed and modified in the future.

Copies of the petition and any relevant materials may be seen at, or obtained from, the Office of the Secretary, U.S. Consumer Product Safety Commission, 1111 18th St. NW., Washington, D.C., during business hours Monday through Friday, except holidays.

Therefore, pursuant to § 10(d) of the Consumer Product Safety Act (Pub. L. 92–573, 86 Stat. 1217, 15 U.S.C. 2059(d)), notice is hereby given of the Commission's denial of petition CP 76–9.

Dated: September 16, 1977.

Richard E. Rapps,
Secretary, Consumer Product Safety Commission.

[FR Doc.77–27645 Filed 9–21–77;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Meeting

SEPTEMBER 13, 1977.

The USAF Scientific Advisory Board will hold its Fall General Meeting at the Institute for Defense Analyses Auditorium, 400 Army-Navy Drive, Arlington, Va., on October 19, 1977 from 9 a.m. to 5 p.m. and on October 20, 1977 from 8:30 a.m. to 12 p.m.

The Board will receive classified briefings and hold classified discussions on Aerospace Defense of the Continental United States.

The meetings concern matters listed in section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly the meetings will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat (202) 697-8404.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Officer, Directorate of Administration.

[FR Doc.77-27513 Filed 9-21-77;8:45 am]

USAF SCIENTIFIC ADVISORY BOARD

Meeting

SEPTEMBER 13, 1977.

The USAF Scientific Advisory Board ad hoc Committee on the EF-111A will hold meetings on October 12, 1977 from 8:30 a.m. to 5 p.m. and on October 13, 1977 from 8:30 a.m. to 1 p.m. at Kirtland Air Force Base, N. Mex.

The committee will receive classified briefings and hold classified discussions on the Air Force EF-111A program.

The meetings concern matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-8404.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Officer, Directorate of Administration.

[FR Doc.77-27514 Filed 9-21-77;8:45 am]

USAF SCIENTIFIC ADVISORY BOARD

Meeting

SEPTEMBER 13, 1977.

The USAF Scientific Advisory Board Tactical Panel will hold meetings at Langley Air Force Base, Virginia on October 26, 1977 from 8:30 a.m. to 5 p.m. and on October 27, 1977 from 8:30 a.m. to 12 p.m.

The Panel will conduct classified discussions on the Scientific Advisory Board efforts for the Tactical Air Command.

The meetings concern matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly the meetings will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-8404.

FRANKIE S. ESTEP,
Air Force Federal Register, Liaison Officer, Directorate of Administration.

[FR Doc.77-27515 Filed 9-21-77;8:45 am]

USAF SCIENTIFIC ADVISORY BOARD

Meeting

SEPTEMBER 12, 1977.

The USAF Scientific Advisory Board Electronics Panel Group to review Space Systems will hold a meeting on October 13, 1977 from 9 a.m. to 5 p.m. in the Pentagon, Room 5D982.

The purpose of the meeting will be to conduct a special, classified review of space systems at the request of the Secretary of the Air Force.

The meeting concerns matters listed in Section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly the meeting will be closed to the public.

For further information contact the Scientific Advisory Board Secretariat at (202) 697-4648.

FRANKIE S. ESTEP,
Air Force Federal Register Liaison Officer, Directorate of Administration.

[FR Doc.77-27516 Filed 9-21-77;8:45 am]

Office of the Secretary

DOD ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group A (Mainly Microwave Devices) of the DoD Advisory Group on Electron Devise (AGED) will meet in closed session at 201 Varick Street, New York, NY 10014, on 18-19 October 1977.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group A meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The Microwave area includes programs on developments and research related to microwave tubes, solid state microwave, electronic warfare devices, millimeter wave devices, and passive devices. The review will include details of classified defense programs throughout. In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it is hereby determined that this meeting of the Advisory Group on Electron Devices concerns matters listed in Section 552b(c) of Title 5 of the United States Code, specifically Subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 14, 1977.

[FR Doc.77-27519 Filed 9-21-77;8:45 am]

DOD ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group B (Mainly Low Power Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, New York, NY 10014 on 5-6 October 1977.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with tactical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group B meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The low power device area includes such programs as integrated circuits, charge coupled devices and memories. The review will include details of classified program details throughout.

In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in Section 552b(c) of Title 5 of the United States Code, specifically Subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 14, 1977.

[FR Doc.77-27518 Filed 9-21-77;8:45 am]

DOD ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group C (Mainly Imaging and Display) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, New York, N.Y. 10014 on 20 October 1977.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The Working Group C meeting will be limited to review of research and development programs which the Military De-

partments propose to initiate with industry, universities or in their laboratories. This special device area includes such programs as Infrared and Night Vision Sensors. The review will include classified program details throughout.

In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in Section 552b(c) of Title 5 of the United States Code, specifically Subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 14, 1977.

[FR Doc.77-27517 Filed 9-21-77;8:45 am]

DOD ADVISORY GROUP ON ELECTRON DEVICES

Advisory Committee Meeting

Working Group D (Mainly Laser Devices) of the DoD Advisory Group on Electron Devices (AGED) will meet in closed session at 201 Varick Street, New York, N.Y. 10014, on 18–19 October 1977.

The purpose of the Advisory Group is to provide the Director of Defense Research and Engineering, the Director, Defense Advanced Research Projects Agency and the Military Departments with technical advice on the conduct of economical and effective research and development programs in the area of electron devices.

The meeting will be limited to review of research and development programs which the Military Departments propose to initiate with industry, universities or in their laboratories. The laser area includes programs on developments and research related to low energy lasers for such applications as battlefield surveillance, target designation, ranging, communications, weapon guidance and data transmission. The review will include details of classified defense program throughout.

In accordance with Section 10(d) of Appendix I, Title 5, United States Code, it has been determined that this Advisory Group meeting concerns matters listed in Section 552b(c) of Title 5 of the United States Code, specifically, Subparagraph (1) thereof, and that accordingly this meeting will be closed to the public.

MAURICE W. ROCHE,
Correspondence and Directives, OASD (Comptroller).

SEPTEMBER 14, 1977.

[FR Doc.77-27520 Filed 9-21-77;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 705-6]

FULLY HALOGENATED HALOCARBONS

Public Meeting

AGENCY: Environmental Protection Agency.

ACTION: Notice of public meeting.

SUMMARY: EPA is holding a public meeting to obtain information on nonaerosol propellant uses of fully halogenated halocarbons. The information obtained at this meeting will aid EPA and other concerned Agencies in making regulatory decisions on nonaerosol fully halogenated halocarbon emissions.

DATE: The meeting will be held on October 25, 1977 at 10:00 a.m.

ADDRESS: The meeting will be held in room 3906 of Waterside Mall, 401 M Street SW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Perry W. Brunner or Larry E. Longanecker, U.S. Environmental Protection Agency, Office of Toxic Substances (WH-557), 401 M Street SW., Washington, D.C. 20460. Phone: 202-426-9000 or 755-5482.

SUPPLEMENTARY INFORMATION: If you wish to make a presentation at the meeting please contact by October 11, 1977:

Joni T. Repasch, U.S. Environmental Protection Agency, Office of Toxic Substances (WH-557), 401 M Street SW., Washington, D.C. 20460. Phone: 202-426-9000 or 755-5482.

Participants are encouraged to address the following issues: 1. Should other halocarbon compounds, in addition to fully halogenated chlorofluoroalkanes, be controlled? In addition to the fully halogenated chlorofluoroalkanes, the Agency is considering the control of fully halogenated bromofluoroalkanes and the fully halogenated bromochlorofluoroalkanes.

2. What compounds in the above categories are currently produced? What are their uses? What qualities or factors of halocarbons (physical, chemical, or economic) dictate their present use? Are alternative compounds or products presently or potentially available? What costs are associated with the use of the alternative compounds or products?

3. Does the capability exist to recover, recycle, and/or reuse halocarbons? What improvements in hardware, operation, or maintenance would reduce emissions? What are the costs associated with recycling or the type of improvements listed above? Is there a present or potential market for recovered halocarbons?

4. What research is being conducted by industry on (1) alternatives and (2) methods of controlling emissions?

5. EPA and the other regulatory Agencies (e.g., the Food and Drug Administration and Consumer Product Safety Commission) are interested in examining nonconventional control of halocarbon emissions. Two examples of nonconventional controls are emission fees and voluntary agreements between the regulatory Agencies and industry. Are there other approaches which might be used? What does the industry see as the problems and benefits of nonconventional controls?

Dated: September 16, 1977.

STEFFEN W. PLEHN,
Acting Assistant Administrator.

[FR Doc.77-27735 Filed 9-21-77;8:45 am]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

ESTABLISHMENT OF EEOC MODEL DISTRICT OFFICES

Baltimore, Chicago and Dallas

This notice announces the establishment and activation of the Equal Employment Opportunity Commission model District Offices in Baltimore, Chicago and Dallas and provides information relative to their management and administration.

Section 705(f) of Title VII of the Civil Rights Act of 1964, as amended, authorizes the Commission to establish such offices as it deems necessary to accomplish the purposes of that Title. By unanimous affirmative vote on August 20, 1977, the Commission approved the establishment of three model District Offices.

The geographical jurisdictional boundaries of these model offices are the same as those of the existing EEOC District Offices which they replaced. Each model District Office's mission is to receive, defer and/or investigate, conciliate and litigate charges of employment discrimination based on race, color, religion, sex or national origin.

The duty station, address, telephone number and date of establishment of the model offices follows:

DALLAS: (SEPTEMBER 23, 1977)

Equal Employment Opportunity Commission, Dallas District Office, Corrigan Tower, 6th Floor, 212 N. St. Paul, Dallas, Tex. 75201, telephone 214-749-1751.

BALTIMORE: (SEPTEMBER 26, 1977)

Equal Employment Opportunity Commission, Baltimore District Office, Rotunda Building, Suite 210, 711 West 40th St., Baltimore, Md. 21211, telephone 301-962-3932.

CHICAGO: (SEPTEMBER 28, 1977)

Equal Employment Opportunity Commission, Chicago District Office, Federal Building, Room 234, 536 S. Clark St., Chicago, Ill. 60605, telephone 312-353-2687.

Dated: September 19, 1977.

ELEANOR HOLMES NORTON,
Chair, Equal Employment Opportunity Commission.

[FR Doc.77-27716 Filed 9-21-77;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[FCC 77-643]

APPLICATION OF SPONSORSHIP IDENTIFICATION RULES TO POLITICAL BROADCASTS, TEASER ANNOUNCEMENTS, GOVERNMENTAL ENTITIES, AND OTHER ORGANIZATIONS

SEPTEMBER 16, 1977.

The Commission has become aware of widespread licensee failure to make ap-

propriate sponsorship identification announcements, as required by section 317(a)(1) of the Communications Act of 1934, as amended, and section 73.1212(a) of the Commission's Rules, in identifying commercial matter as such when the commercial nature of a message is not clear from its content. This failure, as discussed below, has arisen in connection with a nationwide "teaser" campaign conducted by a religious organization, and in connection with commercial messages paid for by (i) Federal and State government entities and local public service organizations and, (ii) trade associations. Although the Act and Rules are clear, their application in the preceding circumstances appears to be misunderstood. Accordingly, the Commission has decided to issue a Public Notice to set forth clearly the requirements in this area and to remind licensees of their obligation to insure that proper sponsorship identification announcements accompany all commercial matter. Sponsorship identification is a critical aspect of broadcast operation and licensees are cautioned that failure to adhere to the requirements set forth herein will subject them to the full range of sanctions authorized by the Communications Act.

Section 317(a)(1) of the Communications Act of 1934, as amended, states, in pertinent part, that:

> All matter broadcast by any radio station for which any money, service, or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person * *

Section 73.1212(a) of the Commission's Rules, implementing section 317(a)(1) of the Act, provides that the required announcement shall state, "(1) that such [commercial] matter is sponsored, paid for, or furnished, either in whole or in part, and (2) by whom, or on whose behalf such consideration was supplied * * * " The purpose of section 317 of the Act and section 73.1212 of the Rules is to require that the audience be clearly informed that it is hearing or viewing matter which has been paid for when such is the case, and that the person paying for the broadcast of the matter be clearly identified. Accordingly, a sponsorship identification announcement must state in language understandable to a majority of the audience that the station has received consideration for the matter broadcast and from whom that consideration was received.

The teaser campaign referred to above was instituted by a California based evangelical and nondenominational organization, which organized groups in numerous cities around the country under the name, "Here's Life [name of city]" and broadcast paid announcements for the purpose of publicizing its existence and acquainting the public with its religious message. The announcements broadcast promoting this campaign monitored by the Commission were of two varieties. One consisted of the voice, or in the case of television, a picture, of a person talking about the benefits he/she experienced by incorporating religion in his/her life. The other type of announcement was simply the phrase, or picture accompanied by the phrase, "I found it!" followed by a few brief words which failed to explain the meaning of the phrase. The only sponsorship identification broadcast, by voice or video, in many cases was "Presented by: Here's Life [name of city]". The Commission is of the view that the term "presented by" does not clearly inform the audience that it is hearing or viewing matter which has been paid for. Such an identification is subject to differing interpretations and could lead to public confusion and misunderstanding. As noted above, section 73.1212(a) of the Commission's Rules has liberalized the "paid for" announcement requirement of section 317(a)(1) of the Act to the extent that the phrase "sponsored by" may be used in its place; but no other substitute words or phrases have been specifically sanctioned.

The failure of many licensees to identify properly the paid promotional announcements of Federal and State government entities or quasi-government and local public service organizations is also confusing to the public because licensees often broadcast such announcements free of charge. This failure frequently results when the entity or organization purchasing time uses the same, or a similiar, announcement that it uses for broadcasts in free time. These announcements generally refer to the entity or organization by name only, with no indication that the message was paid for as opposed to broadcast free by the station as a public service. The Commission here stresses that the sponsorship identification rules pertain to these announcements jus ats they pertain to any other matter the station is paid to broadcast.

Confusion can also arise in connection with trade association commercial announcements which promote member goods and services. These announcements sometimes suggest that use of member goods or services is consistent with the public interest and thus may be perceived as public service announcements if not properly identified. All such announcements must clearly state the name of the sponsor and indicate, in the manner set forth above, that time for the message was paid for.

In addition to the above, the Commission believes it appropriate to mention at this time that it received numerous complaints from the public concerning video sponsorship identification announcements accompanying paid, political broadcasts aired during the 1976 election campaign. Specifically, the Commission's attention was drawn to many sponsorship identification announcements which were shown so briefly and/or printed in such small letters that comprehension was difficult, if not impossible. Television licensees are hereby reminded that while such announcements may be made either aurally or visually, if any portion of such announcement is by video only, in addition to the foregoing requirements, that portion should be given in letters of sufficient size to be readily legible to an average viewer, should be shown against a background which does not reduce its legibility, and should remain on the screen long enough to be read in full by an average viewer. The Commission does not believe it practical, and therefore has never attempted, to designate a specific size of letter or specific period of time to be utilized in making such identifications since a combination of factors must be considered in determining the appropriateness of any particular announcement, i.e., length of sponsor's name, relationship of time shown to size of letters, difficulty in comprehending the words contained in the identification. However, the volume of complaints recently received by the Commission indicates that viewers are having difficulty reading such announcements and licensee attention is hereby directed to this problem.

Action by the Commission September 15, 1977. Commissioners Wiley (Chairman), Lee, Quello, Washburn, Fogarty, and White.

Sent to all broadcast licensees.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.77-27706 Filed 9-21-77;8:45 am]

[Docket Nos. 21214 (File No. BPH-9704); and 21215 (File No. BPH-9793)]

GREATER MINNESOTA BROADCASTING CORP. AND TOWER BROADCASTING CORP.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

Adopted: September 13, 1977.

Released: September 19, 1977.

In the matter of applications of Greater Minnesota Broadcasting Corp., Brainerd, Minn. (Req: 106.7 MHz, channel 294 100 kW (H & V); 427 ft.); and Tower Broadcasting Corp., Brainerd, Minn. (Req: 106.7 MHz, channel 294 100 kW (H & V); 448 ft.), for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, acting pursuant to delegated authority, has before it for consideration the above-captioned applications which are mutually exclusive in that they seek the same FM channel in Brainerd, Minnesota. One of the applicants, Greater Minnesota Broadcasting Corp. (hereinafter "Greater Minnesota"), is the licensee of standard broadcast station KVBR in Brainerd.

2. Both applicants have failed to comply with the requirements of the *Primer on Ascertainment of Community Problems by Broadcast Applicants*, 27 FCC 2d 650, 21 RR 2d 1507 (1971). First, from the information before us, it appears that Greater Minnesota has failed to survey leaders of significant population groupings set forth in its demographic study. *Voice of Dixie, Inc.*, 45 FCC 2d 1027, 29 RR 2d 1127 (1974). For example, Greater

Minnesota's compositional study shows that professionals constitute 23.6 percent of the labor force in Crow Wing County (where Brainerd is located) and that 15.5 percent of the population of Brainerd is over 65 years of age. The applicant has not shown, however, that it has interviewed any leaders of the elderly or the professions in Brainerd. Two of the four exhibits which list Greater Minnesota's community leader interviews manifest a second deficiency. The application states that those interviews conducted in January of 1977 (Exhibit 9C) were made by Charles Persons (President of the applicant) and "key members of station's staff," although the application does not name these alleged key KVBR employees or state whether they will be employees of the proposed FM station. Additional interviews were held in April 1977, and were reported in the applicant's amendment of May 10, 1977, as having been conducted by the President of Greater Minnesota "or under his direction."[1] The Commission is therefore unable to determine which of the interviews listed in Exhibit 9C and in the May 10 amendment were conducted in compliance with Question and Answer 11(a) of the Primer, which requires that community leader interviews be conducted by principals or management level employees of the proposed station. Where the 1.0 mV/m contour encompasses major communities other than the city of license, Questions and Answers 6 and 7 of the Primer require the applicant to interview leaders who can be expected to have a broad overview of the problems in those communities, or to show why it intends not to serve those communities. It appears that Tower Broadcasting Corporation (hereinafter "Tower") has failed to comply with this requirement. For example, the town of Little Falls, Minn. (1970 Census population 7,467), lies within Tower's proposed service area, and is more than half as large as Brainerd, but Tower conducted no interviews there. For these reasons, limited ascertainment issues will be specified as to both applicants.

3. Greater Minnesota proposes duplication of the programming of its commonly owned AMstation, KVBR, during 38.6 percent of its proposed schedule. Therefore, evidence regarding program duplication will be admissible under the standard comparative issue. When duplicated programming is proposed, the showing permitted under the standard comparative issue will be limited to evidence concerning the benefits to be derived from the proposed duplication which would offset its inherent inefficiency. *Jones T. Sudbury*, 8 FCC 2d 360, 10 RR 2d 114 (1967).

4. Except as indicated by the issues specified below, the applicants are qualified to construct and operate as proposed. However, because the proposals are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

5. Accordingly, *it is ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

(1) To determine the efforts made by Greater Minnesota Broadcasting Corporation to ascertain the problems and needs of the area to be served, in the following respects:

(a) Whether Greater Minnesota Broadcasting Corp. has failed to consult with leaders of the elderly and professionals.

(b) Whether Greater Minnesota Broadcasting Corp.'s community leader survey was conducted by principals, management-level employees or prospective management-level employees of the proposed FM station.

(2) To determine, with respect to the efforts of Tower Broadcasting Corp. to ascertain the problems and needs of the area to be served, whether the applicant has interviewed leaders of the major communities within its proposed service area.

(3) To determine which of the proposals would, on a comparative basis, better serve the public interest.

(4) To determine, in light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

6. *It is further ordered*, That the applicants herein, to avail themselves of the opportunity to be heard, pursuant to section 1.221(c) of the Commission's Rules, in person or by attorney shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

7. *It is further ordered*, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act 1934, as amended, and section 1.594 of the Commission's Rules, give notice of the hearing (either individually or, if feasible and consistent with the Rules, jointly) within the time and in the manner prescribed in such Rule, and shall advise the Commission of the publication of such notice as required by section 1.594(g) of the Rules.

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.77-27707 Filed 9-21-77;8:45 am]

[1] Exhibit 9B of the application lists community leaders interviewed in October and November of 1976. Although it is not clear from the face of the application who conducted these interviews, the KVBR renewal application reveals that nearly all of these interviews were held by principals of Greater Minnesota. Finally, Exhibit 9D shows a number of interviews conducted in March and April of 1977, exclusively by Charles B. Persons.

[Canadian List No. 366]

NOTIFICATION LIST

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments of Canadian Standard Broadcast Stations Modifying the Assignments of Canadian Broadcast Stations Contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

AUGUST 26, 1977.

Call letters	Location	Power (kilowatt)	Antenna	Schedule	Class	Antenna height (feet)	Ground system: Number of radials	Ground system: Length (feet)	Proposed date of commencement of operation
		690 kHz							
CJCW (PO 0.5D/0.25N, DA-2).	Sussex, New Brunswick, N. 45°41'06", W. 65°31'29".	1D/.25N	DA-2	U	III				8-26-78.
		780 kHz							
CFAN (PO 1 kW, DA-1, N. 47°00'32", W. 65°33'01").	Newcastle, New Brunswick, N. 47°-00'21", W. 65°33'10".	5D/1N	DA-2	U	III				8-26-78.
		960 kHz							
CFTJ (Now in operation)	Cambridge, Ontario, N. 43°20'53", W. 80°14'45".	1	DA-2	U	III				
		1220 kHz							
CHSC (PO 1D/0.5N, DA-1, N. 43°06'48", W. 79°12'46").	St. Catharines, Ontario, N. 43°03'23", W. 79°13'28".	10	DA-2	U	II				8-26-78.
		1240 kHz							
CBDP (Now in operation) (assignment of call letters).	Wabush-Labrador City, Newfoundland, N. 52°55'50", W. 66°53'24".	1D/0.25N	ND-196	U	IV	198	120	320	
		1260 kHz							
CIHI (Correction to geographical coordinates, change in reference tower-pattern unchanged).	Fredericton, New Brunswick, N. 45°-59'52", W. 66°41'29".	10	DA-N ND-D-190	U	III				5-10-78.
		1320 kHz							
CFTJ (Delete immediately)	Cambridge, Ontario, N. 43°19'42", W. 80°20'15".	1	DA-2	U	III				
		1490 kHz							
CBDQ (Now in operation.) (Assignment of call letters.)	Wabush-Labrador City, Newfoundland, N. 52°55'50", W. 66°53'24".	1D/0.25N	ND-196	U	IV	198	120	320	

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc.77-27374 Filed 9-21-77;8:45 am]

FEDERAL ENERGY ADMINISTRATION

REFINERS' CRUDE OIL ALLOCATION PROGRAM

Allocation Period of October 1, 1977 Through March 31, 1978

The notice specified in 10 CFR 211.65 (g) of the refiners' crude oil allocation program is hereby issued for the allocation period of October 1, 1977, through March 31, 1978.

The buy-sell list for refiners for the allocation period commencing October 1, 1977 is set forth as an appendix to this notice. The provisions of 10 CFR 211.65 apply to all transactions made under the buy-sell list. Included as part of the list, as required by 10 CFR 211.65(g), are: the names of refiner-buyers and their eligible refineries; the quantity of crude oil each refiner-buyer is eligible to purchase; the total allocation obligation for all refiner-sellers; the fixed percentage share for each refiner-seller; and the quantity of crude oil that each refiner-seller is obligated to offer for sale to refiner-buyers.

The allocations shown on the buy/sell list for refiner-buyers were determined in accordance with 10 CFR 211.65(b). For the allocation period of October 1, 1977 through March 31, 1978, each refiner-buyer shall be entitled to purchase for each of its refineries that is determined by FEA not to have access to imported crude oil, an amount of crude oil equal to the difference between (1) the volume of crude oil runs to stills (not including crude oil processed for other refiners) at the eligible refinery in the period October 1, 1976 through March 31, 1977, and (2) the volume of the crude oil runs to stills (not including crude oil purchased pursuant to 10 CFR 211.65 or crude oil processed for other refiners) at the eligible refinery in the period April 1, 1977 through September 30, 1977 (calculated by using the level of the crude oil runs to stills at the particular refinery in the period April 1, 1977 through July 31, 1977 for the entire six-month period).

The buy/sell list sets forth separately the allocations for refiner-buyers with eligible newly constructed refinery capacity and reactivated refineries and refinery capacity. Pursuant to 10 CFR 211.65(a)(1)(iii), FEA has assigned such refinery capacity an allocation equal to twenty-five (25%) percent of the capacity for the allocation period commencing October 1, 1977. The allocations for newly constructed refinery capacity and reactivated refineries and refinery capacity were calculated on the basis of estimated capacities and the assumption that such capacity will commence operations on or about October 1, 1977. FEA will review each such allocation after the capacity has been certified by FEA pursuant to 10 CFR 211.67(a)(2) and the start-up dates are verified. In the event that FEA subsequently determines that any such allocation is incorrect, FEA will adjust the allocation in this allocation period or in the allocation period commencing April 1, 1978.

Pursuant to 10 CFR 211.65(c)(1), any small refiner may apply to FEA for review of the denial of eligibility of a refinery owned by that refiner where significant changes in the refinery's access to imported crude oil have occurred since the refinery was determined by FEA to be eligible for an allocation. Any refiner-buyer may apply to FEA for an adjustment to an allocation as to an eligible refinery to compensate for reductions in crude oil runs to stills due to unusual or nonrecurring operating conditions or an unconsummated directed sale under 10 CFR 211.65(j) due to documented delays in delivering allocated crude oil. Applications for review of eligibility for an allocation or adjustment to an allocation for the allocation period commencing April 1, 1978 must be received by FEA no later than February 1, 1978.

Pursuant to 10 CFR 211.65(c)(2), any refiner-buyer may apply to FEA at any time for an emergency supplemental allocation for one or more of its eligible refineries for one or more allocation periods, or for part of an allocation period; *Provided*, That such refiner will be required to demonstrate that it has incurred or will incur a reduction in its crude oil supply (excluding crude oil allocated under 10 CFR 211.65 or under 10 CFR 211.63), for the eligible refinery for which an emergency allocation is sought equal to at least twenty-five (25%) percent of such crude oil supply in the preceding six-month period.

Pursuant to 10 CFR 211.65(b)(4), no refiner-buyer is permitted to purchase under the crude oil buy/sell program domestic crude oil for processing in any first priority refinery (as defined in 10 CFR Part 214) owned by that refiner-

buyer in excess of the average volumes thereof purchased by that refiner-buyer for that refinery in the period September 1, 1976 to August 31, 1977. For the allocation period of October 1, 1977 through March 31, 1978, only one first priority refinery, the Laurel, Montana, refinery of Farmers Union Central Exchange, is affected by this ceiling. The precise ceiling on domestic crude oil purchases pursuant to 10 CFR 211.65 for the Farmers Union refinery for this allocation period is specified in the appendix.

The buy/sell list covers PAD Districts I through V, and amounts shown are in barrels of 42 gallons each, for the specified period. Pursuant to Section 211.65 (f), each refiner-seller shall offer for sale, directly or through exchange, to refiner-buyers during an allocation period a quantity of crude oil equal to that refiner-seller's sales obligation plus any portion of that refiner-seller's sales obligation as to which FEA directs a sale pursuant to 10 CFR 211.65(j).

Pursuant to 10 CFR 211.65(h), each refiner-buyer and refiner-seller is required to report to FEA in writing or by telex the details of each transaction under the buy/sell list within forty-eight hours of the completion of arrangements therefor. Each report must identify the refiner-seller, the refiner-buyer, the refineries to which the crude oil is to be delivered, the volumes of crude oil sold or purchased, and the period over which the delivery is expected to take place.

The procedures of 10 CFR 211.65(j) provide that if a sale is not agreed upon subsequent to the date of publication of this notice, a refiner-buyer that has not been able to negotiate a contract to purchase crude oil may request FEA to direct one or more refiner-sellers to sell a suitable type of crude oil to such refiner-buyer. Such request must be received by the FEA no later than 20 days after the publication date of the buy/sell notice for the allocation period for which the assignment of a refiner-seller is requested. Upon such request, FEA may direct one or more refiner-sellers that have not completed their required sales to sell crude oil to the refiner-buyer.

In directing refiner-sellers to make such sales, the FEA will consider the percentage of each refiner-seller's sales obligation for the allocation period that has been sold, as reported pursuant to Section 211.65(h), as well as the refiner-seller or sellers that can best be expected to consummate particular directed sales. If, in FEA's opinion, a valid directed sale request cannot reasonably be expected to be consummated by a refiner-seller that has not completed all or substantially all of its sales obligation for the allocation period, the FEA may issue one or more directed sales orders that would result in one or more refiner-sellers selling more than their published sales obligations for that allocation period. In such cases, the refiner-seller or sellers will receive a barrel-for-barrel reduction in their sales obligations for the next allocation period pursuant to 10 CFR 211.65(f)(3)(ii).

If the refiner-buyer declines to purchase the crude oil specified by the FEA, the rights of that refiner-buyer to purchase that volume of crude oil are forfeited during this allocation period, provided that the refiner-seller or refiner-sellers have fully complied with the provisions of 10 CFR 211.65.

Refiner-buyers making requests for directed sales must document their inability to purchase crude oil from refiner-sellers by supplying the following information to the FEA:

(i) Name of the refiner-buyer and of the person authorized to act for the refiner-buyer in buy/sell program transactions.

(ii) Name and location of the refineries for which crude oil has been sought, the amount of crude oil sought for each refinery, and the technical specifications of crude oil that have historically been processed in each refinery.

(iii) Statement of any restrictions, limitations or constraints on the refiner-buyer's purchases of crude oil, particularly concerning the manner or time of deliveries.

(iv) Names and locations of all refiner-sellers from which crude oil has been sought under the buy/sell notice, the refineries for which crude oil has been sought, and the volume and specifications of the crude oil sought from each refiner-seller.

(v) The response of each refiner-seller to which a request to purchase crude oil has been made, and the name and telephone number of the individual contacted at each such refiner-seller.

(vi) Such other pertinent information as the FEA may request.

All reports and applications made under this notice should be addressed to: Program Manager, Crude Oil Allocation, 20th Street Postal Station, P.O. Box 19028, Washington, D.C. 20036.

This notice is issued pursuant to Subpart G of FEA's regulations governing its administrative procedures and sanctions, 10 CFR Part 205. Any person aggrieved hereby may file an appeal with FEA's Office of Exceptions and Appeals in accordance with Subpart H of 10 CFR Part 205. Any such appeal shall be filed on or before October 25, 1977.

Issued in Washington, D.C., September 16, 1977.

ERIC J. FYGI,
Acting General Counsel.

APPENDIX

The list of refiner-sellers and refiner-buyers for the period October 1, 1977 through March 31, 1978 is as follows. The first part of the list sets forth the identity of each refiner-seller and refiner-buyer, the fixed percentage share of each refiner-seller, and the volumes of crude oil that each such refiner-seller is obligated to offer for sale or that each such refiner-buyer is eligible to purchase for each eligible refinery, as the case may be.

Allocations for newly constructed refinery capacity and reactivated refineries and refinery capacity are set forth in the second part of the list.

CRUDE OIL ALLOCATION FOR THE PERIOD OCTOBER 1, 1977–MARCH 31, 1978

Refiner-sellers:	*Sales obligation*
Amoco Oil Co	$1,497,325
Atlantic Richfield	464,442
Chevron U.S.A	3,538,194
Cities Service Oil	2,188,534
Continental Oil Co	0
Exxon Corp	0
Getty	114,519
Gulf Oil Corp	1,324,965
Marathon Oil Co	91,400
Mobil Oil Corp	168,900
Phillips Petroleum	254,993
Shell Oil Co	1,005,402
Sun Oil Co	404,296
Texaco Incorporated	2,110,794
Union Oil Company of California	1,551,486
Total sales	14,715,250

Eligible refineries

Refiner-buyers	Refinery location	Estimated capacity (barrels per day)	Allocation (barrels)
Asamera Oil, Inc	Denver, Colo		41,118
Bi-Petro, Inc	Pana, Ill		0
CRA-Farmland Ind., Inc	Scottsbluff, Nebr		0
Do	Phillipsburg, Kans		183,970
Dow/Refinery	Bay City, Mich		1,342,712
Evangeline Ref	Jennings, La		0
Farmers Union Central Exchange	Laurel, Mont		[1] 2,200,500
Giant Industries	Bloomfield, N. Mex		20,817
Gladieux Ref	Fort Wayne, Ind		1,056,198
Hunt Oil Co	Tuscaloosa, Ala		191,393
Kentucky Oil Ref. Co	Betsy Layne, Ky		5,786
Little America Ref	Sinclair, Wyo		368,287
Do	Casper, Wyo		0
Macmillan RF Oil Co	Norphlet, Ark		110,075
Marion Corp	Mobile, Ala		209,065
Mid-Tex Ref	Hearne, Tex		0
Newhall Ref. Co	Newhall, Calif		182,989
OKC Corp	Okmulgee, Okla		469,799
Pennzoil Co. (Atlas)	Shreveport, La		455,542
Placid Ref	Port Allen, La		3,336,902
Plateau, Inc	Bloomfield, N. Mex		0
Do	Roosevelt, Utah		397,953
Pride Ref., Inc	Abilene, Tex		58,538
Somerset Refinery, Inc	Somerset, Ky		0

Refiner-buyers	Refinery location	Estimated capacity (barrels per day)	Allocation (barrels)
Southern Union	Lovington, N. Mex.		2,036,842
Do.	Monument, N. Mex.		286,082
Southwestern Ref. Co.	La Barge, Wyo.		0
Tesoro Petroleum Co.	Newcastle, Wyo.		0
Texas American Petrochemicals, Inc.	West Branch, Mich.		0
Thunderbird Resources (Westco)	Cut Bank, Mont.		0
Thunderbird Resources (Westland)	Williston, N. Dak.		22,262
Western Ref. Co.	Woods Cross, Utah		0
Total			12,977,150
Additional allocations for newly constructed refinery capacity and reactivated refineries or refinery capacity			
Giant Industries	Bloomfield, N. Mex.	3,200	145,600
Little America Ref.	Sinclair, Wyo.	23,000	1,046,500
Mount Airy Ref. Co.	Mount Airy, La.	11,000	500,500
Southwestern Ref. Co.	La Barge, Wyo.	1,000	45,500
Total			1,738,100
Total all allocations			14,715,250

[1] Pursuant to 10 CFR 211.65(b)(4), Farmers Union Central Exchange is limited to purchases of domestic crude oil under the buy/sell program for its Laurel, Mont., refinery, a first priority refinery under 10 CFR 214, not greater than the average volumes purchased under the program by Farmers Union for use in the Laurel refinery during the period Sept. 1, 1976, through Aug. 31, 1977. This establishes a ceiling for domestic oil purchases under the buy/sell program for Farmers Union's Laurel refinery of 1,544,634 bbl for the October 1977 through March 1978 allocation period.

[FR Doc.77-27498 Filed 9-20-77;2:30 pm]

VOLUNTARY AGREEMENT AND PLAN OF ACTION TO IMPLEMENT THE INTERNATIONAL ENERGY PROGRAM

Meetings

In accordance with Section 252(c)(1)(A)(i) of the Energy Policy and Conservation Act (Pub. L. 94-136), notice is hereby provided of the following meetings:

A meeting of the Industry Advisory Board (IAB) to the International Energy Agency (IEA) will be held on September 27, 1977, at the headquarters of the International Energy Agency, 2 Rue Andre Pascal, Paris 16, France, beginning at 10 a.m. The purpose of this meeting is to permit attendance by representatives of the IAB at a meeting of the IEA Standing Group on Emergency Questions (SEQ) being held at Paris on September 27. The expected participants are government members of the SEQ, representatives of the IEA Secretariat and representatives of member companies of the IAB to be selected at a meeting of the IAB to be held on September 22 and 23, 1977, at New York. The agenda for the meeting, and participation of the representatives of the IAB, is under the control of the SEQ. It is expected that the following draft agenda will be followed and that representatives of the IAB will be invited to join the meeting during discussion of items 5-9 of the agenda, or such other items as may be determined by the SEQ:

1. Approval of draft agenda.
2. Summary Record of the Seventeenth Meeting.
3. Quarterly Oil Forecast.
4. Special Section of the Information System:
   a. Current issues of Quarterly Oil Statistics and Base Period Final Consumption.
   b. Emergency reserves of IEA countries.
      (i) Situation as at 1.7.77.
      (ii) Draft report to the Governing Board.
5. Autumn 1977 Test Run of the Emergency Data System (oral report by the Secretariat).
6. Spring 1978 Allocation Systems Test (note by the Secretariat).
7. Emergency Management Manual.
   a. Chairman's oral report on 19/20 September Governing Board meeting.
   b. Further draft amendments (note by the Secretariat).
8. National Emergency Sharing Organizations:
   a. Presentation by the Swiss delegation.
   b. Presentation by the Japanese delegation.
   c. Report by the Secretariat.
9. Any other business.

A meeting of the Industry Working Party (IWP) to the International Energy Agency (IEA) will be held on September 27 and 28, 1977, at the headquarters of the International Energy Agency, 2 Rue Andre Pascal, Paris 16, France, beginning at 9 a.m. on September 27. The purpose of this meeting is to permit attendance by representatives of the IWP at meetings of the IEA Standing Group on the Oil Market (SOM) and ad hoc groups of the SOM being held at Paris on September 27 and 28. The agenda for the meeting is under the control of the SOM. It is expected that the IWP representatives will be asked to discuss with the SOM, and with ad hoc groups of the SOM, the subjects below:

1. Financial Information Systems
2. Crude Oil and Product Cost and Price Information Systems

As provided in section 252(c)(1)(A)(ii) of the Energy Policy and Conservation Act, these meetings will not be open to the public. Unanticipated circumstances have required the notice period as contained in section 209.32(b) of FEA regulations to be shortened.

Issued in Washington, D.C., September 19, 1977.

ERIC J. FYGI,
Acting General Counsel,
Federal Energy Administration.

[FR Doc.77-27727 Filed 9-21-77;8:45 am]

FEDERAL MARITIME COMMISSION

BARBER-BLUE SEA LINE JOINT SERVICE

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, San Francisco, Calif. 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 October 12, 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:

William J. Shields, Barber Steamship Lines, Inc., 17 Battery Place, New York, N.Y. 10004.

Agreement No. 10137-5, entered into by the member lines comprising the Barber-Blue Sea Line Joint Service, amends Articles 1 and 7 of the approved agreement to permit the parties to agree upon the use of a different trade name or names, and to provide in Article 2 that multipurpose vessels include "roll-on/roll-off ships but excluding cellular containerships."

Dated: September 20, 1977.

By order of the Federal Maritime Commission.

JOSEPH C. POLKING,
Acting Secretary.

[FR Doc.77-27728 Filed 9-21-77;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. ER77-485]

CAROLINA POWER & LIGHT CO.

Order Denying Motion for Reconsideration

SEPTEMBER 14, 1977.

On July 19, 1977, the Commission issued an order in this Docket which accepted for filing proposed increased rates and charges for jurisdictional sales to 18 REA, 24 municipal, and two privately

owned customers.[1] The Commission suspended the effectiveness of the proposed rates for five months, until December 29, 1977, when they are to become effective subject to refund.

On July 26, 1977, Carolina Power and Light Company (CP&L) filed a motion for reconsideration alleging that the Commission wrongfully exercised its discretion by suspending the Company's proposed rate increase for five months. In its motion the Company requested a suspension period of one day. On July 28, 1977, ElectricCities of North Carolina and the Cities of Bennettsville and Camden, South Carolina (hereinafter ElectriCities) jointly filed a response to CP&L's motion.

CP&L argues that reconsideration should be granted on the grounds that its Brunswick Nuclear Station No. 1 was placed in commercial operation on March 18, 1977, and that the Company's wholesale customers "will receive the benefits of Brunswick No. 1 for nine months without paying any part of the capital costs associated with it."

The determination of the length of the suspension period is within the sole discretion of the Commission. *Municipal Light Boards v. FPC*, 450 F. 2d 1341 (D.C. Circuit 1971). We considered CP&L's argument, inter alia, in support of its request, prior to issuance of our July 19, 1977 order. CP&L's argument does not convince us that a change in the suspension period is warranted. Accordingly, the motion for reconsideration must be denied.

The Commission finds: CP&L's motion for reconsideration of July 26, 1977, should be denied.

The Commission orders: (A) CP&L's motion for reconsideration of July 26, 1977 is hereby denied.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27680 Filed 9-21-77;8:45 am]

[Docket No. RP72-122; (PGA77-3)]

COLORADO INTERSTATE GAS CO.

Proposed Change in Rates Under Purchased Gas Adjustment Clause Provisions

SEPTEMBER 14, 1977.

Take notice that Colorado Interstate Gas Co. (CIG) on August 15, 1977, tendered for filing proposed changes in its FPC Gas Tariff, Second Revised Volume No. 1. The increased jurisdictional cost of purchased gas proposed to be recovered herein amounts to approximately $37.8 million. Such amount reflects the increased jurisdictional cost of gas in this application over the amount contained in CIG's general rate filing in Docket No. RP76-76, adjusted for all subsequent PGAs. CIG also states that pursuant to Article V, Section 5.5, et al., of the Stipulation and Agreement of Settlement approved in Docket No. RP75-86, et al., CIG has credited against its unrecovered purchased gas cost balance the jurisdictional portion of a $99,315 refund received from Panhandle Eastern Pipe Line Company (Docket No. RP75-102).

This filing is made pursuant to the provisions of Section 21 of the General Terms and Conditions of CIG's FPC Gas Tariff, Second Revised Volume No. 1, and is proposed to be effective October 1, 1977. Copies of the filing have been served upon the Company's jurisdictional customers and other interested persons, including public bodies.

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 Sections 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 September 23, 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.

[FR Doc.77-27681 Filed 9-21-77;8:45 am]

[Docket No. RP72-89]

COLUMBIA GAS TRANSMISSION CORP.

Supplement to Tariff Filing

SEPTEMBER 14, 1977.

Take notice that on September 9, 1977, Columbia Gas Transmission Corp. tendered for filing certain supplementary information intended to make complete its original tariff filing of August 3, 1977. This action is in response to a deficiency letter issued by the Secretary of the Federal Power Commission.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, 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 Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10) on or before September 22, 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 in accordance with the Commission's Rules. Persons that have previously filed a notice or petition for intervention in this proceeding need not file additional notices or petitions to become parties with respect to the instant filing. This filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-27682 Filed 9-21-77;8:45 am]

[Docket Nos. CP77-216, CP77-217 and CP77-218]

DISTRIGAS OF MASSACHUSETTS CORP., AND DISTRIGAS CORP.

Order Providing for Hearing, Prescribing Procedures and Granting Petitions to Intervene

SEPTEMBER 14, 1977.

On February 11, 1977, Distrigas Corp. (Distrigas) and Distrigas of Massachusetts Corp. (DOMAC) filed applications in Docket Nos. CP77-216, 77-217 and 77-218 pursuant to Sections 3 and 7 of the Natural Gas Act for authorization: (1) to import liquefied natural gas (LNG) from Algeria into the United States for a 20 year period (CP77-218) (2) to sell this imported gas to DOMAC from Distrigas (CP77-217) and (3) to construct certain additional facilities at the existing DOMAC Everett, Massachusetts LNG terminal and to resell the LNG to certain distribution customers, CP77-216), all as more fully set forth in the applications in this proceeding. By notice issued February 24, 1977, these applications were consolidated for hearing and disposition.

Distrigas proposes to import up to 1,995,000 cubic meters of LNG annually for 20 years beginning January 1, 1978 and sell this LNG to its affiliate, DOMAC. Distrigas would purchase the LNG from Sonatrach, the Algerian Natural Oil Co. under an agreement dated April 13, 1976 at a base price as of July 1, 1975, equal to $1.30 per MMBtu and a shipping charge of $0.8189 per MMBtu all subject to currency adjustment and other price escalators. Distrigas' sale to DOMAC would be undertaken pursuant to an agreement dated October 11, 1973. Distrigas would sell to DOMAC sufficient quantities of LNG to satisfy DOMAC's full requirement of LNG for resale to third parties at prices specified according to the Distrigas-Sonatrach supply contract. This project is designed to supercede the original "Descrates" project approved by the Commission in Opinion No. 613 (47 FPC 752).

DOMAC proposes to construct additional facilities at its Everett terminal, which are required for handling of the proposed import volumes at an estimated cost of $11,000,000. This is planned to be financed from cash on hand and funds generated through operations. These facilities would enable DOMAC to sell additional LNG in both vapor and liquid form to its existing distribution customers in the states of Massachusetts, New York, Connecticut, New Jersey, and Rhode Island.

[1] The rate schedule designations are set forth in the Attachment to the July 19, 1977 order.

DOMAC proposes to sell LNG to its existing ten distribution company customers in accordance with a pro forma tariff which will supersede its currently effective tariff. The proposed rates under the pro forma tariff for 1980 are as follows:

	Rate per MMBtu
LNG supply:	
Rate schedule:	
GS–IA	$2.210
GS–IB	2.160
BO–1	2.160
Terminally service:	
Rate schedule TS–1:	
1st tier (6.405 million MMBtu)	1.05
2d tier (18.525 million MMBtu)	.53
3d tier (excess over 2.50 million MMBtu)	.18
Storage service:	
Rate schedule SS–1...per month	.125

Rate Schedule GS–IA contains a $.05 per MMBtu charge for the right of a customer to reduce its annual contract quantities for a period of time following a short fall in deliveries. DOMAC proposes to flow this insurance charge of .05 cents per MMcf through to its affiliate Distrigas. It is estimated that approximately 63 percent of the LNG sold will contain this charge. DOMAC has indicated that these rates were calculated using less than full import values and a cost of service which, inter alia, includes a unit of throughput depreciation rate of 5.50 percent and an overall rate of return near 15.0 percent.

After due notice of the application by publication in the FEDERAL REGISTER on March 3, 1977 (42 FR 1225), late petitions to intervene were filed by Boston Gas Company, Phillips Petroleum Company, Algonquin Gas Transmission Company, New Jersey Natural Gas Company, and Sonatrach. Previously by notice issued June 22, 1977, interventions filed in a timely fashion by parties were granted. Some of the interveners have suggested that certain conditions be placed on any authorization granted and others have suggested that the Commission consider certain items prior to making its decision.

These applications which are consolidated in this proceeding require an examination, under Sections 3 and 7 of the Natural Gas Act to determine whether the importation sales and construction of facilities are in the public interest and if certain conditions should be applied to any authorization if we find the proposals in the public interest. We believe that significant questions presented by these applications require a formal public hearing at which time all issues bearing upon the public interest can be developed. Already by order issued June 17, 1977, in this proceeding an evidentiary hearing was scheduled and held in regard to gas supply and Sonatrach testimony. Among the issues which we deem relevant for consideration are reliability and dependence of foreign supply, shipping arrangements and costs, overall economic feasibility, tariff arrangements including depreciation, rate of return and the .05 cent insurance charge, the end-use of this gas, alternatives, and the technical adequacy and safety of the new facilities.

The Commission finds: (1) It is appropriate and in the public interest that a formal evidentiary hearing be held in this consolidated proceeding.

(2) Good cause exists for accepting the aforesaid late petitions to intervene and participation by them may be in the public interest.

The Commission orders: (A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, and the Commission's Rules of Practice and Procedure, a public hearing shall be held in a hearing room of the Federal Power Commission, respecting all matters and issues in this proceeding.

(B) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose pursuant to Section 3.5(d) of the Commission's General Rules 18 CFR 3.5(d) shall preside at the hearing in this proceeding, with authority to establish and change all procedural dates and to rule on all motions with the exception of petitions, motions to consolidate and sever and motions to dismiss, as provided for in the Commission's Rules of Practical Procedure.

(C) A prehearing conference shall be convened on August 11, 1977, at 10:00 a.m. in a hearing room of the Federal Power Commission before the designated Administrative Law Judge to discuss procedural issues, clarification of issues, dates for testimony and orderly presentation of evidence.

(D) The aforesaid petitioners to intervene are permitted to intervene in this proceeding, subject to the Rules and Regulations of the Commission: *Provided, however*, That participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in the petitions to intervene; and *Provided, further*, That the admission of such intervenors shall not be construed as recognition by the Commission that they might be aggrieved because of any order of the Commission entered in this proceeding.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27683 Filed 9-21-77;8:45 am]

[Docket Nos. RP75-108 and RP76-106]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Compliance Tariff Filing

SEPTEMBER 14, 1977.

Take notice that on August 9, 1977, Natural Gas Pipeline Company of America (Natural) filed in the above-referenced dockets revised tariff sheets in compliance with the Commission's Order, issued July 20, 1977. The Commission's order approved Natural's rate settlements in the subject dockets.

The compliance filing reflects tracking adjustments in accordance with the approved settlement agreements, the details of which were included with the settlement agreements filed April 28, 1977 as supplemented by Natural's filing of June 27, 1977.

Any person wishing to do so may submit comments in writing concerning Natural's filing. All such comments should be submitted to the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before September 22, 1977. Natural's filing is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27684 Filed 9-21-77;8:45 am]

[Docket Nos. CP77-447 and CI77-761]

NORTHWEST PIPELINE CORP. AND IGC PRODUCTION CO.

Abandonment Application

SEPTEMBER 14, 1977.

Take notice that on August 26, 1977, IGC Production Co., P.O. Box 7608, Boise, Idaho 83707, (Applicant) filed in Docket No. CI77-761 pursuant to Section 7(b) of the Natural Gas Act for authorization to abandon a limited-term gas sale to Northwest Pipeline Corporation (Northwest) from certain wells in the Rangely Field, Rio Blanco County, Colorado. Applicant states that 5,000 Mcf/d of gas from Rangely Field is being sold to Northwest pending certification of the transportation service necessary for Northwest to transport said gas to Applicant's parent corporation, Intermountain Gas Company (Intermountain). Once transportation of the gas to Intermountain is certificated, Northwest will still be entitled to purchase up to 40 percent of the 5,000 Mcf/d for use as part of its general pipeline supply. The remainder will be sold by IGC to Intermountain.

Applicant further states that the limited-term sale of gas to Northwest was necessitated by an order of United States Geological Survey (USGS) prohibiting the flaring of gas at IGC wells at Rangely Field. Unless IGC sold gas to Northwest, IGC would have been required to shut-in production. While IGC always intended to sell Rangely Field gas to its parent Intermountain, subject to entering into an appropriate transportation arrangement with Northwest, the current sale permitted IGC to comply with the order of USGS while making available to Intermountain a proportionate share of any volumes delivered to Northwest prior to certification of Northwest's transportation service.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before September 21, 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. PLUMB,
Secretary.

[FR Doc.77-27685 Filed 9-21-77;8:45 am]

[Docket No. RP74-72; (DCA77-2)]

NORTHWEST PIPELINE CORP.

Change in Rates Pursuant to Demand Charge Credit Adjustment

SEPTEMBER 14, 1977.

Take notice that Northwest Pipeline Corporation, on August 16, 1977, tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1 to compensate Northwest for demand charge credits given to certain of its customers due to curtailment of firm contract obligations because of gas supply deficiency.

The notice of change in rates is being filed pursuant to the Commission's Order issued March 29, 1974 at Docket No. RP74-72 and Article 13.4 of Northwest's FPC Gas Tariff, Original Volume No. 1, as revised to provide for the concurrent tracking of demand charge credits as agreed to by all parties in the Stipulation and Agreement of Rate Proceedings at Docket No. RP76-115 and Docket Nos. RP73-109 and RP74-95 (Reserved Issue) ("Stipulation and Agreement"). The change in rates will result in a net decrease of .035¢ per therm for Rate Schedules ODL-1, DS-1 and PL-1. The new demand charge credit adjustment of .016¢ per therm is estimated to recover $405,750.

Northwest is concurrently filing notices of change in rates applicable to Article 16, Purchased Gas Cost Adjustment Provision, contained in its Original Volume No. 1 Tariff and Article VI, Advance Payments, contained in Northwest's Stipulation and Agreement. All three rate adjustments are reflected on the tendered Substitute Sixteenth Revised Sheet No. 10, which is proposed to become effective October 1, 1977.

Copies of this filing have been served upon Northwest's jurisdictional customers and affected state commissions.

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, Washington, D.C. 20426, in accordance with Sections 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 September 23, 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.

[FR Doc.77-27686 Filed 9-21-77;8:45 am]

[Docket No. RP76-115; (AP77-1)]

NORTHWEST PIPELINE CORP.

Change in Rates Pursuant to Advance Payment Tracking Provision

SEPTEMBER 14, 1977.

Take notice that Northwest Pipeline Corporation ("Northwest"), on August 16, 1977 tendered proposed changes in its FPC Gas Tariff, Original Volume No. 1, to track a decrease in advance payments made by Northwest from the level previously reflected in its rates. The instant filing reflects a decrease in the outstanding advance payments balance of $593,585 which equates to a negative adjustment of .002¢ per therm for all jurisdictional sales rate schedules except Rate Schedule TS-1.

The change is filed in accordance with Article VI, Advance Payments, of the Stipulation and Agreement in Settlement of Rate Proceedings in Docket Nos. RP76-115 and Docket Nos. RP73-109 and RP74-95 (Reserved Issue), as agreed to by all parties in such proceedings.

Northwest is concurrently filing notices of change in rates applicable to Article 16, Purchased Gas Cost Adjustment Provision and Article 13.4 Demand Charge Credits, contained in its Original Volume No. 1 Tariff. All three rate adjustments are reflected on the tendered Substitute Sixteenth Revised Sheet No. 10, which is proposed to become effective October 1, 1977.

A copy of this filing is being served on all jurisdictional customers of Northwest and affected state commissions.

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, Washington, D.C. 20426, in accordance with Sections 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 September 23, 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.

[FR Doc.77-27687 Filed 9-21-77;8:45 am]

[Docket No. CP76-104 (PGA77-3)]

PACIFIC INTERSTATE TRANSMISSION CO.

Notice of Proposed Changes in FPC Gas Tariff Pursuant to Purchased Gas Cost Adjustment Provision

SEPTEMBER 14, 1977.

Take notice that Pacific Interstate Transmission Company ("Pacific Interstate") on August 16, 1977 tendered for filing as part of its FPC Gas Tariff, Original Volume No. 2, the following sheets:

Sixth Revised Sheet No. 4
Fourth Revised Sheet No. 5

Pacific Interstate states that these tariff sheets are issued pursuant to the Purchased Gas Cost Adjustment (PGCA) Provision as set forth in Section 16 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 2. The proposed effective date of both of these tendered tariff sheets and the rates reflected thereon is October 1, 1977.

Pacific Interstate states that the above tendered tariff sheets reflect a proposed October 1, 1977 Pacific Interstate Rate Schedule S-G-1 commodity rate of 167.-73¢ per decatherm, an increase of 8.54¢ over the 159.19¢ per decatherm rate effective April 1, 1977, the date of the last S-G-1 commodity rate change and that such increase reflects a Current Gas Cost Adjustment and a change in the Surcharge Adjustment.

Pacific Interstate states that the Current Gas Cost Adjustment is based on an annualized gas cost increase of $127,077 and that the Surcharge Adjustment is designed to amortize, over a six-month period beginning October 1, 1977, an amount of $27,292, which is the amount in Pacific Interstate's Unrecovered Purchased Gas Cost Account at June 30, 1977, exclusive of amounts related to producer increases attributable to Opinion No. 770-A during the July 27, 1976 through November 30, 1976 period.

* * * * *

Pacific Interstate also states that its tendered PGCA reflects the inclusion of purchases from a well which had not, when the PGCA was being prepared, received sales certificate authority from the Commission. Pacific Interstate states that it fully expects such certificate authority to be granted before October 1, 1977.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Washington, D.C. 20426, in accordance with Sections 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 September 23, 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.

[FR Doc. 77-27688 Filed 9-21-77;8:45 am]

[Docket No RP77-6]

SEA ROBIN PIPELINE CO.

Notice of Certification of Settlement Agreement

SEPTEMBER 14, 1977.

Take notice that on August 10, 1977, the Presiding Judge certified to the Commission a proposed settlement agreement and the record in the captioned proceeding. The proposed agreement purports to settle all issues in this docket.

Any person desiring to be heard or to protest said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before September 23, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are filed with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27689 Filed 9-21-77;8:45 am]

SEA ROBIN PIPELINE CO.

Certification of Settlement Agreement

SEPTEMBER 14, 1977.

Take notice that on August 10, 1977, the Presiding Judge certified to the Commission a proposed settlement agreement and the record in the captioned dockets. The proposed stipulation and agreement purports to settle all cost of service issues in Docket No. RP76-39 and the issue of book depreciation rate in Docket No. RP73-47.

Any person desiring to be heard or to protect said settlement agreement should file comments with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, on or before September 23, 1977. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this agreement are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 77-27690 Filed 9-21-77; 8:45 am]

[Docket Nos. RP77-31 and RP73-64 (PGA77-2b)]

SOUTHERN NATURAL GAS CO.

Proposed Changes in FPC Gas Tariff

SEPTEMBER 14, 1977.

Take notice that Southern Natural Gas Co. (Southern), on August 25, 1977, tendered for filing proposed changes to its FPC Gas Tariff, Sixth Revised Volume No. 1, to become effective on July 1, 1977, July 2, 1977, and August 1, 1977. Such filing is pursuant to the Commission's Order issued August 18, 1977, in Docket Nos. RP77-31 and RP73-64 (PGA77-2).

Southern states that on August 1, 1977, and August 11, 1977, the Commission issued orders accepting reduced revised rates of Sea Robin Pipeline Co. (Sea Robin) and United Gas Pipe Line Co. (United) to be effective on July 1, and July 2, 1977. Ordering Paragraph (B) of the Commission's Order requires Southern to "* * * file revised rates to be effective July 1, July 2, and August 1, 1977, respectively, reflecting the reduced rates of United and Sea Robin." The reduced rates of Sea Robin and United result in a reduction on the commodity portion of Southern's rates by 3.389 cents per Mcf for the day of July 1, 1977, and by 1.269 cents per Mcf effective prospectively from July 2, 1977.

Copies of the filing were served upon the company's jurisdictional customers, interested state commissions, and the parties of record in Docket No. RP77-31.

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 Capital Street NE., Washington, D.C. 20426, in accordance with sections 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 September 21, 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.

[FR Doc.77-27691 Filed 9-21-77;8:45 am]

[Docket No. RP77-133-1]

TENNESSEE GAS PIPELINE CO., A DIVISION OF TENNECO, INC. (PIKE NATURAL GAS CO. AND DELTA NATURAL GAS CO.)

Petition for Emergency Relief

SEPTEMBER 14, 1977.

Take notice that on August 31, 1977, Pike Natural Gas Co. (Pike) and Delta Natural Gas Co. (Delta) filed a joint petition, pursuant to section 1.7(a) of the Commission's Rules of Practice and Procedure and section 2.78 of the Commission's General Policy and Interpretations (18 CFR 2.78), for expedited emergency relief from the currently effective curtailment plan of Tennessee Gas Pipeline Co. (Tennessee).[1]

Pike and Delta are natural gas distribution companies organized and operating in the States of Ohio and Kentucky, respectively, and purchase natural gas directly from Tennessee under its small general service (GS) rate schedule. Neither petitioner has any storage facilities, and both assert dependence upon Tennessee's daily deliveries to satisfy their customers' full requirements. All of their requirements are claimed to fall within Priorities 1 and 2 of Tennessee's curtailment plan.

By letter dated April 26, 1977, Tennessee notified petitioners that their final Curtailment Period Quantity Entitlement (CPQE) for the summer season from April 1, 1977 through October 31, 1977, would consist of 192,048 Mcf for Pike and 519,920 Mcf for Delta. Each petitioner, according to the letter, would be allowed to vary its daily and monthly takes as long as it did not exceed on a given day its Maximum Daily Contract Quantity and such variations did not result in exceeding the seasonal CPQE. The petition states that Pike decided to rely solely upon its 1977 summer season CPQE of 192,048 Mcf from Tennessee, whereas Delta deemed it necessary to purchase 60,000 Mcf of emergency gas from National Gas and Oil Corp. (National), which was transported by Tennessee during the months of June and July 1977.

In support of their request for emergency relief, petitioners aver that: (1) They were able to take less than their full entitlements during the early months of the 1977 summer season and "banked" these reserve supplies of natural gas, including Delta's 60,000 Mcf of emergency gas from National, with Tennessee with the understanding that if Tennessee's available gas supply remained unchanged or improved during the summer season, each would be entitled to its full CPQE as set forth in the April 26, 1977, letter; (2) in the event of sufficient decrease in Tennessee's gas supply during the remainder of the summer season, Tennessee could establish new CPQE's and curtailment periods for its customers that could result in the partial or entire forfeiture of "banked" entitlements by Pike and Delta; (3) by letter dated August 15, 1977, Tennessee notified petitioners of a new CPQE for the remaining summer months that notwithstanding an increase in Tennessee's available gas supply, would reduce Pike's entitlement for September and October while slightly increasing Delta's entitlement for the month of September; (4) without the benefit of its "banked" gas for the remainder of the summer season, Pike will be forced to curtail deliveries to Priority 1 commercial customers that lack adequate alternate fuel facilities; (5) the denial of Delta's "banked" gas supplies would be very inequitable in view of Tennessee's actual increase in gas supply subsequent to April 26, 1977, and would result in hardship to many of Delta's customers; and (6) the Commission has granted relief similar to that here requested in the past.

Petitioners request the Commission to require Tennessee to deliver the balance

[1] Currently, Pike and Delta filed a complaint and request to reopen the Tennessee curtailment proceeding in Docket No. RP74-24.

of their full entitlements set forth in Tennessee's April 26, 1977, letter during the remainder of the summer season without imposition of an overrun penalty for any volumes received in excess of the CPQE set forth in Tennessee's letter of August 15, 1977. They further request that because of the absence of notice by Tennessee of the immediate change to be made in the CPQE's and the urgent requirements of their high priority customers, the relief requested be granted for an interim period during which the Commission can evaluate the equities involved.

It appears reasonable and consistent with the public interest in this proceeding to prescribe a period shorter than 15 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said petition should file on or before September 23, 1977, a petition to intervene or a protest with the Federal Power Commission, Washington, D.C. 20426, 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 protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The filing which was made with the Commission is available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27692 Filed 9-21-77;8:45 am]

[Docket No. RI77-19]

TEXAS ENERGIES, INC.

Order Amending Special Relief Order

SEPTEMBER 14, 1977.

An order was issued July 27, 1977, granting special relief to Texas Energies, Inc. (Texas), pursuant to Section 2.76 of the Commission's General Policy and Interpretations (18 C.F.R. § 2.76) for the sale of natural gas to Transwestern Pipeline Company (Transwestern) from the Meier Unit Well, Beaver County, Oklahoma. It was stated in this order that a 100 percent working interest in the lease was purchased from Sun Oil Company (Sun Oil) on August 1, 1976, and that Texas is currently operating under a gas purchase agreement dated July 10, 1957, between Sun Oil as seller and Transwestern as buyer. The Commission authorized Texas to collect $1.30 per Mcf at 14.65 psia for the sale of said gas to Transwestern.

Upon further review, it was learned that Texas' 100 percent working interest in the lease dated August 1, 1976, is comprised of a 75 percent interest purchased from Sun Oil and a 25 percent interest purchased from Union Oil of California (Union). Therefore, Texas' interests are currently subject to Transwestern's contract with Sun Oil dated July 10, 1958, and Union's contract dated July 14, 1960. Our July 27 order will be amended herein to reflect this situation.

The Commission orders: (A) The order issued July 27, 1977, granting special relief to Texas Energies is amended as provided in the body of this order.

(B) To the extent not inconsistent with this order, the provisions of the July 27, 1977, special relief order remain in full force and effect.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27693 Filed 9-21-77;8:45 am]

[Docket No. ER77-347]

WISCONSIN POWER & LIGHT CO.

Order Granting Participation in Price-Squeeze Hearing

SEPTEMBER 14, 1977.

On July 26, 1977, the Commission issued an Order Instituting Price-Squeeze Hearing on behalf of the Municipal Wholesale Power Group (MWPG) who raised price-squeeze allegations in its petition to intervene.

The July 26, 1977 order failed to mention that a petition to intervene of five electric cooperative customers [1] also contained "price-squeeze" allegations.[2] Therefore, the cooperative customers shall be able to participate fully in the price-squeeze hearing as well.[3]

The Commission finds: Good cause exists to grant the request of the cooperative customers to participate in the price-squeeze hearing.

The Commission orders: (A) The five electric cooperative customers are hereby permitted to participate fully in the price-squeeze proceeding as set forth in the July 26, 1977, order in this docket.

(B) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.77-27694 Filed 9-21-77;8:45 am]

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[1] Adams-Marquette Electric Cooperative, Central Wisconsin Electric Cooperative, Columbus Rural Electric Cooperative, Rocky County Electric Cooperative, Wanshaw County Electric Cooperative.

[2] Counsel for the cooperatives filed a letter on August 3, 1977, requesting clarification.

[3] The Cooperatives were granted intervenor status for the rate proceeding in the Commission's July 1, 1977 order in this docket.

FEDERAL RESERVE SYSTEM

[H.2, 1977 No. 36]

ACTIONS OF THE BOARD

Applications and Reports Received During the Week Ending September 3, 1977

ACTIONS OF THE BOARD

Discount rate, the Board announced an increase in the discount rate from 5¼ percent to 5¾ percent.

Statement by Governor Henry C. Wallich before the subcommittee on International Finance of the Senate Committee on Banking, Housing and Urban Affairs, presenting the views of the Board of Governors on recent growth of international indebtedness and some of the possible implications of this growth.

The Board announced its denial of a petition from the Investment Company Institute for reconsideration and recision of that part of Board's Regulation Y that permits bank holding companies to serve as investment advisors to registered investment companies.

Meeting of the Consumer Advisory Council on September 15, 1977.

Regulation Z, postponement of the effective date of a section of the Truth in Lending Regulation Z dealing with rules for the billing of credit transactions, such as cash advance checks.

Aroption of New System of Records entitled, "Municipal Securities Principal and Municipal Securities Representative Records". (Docket No. R-0091.)

The Board of Governors has delegated certain of its functions in connection with the administration of Municipal Securities Rulemaking Board rules to the Director of the Division of Banking Supervision and Regulation, these delegations were made to expedite and facilitate the Board's administration of Municipal Securities Rulemaking Board rules. Docket No. R-0110.)

Regulations H and Y, adoption of rule requiring State member banks, and their subsidiaries, departments, and divisions, that are municipal securities dealers to file with the Board information about persons who are associated with them as municipal securities principals or municipal securities representatives. (Docket No. R-0090)

The Board of Governors has amended its Rules Regarding Delegation of Authority, this amendment expands the authority of the Secretary or Acting Secretary of the Board to approve on the Board's behalf certain applications to establish branch offices overseas. (Docket No. R-0111)

Policy on unionization and collective bargaining for the Federal Reserve Board.

Issuance of subordinated capital notes by The State Bank of Geneva, Geneva, Ill.

Issuance of a subordinated capital note by The Beloit State Bank, Beloit, Wis.

Issuance of subordinated capital note by Chemical Bank, New York, N.Y.

First National Bank of Canton, Canton, Mississippi, proposed merger with The Mississippi Bank, Jackson, Mississippi, report to the Federal Deposit Insurance Corporation on competitive factors.

Krey Co. Ltd., Pratt, Kansas, extension of time to November 3, 1977, within which to consummate the acquisition of The Peoples Bank, Pratt, Kansas, and engage in permissible consumer finance and insurance agency activities.[1]

KSB Ltd., Keokuk, Iowa, extension of time to December 8, 1977, within which to become a bank holding company through acquisition of 80 per cent or more of the voting shares of Keokuk Savings Bank and Trust Company, Keokuk, Iowa.[1]

Commercial Bank and Savings Company, Fostoria, Ohio, to make an investment in bank premises.[1]

Liberty State Bank & Trust, Hamtramck, Michigan, to make an investment in bank premises.[1]

St. Henry Bank, St. Henry, Ohio, to make an investment in bank premises.[1]

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[1] Application processed on behalf of the Board of Governors under delegated authority.

Farmers Savings Bank, Marshall, Missouri, to make an investment in bank premises.[1]

To Establish a Domestic Branch Pursuant to Section 9 of the Federal Reserve Act.

APPROVED

Liberty State Bank & Trust, Hamtramck, Michigan. Branch to be established at 25719 Grand River Avenue, Redford Township, Wayne County.[2]

Farmers Savings Bank, Marshall, Missouri. Branch to be established at 1255 South Odell Avenue, Marshall.[2]

* * * * *

To Become a Member of the Federal Reserve System Pursuant to Section 9 of the Federal Reserve Act.

APPROVED

Freeport State Bank, Freeport, Illinois.[2]

* * * * *

Thirty Day Notice by a Member Bank of Intention to Establish an Additional Branch in a Foreign Country.

APPROVED

Citibank, National Association: Branch: Additional in Hong Kong.

* * * * *

To Establish an Overseas Branch of a Member Bank Pursuant to Section 25 of the Federal Reserve Act.

APPROVED

Continental Illinois National Bank & Trust Company of Chicago: Branch: Seoul, Korea.

International Investments and Other Actions Pursuant to Sections 25 and 25(a) of the Federal Reserve Act and Sections 4(c)(9) and 4(c)(13) of the Bank Holding Company Act of 1956, as amended

APPROVED

Chase Manhattan Overseas Banking Corporation: Investment—additional shares of Chase Manhattan Investment Company (Thailand), Limited.

Citibank Overseas Investment Corporation: Investment—100 percent of the shares of each, Citibank East/West Services Inc.; Delaware and Citibank East/West Services GMBH, Vienna, Austria.

Walter E. Heller International Corporation: Investment—additional in Heller Factoring (Hong Kong) Limited.

* * * * *

To Form a Bank Holding Company Pursuant to Section 3(a)(1) of the Bank Holding Company Act of 1956.

APPROVED

Southern Bank Holding Company, Savannah, Georgia, for approval to acquire 54.7 percent or more of the voting shares of Southern Bank and Trust Company, Savannah, Ga.

Northwest Illinois Bancorp, Inc., Freeport, Illinois, for approval to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to State Bank of Freeport, Freeport, Ill.[2]

Central Bancshares, Inc., Browerville, Minnesota, for approval to acquire 92 percent of the voting shares of The Lee State Bank, Browerville, Minn.[2]

American State Bancshares, Inc., Osawatomie, Kansas, for approval to acquire 80 percent or more of the voting shares of The American State Bank, Osawatomie, Kans.

Maryville Bancshares, Inc., Kansas City, Missouri, for approval to acquire 94 percent or more of the voting shares of Citizens State Bank of Maryville, Maryville, Mo.

* * * * *

To expand a Bank Holding Company Pursuant to Section 3(a)(3) of the Bank Holding Company Act of 1956.

APPROVED

Huntington Bancshares Incorporated, Columbus, Ohio, for approval to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to Bellefontaine National Bank, Bellefontaine, Ohio.

First City Bancorporation of Texas, Inc., Houston, Texas, for approval to acquire 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to The City National Bank of Bryan, Bryan, Tex.

* * * * *

To expand a Bank Holding Company Pursuant to Section 3(a)(5) of the Bank Holding Company Act of 1956.

APPROVED

DETROITBANK Corporation, Detroit, Michigan, for approval to acquire 100 percent of the voting shares of the successor by merger to Lake Shore Financial Corporation, Muskegon, Michigan, and thereby indirectly acquire shares of Hackley Union National Bank and Trust Company of Muskegon, Muskegon, Mich.

* * * * *

To Expand a Bank Holding Company Pursuant to Section 4(c)(8) of the Bank Holding Company Act of 1956.

RETURNED

St. Joseph Bank and Trust Company and St. Joseph Agency, Inc., both of South Bend, Indiana, notification of intent to engage in de novo activities (origination, acquiring, selling and servicing of residential, commercial and industrial mortgage loans) in Kankakee, Illinois, through a subsidiary of St. Joseph Agency, Inc. known as St. Joseph Mortgage Co., Inc., South Bend, Ind. (8/29/77).[3]

PERMITTED

Fidelity Union Bancorporation, Newark, New Jersey, notification of intent to engage in de novo activities (the business of making loans in the present maximum amount of $5,000.00 or less under the provisions of the Pennsylvania Consumer Discount Company Act; and making available to customers, credit life insurance and disability insurance covering the unpaid balance of loans outstanding) at 344 West Street Road, Feasterville, Pennsylvania, through a subsidiary of its subsidiary, Suburban Finance Company known as Sentry Discount Co. (9/1/77).[3]

First Commercial Banks Inc., Albany, New York, notification of intent to relocate de novo activities (in the business of providing investment advice to persons other than mortgage or real estate investment trusts and investment companies registered under The Investment Company Act of 1940) from 290 Madison Avenue, New York, New York to 321 Mantoloking Road, Township of Brick, New Jersey, through its subsidiary, FCB Advisory Services, Inc. (9/2/77).[3]

Maryland National Corporation, Baltimore, Maryland, notification of intent to engage in de novo activities (engaging generally in the business of a mortgage banker, mortgage broker, and mortgage servicing firm; originating loans as principal or agent; servicing loans for affiliated or nonaffiliated individuals, partnerships or corporations; engaging in the sale, as agent, of credit life, credit disability, loan redemption and loan cancellation insurance in connection with loan transactions; engaging generally in the business of leasing real property where the lease is the functional equivalent of an extension of credit; originating real property leases as principal or agent; servicing real property leases for affiliated or nonaffiliated individuals, partnerships, corporations or other entities; buying, selling or otherwise dealing in real property leases as principal, agent or broker; and acting as adviser in real property leasing transactions) at 10 Light Street, Baltimore, Maryland; 409 Washington Avenue, Towson, Maryland; and 450 Park Avenue, New York, New York, through its subsidiary, Maryland National Realty Investors, Inc. (8/29/77).[3]

Union Trust Bancorp, Baltimore, Md., notification of intent to engage in de novo activities (making installment loans to individuals for personal, family or household purposes; purchasing sales finance contracts executed in connection with the sale of personal, family or household goods or services; and acting as agent in the sale of credit life and credit accident and health insurance directly related to its extensions of credit) at 111 North Palafox Street, Pensacola, Fla., through a subsidiary, Landmark Finance Corp. of Florida (a wholly-owned subsidiary of Landmark Financial Services, Inc.) 8/29/77).[3]

BankOklahoma Corp., Tulsa, Okla., notification of intent to engage in de novo activities (to make, acquire, sell participations, and/or service for its own account or for the account of others, loans or other extensions of credit for agricultural and agricultural related purposes) at Highway 54 East, Guymon, Okla., through BankOklahoma Agri-Service Corp., a wholly-owned subsidiary, in a general partnership known as Agbanc of Oklahoma (9/2/77).[3]

APPROVED

First Security National Corp., Beaumont, Tex., for approval to acquire FSN Life Insurance Co., Beamont, Tex.

* * * * *

To expand a Bank Holding Company pursuant to Section 4(c)(12) of the Bank Holding Company Act of 1956.

RETURNED

N L Industries, Inc., New York, N.Y., notification of intent to acquire all of the outstanding stock of Ashton Supply Co., Inc., a Utah Corporation (8/31/77).[3]

N L Industries, Inc., New York, N.Y., notification of intent to acquire all the assets of Drilprodco, Inc., Hobbs, N. Mex., engaged primarily in the manufacture for sale and rent of roller reamers and other stabilizers used as downhold tools in the drilling of oil wells (8/31/77).[3]

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[1] Application processed by the Reserve Bank on behalf of the Board of Governors under delegated authority.

[2] Application processed by the Reserve Bank on behalf of the Board of Governors under delegated authority.

[3] 4(c)(8) and 4(c)(12) notifications processed by Reserve Bank on behalf of the Board of Governors under delegated authority.

N L Industries, Inc., New York, N.Y., notification of intent to acquire all the outstanding stock of Jett Engineering, Inc., Charlotte, N.C., a distributor of hydraulic components used in a variety of agricultural and manufacturing activities (8/31/77).[3]

PERMITTED

The Jacobus Co., Milwaukee, Wis., notification of intent to acquire Madison Fuel Co., Madison, Wis., a residential and commercial heating fuel oil business (9/1/77).[3]

Sterling Precision Corp., West Palm Beach, Fla., notification of intent to acquire the outstanding stock of the following automotive replacement parts distributors having corporate headquarters in Bangor, Maine: Automotive Jobbers Warehouse, Ellsworth Auto Parts Co., American Auto Parts Co., and American Gear & Auto Parts Co. (9/3/77).[3]

APPLICATIONS RECEIVED

To Establish a Domestic Branch Pursuant to Section 9 of the Federal Reserve Act.

The Fifth Third Bank, Cincinnati, Ohio. Branch to be established at Interstate 75, Evendale, Hamilton County.

Walker Bank and Trust Co., Salt Lake City, Utah. Branch to be established in the vicinity of 10600 South State Street, Sandy, Salt Lake County.

The Peoples Liberty Bank and Trust Co., Covington, Ky. Branch to be established at 2485 Turkeyfoot Road, Crestview, Kenton County.

* * * * *

To Establish an Overseas Branch of a Member Bank Pursuant to Section 25 of the Federal Reserve Act.

Citibank, National Association: Branch—additional in Pusan, Korea.

* * * * *

To Form a Bank Holding Company Pursuant to Section 3(a)(1) of the Bank Holding Company Act of 1956.

First Douglas BankCorp. Inc., Tuscola, Ill., for approval to acquire 80 per cent of the voting shares of The First National Bank and Trust Co. of Tuscola, Tuscola, Ill.

First Park Ridge Corp., Chicago, Ill., for approval to acquire 80 per cent or more of the voting shares of First State Bank and Trust Co. of Park Ridge, Park Ridge, Ill.

Waukon Financial Corp., Waukon, Iowa, for approval to acquire 54.8 per cent or more of the voting shares of Waukon State Bank, Waukon, Iowa.

Central States Bancshares, Inc., Nevada, Missouri, for approval to acquire 100 percent (less directors' qualifying shares) of the voting shares of Webb City Bank, Webb City, Mo.

Citizens State Banco, Lincoln, Nebr., for approval to acquire 100 percent (less directors' qualifying shares) of the voting shares of Citizens State Bank, Lincoln, Nebr.

Tipton Bancorporation, Inc., Tipton, Okla., for approval to acquire 100 percent (less directors' qualifying shares) of the voting shares of The First National Bank of Tipton, Tipton, Okla.

* * * * *

To Expand a Bank Holding Company Pursuant to Section 3(a)(3) of the Bank Holding Company Act of 1956.

ComBanks Corp., Winter Park, Fla., for approval to acquire 22.5 percent of the voting shares of American Bancshares, Inc., North Miami, Fla.

Old Kent Financial Corp., Grand Rapids, Mich., for approval to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by consolidation to Peoples Bank and Trust, N.A., Trenton, Mich.

Northwest Bancorporation, Minneapolis, Minn., for approval to acqurie not less than 90 percent of the voting shares of First National Bank, Fort Dodge, Iowa, Fort Dodge, Iowa.

* * * * *

To Expand a Bank Holding Company Pursuant to Section 4(c)(8) of the Bank Holding Company Act of 1956.

Capitol Bancorporation, Boston, Mass., for approval to acquire certain assets of Key Entry, Inc., Boston, Mass.

Industrial National Corporation, Providence, R.I., notification of intent to engage in de novo activities (consumer finance; and insurance agency for the sale of credit life and credit accident and health insurance sold in connection with extensions of credit) at 1055 Highway 90, Milton, Fla., through its existing indirect subsidiary, Southern Discount Co. (a Rhode Island corporation) (8/31/77).[3]

Industrial National Corporation, Providence, Rhode Island, notification of intent to engage in de novo activities (consumer finance; and insurance agency for the sale of credit life and credit accident and health insurance sold in connection with extensions of credit) at Lanier Village Shopping Center, Cumming, Georgia, through its existing indirect subsidiary, Southern Discount Company (a Rhode Island Corporation) (8/31/77).[3]

Industrial National Corp., Providence, R.I., notification of intent to engage in de novo activities (consumer finance; and insurance agency for the sale of credit life and credit accident and health insurance sold in connection with extensions of credit) at 107 W. 16th North Street, Summerville, S.C., through its existing indirect subsidiary, Southern Discount Co. (a Rhode Island corporation) (8/31/77).[3]

Citicorp, New York, N.Y., notification of intent to engage in de novo activities (making consumer installment personal loans, purchasing and servicing for its own account consumer installment sales finance contracts, making loans for the account of others such as one-to-four family unit mortgage loans, making loans to individuals and businesses secured by real and personal property, the proceeds of which may be for purposes other than personal, family or household usage; sale of credit related life/accident and health, or decreasing or level (in the case of single payment loans) term life insurance to cover the outstanding balances of credit transactions singly or jointly with cosigners in the case of life coverage in the event of death, or, to make contractual monthly payments on the credit transactions in the event of the obligator's disability by licensed agents or brokers to extent permissible under applicable State insurance laws and regulations) at Parkway Center, No. 23, 206 Fletcher Parkway, El Cajon, Calif., through its subsidiary, Citicorp Person-to-Person Financial Center, Inc. (8/31/77).[3]

Southern Bancorporation, Inc., Greenville, S.C., notification of intent to engage in de novo activities (making extensions of credit as a licensed consumer finance lender under the Texas Consumer Credit Code as supervised by the Office of Consumer Credit Commissioner) at 1001 2d Street, Orange, Tex. (d.b.a. World Finance Corporation of Orange) and 508 Brazos Street, Austin, Tex. (d.b.a. World Finance Corp. of Austin) (8/31/77).[3]

Citizens and Southern Holding Co., Atlanta, Ga., notification of intent to engage in de novo activities (making or acquiring, for its own account or for the account of others, loans and other extensions of credit, servicing loans and other extensions of credit for any person; and operation of a licensed small loan company and of an installment sales finance company) at 4302 Chef Menteur Highway, New Orleans, La., through a subsidiary, Citizens and Southern Finance Co. (8/29/77).[3]

ComBanks Corporation, Winter Park, Fla., for approval to acuire American Bancshares Insurance Agency, Inc., North Miami, Fla.

ComBanks Corp., Winter Park, Fla., for approval to acquire American Bancshares Mortgage Company, Inc., North Miami, Fla.

First Amtenn Corp., Nashville, Tenn., notification of intent to relocate de novo activities (making or acquiring, for its own account or the account of others, loans and other extensions of credit such as would be made by a finance company including secured and unsecured loans to individuals; discounting of installment sales contracts and secured commercial financing such as dealer floor-plan financing and lease financing; and acting as agent or broker in selling the following types of insurance to borrowing customers: credit life insurance, accident and health insurance and property damage insurance on collaterial supporting loans made by Atlantic Discount Company, Inc. and its subsidiaries) from 1832 Atlantic Blvd., Jacksonville, Fla. to 4233 Atlantic Boulevard, Jacksonville, Fla., through a subsidiary, Atlantic Discount Co., Inc., and its subsidiaries, Atlantic Consumer Services of Jacksonville, Inc., and Atlantic Investment Corp. (8/29/77).[3]

BankAmerica Corp., San Francisco, Calif., notification of intent to engage in de novo activities (making or acquiring, for its own account loans and other extensions of credit such as would be made or acquired by a finance company and servicing loans and other extensions of credit; such activities will include, but not be limited to, making consumer installment loans, purchasing installment sales finance contracts, making loans and other extensions of credit to small businesses, and making loans secured by real and personal property; acting as agent or broker for the sale of credit-related life and credit-related accident and disability insurance in connection with extensions of credit made or acquired by FinanceAmerica Corp.) at 3063 Walnut Street, Boulder, Colo., through its indirect subsidiary, FinanceAmerica Corp. (a Colorado corporation) (8/26/77).[3]

Security Pacific Corp., Los Angeles, Calif., notification of intent to engage in de novo activities (making or acquiring, for its own account or for the account of others, loans, and extensions of credit including making consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company; and acting as broker or agent for the sale of credit-related life/accident and health insurance) at 4760 Flintridge Drive, Colorado Springs, Colo., through its subsidiary, The Bankers Investment Co., d./b./a. Security Pacific Finance Corp. (8/29/77).[3]

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[3] 4(c)(8) and 4(c)(12) notifications processed by Reserve Bank on behalf of the Board of Governors under delegated authority.

Security Pacific Corp., Los Angeles, Calif., notification of intent to engage in de novo activities (making or acquiring, for its own account or for the account of others, loans and extensions of credit including making consumer installment sales finance contracts, making loans to small businesses and other extensions of credit such as would be made by a factoring company or a consumer finance company; and acting as broker or agent for the sale of credit-related life/accident and health insurance) at 1777 West Camelback Road, Phoenix, Ariz., through its subsidiary, Security Pacific Finance Corp. (8/29/77).[3]

* * * * *

REPORTS RECEIVED

None.

* * * * *

PETITIONS FOR RULEMAKING

None.

Board of Governors of the Federal Reserve System, September 14, 1977.

GRIFFITH L. GARWOOD,
DEPUTY SECRETARY OF THE BOARD.

[FR Doc. 77-27653 Filed 9-21-77; 8:45 am]

D. H. BALDWIN CO.

Order Approving Formation of Bank Holding Company and Acquisition of Nonbanking Activities

D. H. Baldwin Co., Cincinnati, Ohio,[1] has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to form a bank holding company through acquisition of 87.2 percent of the voting shares of the successor by merger to D. H. Baldwin Co., Cincinnati, Ohio ("Baldwin-Ohio"),[2] and thereby to acquire indirectly Baldwin-Ohio's direct and indirect interests in its twelve subsidiary banks. The company into which Baldwin-Ohio is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Baldwin-Ohio. Therefore, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Baldwin-Ohio.

Applicant has also applied, pursuant to § 4(c)(8) of the Act (12 U.S.C. §1843 (c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to indirectly engage in the following nonbanking activities of Baldwin-Ohio: data processing, mortgage banking, real and personal property leasing, consumer finance, and credit-related insurance agency activities. Such activities have been previously determined by the Board to be closely related to banking (12 CFR § 225.4 (a)(1), (3), (6), (8), and (9)(ii)).

Notice of the applications, affording opportunity for interested persons to submit comments and views, has been given in accordance with §§ 3 and 4 of the Act (42 FR 33805 (1977)). The time for filing comments and views has expired, and the Board has considered the applications and all comments received in light of the factors set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)), and the considerations specified in § 4(c)(8) of the Act (12 U.S.C. § 1843(c)(8)).

Applicant, a nonoperating Delaware corporation, was organized as part of a corporate reorganization whereby Applicant will acquire control of an existing multibank holding company, Baldwin-Ohio, with a view toward eventual separation of its banking and commercial activities in furtherance of the purposes of the Act. The proposal involves Applicant's direct acquisition of 87.2 per cent of the voting shares of Baldwin-Ohio and indirect acquisition of the banking and nonbanking subsidiaries of Baldwin-Ohio. Accordingly, the nature and scope of Applicant's banking and nonbanking activities will be identical to that of Baldwin-Ohio.

Baldwin-Ohio, the fourth largest commercial banking organization in Colorado, controls 12 banks with aggregate deposits of $664.5 million, representing approximately 7.9 percent of the total deposits held by commercial banks in the State.[3] Inasmuch as the proposed transaction is merely a corporate reorganization of existing ownership interests, the Board finds that consummation of the proposal would not eliminate existing or potential competition or increase the concentration of banking resources in any relevant market. Accordingly, competitive considerations are consistent with approval of the application.

The financial and managerial resources and future prospects of Applicant, which are dependent upon those of Baldwin-Ohio, are considered to be generally satisfactory and their future prospects appear favorable. Thus, considerations relating to banking factors are consistent with approval.

While consummation of the proposal would result in no immediate alterations of Baldwin-Ohio's banking operations and it appears that the needs of its banking customers are being adequately met, considerations relating to convenience and needs of the community to be served are consistent with approval. Accordingly, it is the Board's judgment that Applicant's proposal to form a bank holding company would be consistent with the public interest and that the application should be approved.

In connection with its application to become a bank holding company, Applicant has also applied to acquire indirectly the following permissible nonbanking activities and subsidiaries of Baldwin-Ohio; Computer Congenerics Corporation of Colorado (data processing), located in Denver and Grand Junction, Colo.; C. C. Fletcher Mortgage Co. (mortgage banking), Cincinnati, Ohio; Baldwin Finance Co. and its subsidiary, The Baldwin Co. (real and personal property leasing and consumer finance), both located in Cincinnati, Ohio; FMC-Baldwin Leasing Co. (personal property leasing), Chicago, Ill.; and Louisville Mortgage Service Co. (mortgage banking and credit-related insurance), Louisville, Ky. Since the proposed transaction is essentially a corporate reorganization and Baldwin-Ohio presently engages in such activities, it does not appear that approval of Applicant's proposal would have any significant effect on existing or future competition. On the other hand, approval of the applications would assure Baldwin-Ohio's customers of the continuation of convenient sources of such nonbanking services. Furthermore, there is no evidence in the record indicating that consummation of this proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices, or other adverse effects upon the public interest.

Based upon the foregoing and other considerations reflected in the record, the Board has determined in accordance with the provisions of § 4(c)(8) of the Act that consummation of this proposal can reasonably be expected to produce benefits to the public that outweigh possible adverse effects and that the applications to engage in certain nonbanking activities should be approved.

The proposed acquisition of Baldwin-Ohio by Applicant also involves the acquisition by the latter of certain nonbanking activities that are being engaged in by Baldwin-Ohio pursuant to the provisions of § 4(a)(2) of the Act, including the grandfather proviso of that section. The Board regards Applicant as a "successor" to Baldwin-Ohio within the meaning of § 2(e) of the Act,[4] and as such it will be entitled to all the rights accorded by, and subject to all the obligations imposed by the Act upon Baldwin-Ohio.[5] Accordingly, the Board

[1] The original application was filed by New Parent Co. (a Delaware corporation) Cincinnati, Ohio; however, New Parent Co.'s name was changed to D. H. Baldwin Co. in order to protect that name in Delaware.

[2] Baldwin-Ohio became a bank holding company as a result of the 1970 Amendments to the Bank Holding Company Act of 1956 by virtue of its indirect ownership of more than 25 percent of the voting shares of The Central Bank and Trust Co., Denver, Colo. Baldwin-Ohio has been engaged in the manufacturing and selling of musical instruments for over 100 years and continues to engage in these activities on the basis of permanent grandfather privileges pursuant to the proviso contained in § 4(a)(2) of the Act. Baldwin-Ohio also engages through subsidiaries in the activities of operating a savings and loan association and underwriting life and casualty insurance, which may not be retained beyond December 31, 1980, pursuant to § 4(a)(2) of the Act (see 59 Federal Reserve Bulletin 536 (1973) and 63 Federal Reserve Bulletin 280 (1977)).

[3] All banking data are as of December 31, 1976, unless otherwise indicated.

[4] As a "successor" to Baldwin-Ohio, Applicant is deemed, pursuant to § 2(a)(6) of the Act, to be a bank holding company from the date on which Baldwin-Ohio became a bank holding company i.e., December 31, 1970.

[5] In this connection, the Board notes that Baldwin-Ohio has indicated that it intends to file, upon approval of the subject applications, an irrevocable declaration pursuant to § 4(c)(12) of the Act and § 225.4(d) of Regulation Y that it will cease to be a bank holding company. In the event that such a declaration is filed and the proposed transaction is consummated, the Board would also view Applicant, Baldwin-Ohio's successor pursuant to § 2(e) of the Act, as successor to the privileges and commitments imposed by such declaration.

believes that Applicant may retain and engage in those nonbanking activities to the same extent and duration that Baldwin-Ohio is presently entitled to engage in such activities.

On the basis of the record, the applications are approved for the reasons summarized above. The acquisition of Baldwin-Ohio's banking subsidiaries shall not be made before the thirtieth calendar day following the effective date of this Order; and the acquisition of neither the banking nor the nonbanking subsidiaries shall be accomplished later than three months after the effective date of this Order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City, with respect to the banking subsidiaries, pursuant to delegated authority, and, with respect to the nonbanking subsidiaries, pursuant to authority delegated hereby. The determination as to Applicant's permissible nonbanking activities is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require reports by, and to make examinations of, bank holding companies and their subsidiaries and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

By order of the Board of Governors,[6] effective September 14, 1977.

[SEAL] GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-27657 Filed 9-21-77;8:45 am]

HUNTINGTON BANCSHARES INC.

Order Approving Acquisition of Bank

Huntington Bancshares Inc., Columbus, Ohio ("Applicant"), a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under § 3(a)(3) of the Bank Holdling Company Act (12 U.S.C. § 1842(a)(3)) ("Act") to acquire 100 per cent of the voting shares (less directors' qualifying shares) of the successor by merger to The Central National Bank of London, London, Ohio ("Bank"). The bank into which Bank is to be merged has no significance except as a means to facilitate the acquisition of the voting shares of Bank. Accordingly, the proposed acquisition of shares of the successor organization is treated herein as the proposed acquisition of the shares of Bank.

Notice of the application, affording opportunity for interested persons to submit comments and views, has been given in accordance with § 3(b) of the Act. The time for filing comments and views has expired, and the Board has considered the application and all comments received, including those of the Department of Justice, in light of the factors set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

Applicant, the seventh largest banking organization in Ohio, controls twelve banking subsidiaries[1] with aggregate deposits of approximately $1.4 billion, representing 4.1 per cent of total commercial bank deposits in Ohio.[2] Acquisition of Bank ($24.8 million in deposits) would increase Applicant's share of Statewide commercial deposits by 0.07 per cent and would have no appreciable effect upon the concentration of banking resources in Ohio.

Bank is headquartered in the city of London, Ohio, about 25 miles west of downtown Columbus, and is the twelfth largest of 27 commercial banking organizations (with 193 banking offices) located in the Columbus banking market controlling approximately 0.7 per cent of the total commercial bank deposits in the market.[3] Applicant is the second largest banking organization in the relevant market with approximately 23.2 per cent of market deposits. While acquisition of Bank would increase Applicant's market share, Applicant would remain the second largest banking organization in the market, since the largest in the market (and the second largest banking organization in the State) controls 43 per cent of market deposits. Also located in the relevant market are banking subsidiaries of four other Ohio multibank holding companies, all ranked within the top eight banking organizations in the State. Even though Applicant and Bank operate in the same market and some existing competition would be eliminated, Applicant's banking offices closest to Bank is located 8.3 miles east of Bank, in Franklin County, and is separated from Bank by seven intervening banking offices. Based upon the above and other facts of records, it appears to the Board that approval of the application would have only a slightly adverse effect upon existing competition.

In assessing the effects of the proposal upon future competition, the Board is of the view that although Applicant may possess the capabilities to enter Madison County de novo and acquisition of Bank would eliminate one independent banking alternative in the relevant market, there are other facts of record that mitigate these slightly adverse competitive effects. Ohio's restrictive branching law, which limits branching to home office counties, prohobits Applicant's present subsidiaries from branching into the Madison County portion of the market. Moreover, it appears unlikely that Applicant would enter Madison County de novo since the population and deposits-per-banking-office ratios are below State averages and the area of growth in the Columbus Metropolitan Area is primarily north and east of Columbus rather than southwest where Bank is located. Furthermore, following approval there would remain 20 other independent banks as possible entry points into the market. Accordingly, on the basis of the above and other facts of record, it is concluded that consummation of the proposal would have only slightly adverse effects upon potential competition.

In analyzing the competitive consequences of the subject proposal, the Board has considered the comments by the Department of Justice that consummation would have adverse competitive effects. However, in light of the Board's findings described above, it does not appear that such effects would be significant, and, balanced against the convenience and needs considerations discussed below, the Board is of the view that denial of the application is not warranted.

The financial and managerial resources and future prospects of Applicant, its subsidiaries and Bank are regarded as generally satisfactory and consistent with approval. Affiliation with Applicant will enable Bank to provide its customers a much greater variety of banking services beyond those it currently offers and thereby increase its competitiveness in the market. The services Applicant has indicated Bank will be able to provide its customers which are not now offered by Bank include time and savings deposits offering a wide range of maturities, compounding of interest daily, expanded checking services to include Applicant's "All-in-One Account", and a bank credit card service. Applicant will also make available to Bank's customers more specialized and diversified trust and data processing services. The Board finds, therefore, that considerations relating to the convenience and needs of the community to be served lend such weight toward approval as to outweigh any slightly adverse competitive effects that might result from approval of the proposal. Accordingly, it is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

During its consideration of this application the Board noted that, as a result of management and director interlocks and other indicia of a close relationship between Bank and The London Home and Savings Co., acquisition of Bank might cause Applicant, follwing consum-

[6] Voting for this action: Vice Chairman Gardner and Governors Coldwell, Jackson, and Partee. Absent and not voting: Chairman Burns and Governors Wallich and Lilly.

[1] By action of August 31, 1977, the Board approved the acquisition by Applicant of the successor by merger to Bellefontaine National Bank, Bellefontaine, Ohio.

[2] All banking data other than market deposit data are as of December 31, 1976, and reflect bank holding company formations and acquisitions approved as of June 30, 1977. All market data are as of June 30, 1976.

[3] The relevant market is the Columbus banking market which is approximated by the five-county Columbus SMSA. It includes all of Franklin and Fairfield Counties, all of Pickaway County except Perry and Salt Creek Townships, the southern two-thirds of Madison County, all of Delaware County except the northernmost townships, and the western half of Licking County.

mation of the subject proposal, to be indirectly engaging in the activity of operating a savings and loan association (See Board Order of February 22, 1977, denying the application of D. H. Baldwin Co., Cincinnati, Ohio, to retain Empire Savings, Building and Loan Association, Denver, Colo. (63 Federal Reserve Bulletin 280 (1977)). Accordingly, the Board's action herein is conditioned upon Applicant complying with its commitment to take steps following acquisition of Bank which will result in the severance of the above interlocks, and the establishment within one year after the acquisition of Bank of The London Home and Savings Co. as a completely independent financial institution in the Columbus banking market.

On the basis of the record,[4] and for the reasons summarized herein, the application is approved subject to the condition set forth above. The transaction shall not be made (a) before the thirtieth calendar day following the effective date of this Order or (b) later than three months after the effective date of this Order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,[5] effective September 14, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-27658 Filed 9-21-77;8:45 am]

MICHIGAN NATIONAL CORP.

Acquisition of Bank

Michigan National Corporation, Bloomfield Hills, Michigan, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of Michigan National Bank-Port Huron, Port Huron, Michigan, a proposed new bank. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 18, 1977.

[4] Dissenting statement of Governor Coldwell filed as part of the original document. Copies are available upon request to Board of Governors of the Federal Reserve System, Washington, D.C. 20551 or to the Federal Reserve Bank of Cleveland.

[5] Voting for this action: Vice Chairman Gardner and Governors Jackson and Partee. Voting against this action: Governor Coldwell. Absent and not voting: Chairman Burns and Governors Wallich and Lilly.

Board of Governors of the Federal Reserve System, September 20, 1977.

GRIFFIN L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-27883 Filed 9-21-77;8:45 am]

MID MICHIGAN BANK CORP.

Formation of Bank Holding Company

Mid Michigan Bank Corp., Gladwin, Mich., has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 per cent of the voting shares of Mid Michigan Bank, Gladwin, Mich. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 14, 1977.

Board of Governors of the Federal Reserve System, September 16, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-7660 Filed 9-21-77;8:45 am]

REPUBLIC NEW YORK CORP. ET AL.

Order Approving Retention of Republic Clearing Corporation

Republic New York Corp. ("Republic"), New York, N.Y., and its five parent bank holding companies[1] have applied pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and section § 225.4 (a) and (b)(2) of the Board's Regulation Y (12 CFR § 225.4 (a) and (b)(2), for permission to retain voting shares of their subsidiary, Republic Clearing Corporation ("RCC"), New York, N.Y., after that company expands the activities in which it engages to include acting as a futures commission merchant to execute, for the account of persons whose business is entirely or substantially devoted to trading and dealing in gold and silver bullion and coins ("precious metals professionals"), futures contracts covering gold and silver bullion and coins on contract markets of which RCC is a member. RCC now provides this service for the account of two affiliated banks, and the sole purpose of these applications is to permit RCC to extend the same service to certain customres of those banks. This activity has not been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies.

Notice of receipt of these applications, affording opportunity for interested persons to submit views and comments, has been given in accordance with section 4 of the Act (42 FR 31636 and 38015) and the time for filing views and comments has expired. No request for a hearing has been received, but the Board has received a number of comments, favoring and opposing approval, and has considered the applications and those comments in light of the considerations specified in section 4(c)(8) of the Act (12 U.S.C. § 1843(c)(8)).

Applicants are bank holding companies by virtue of their direct and indirect ownership of voting shares of Republic National Bank of New York ("Bank"), New York, N.Y.[2] RCC is a direct wholly owned subsidiary of Republic and is consequently an indirect subsidiary of the remaining Applicants. RCC was organized in December 1974, and is held by Applicants under authority of section 4(c)(1)(C) of the Act, which permits a bank holding company to own shares of a company engaged solely in furnishing or performing services for the bank holding company or its banking subsidiaries. In accordance with that limitation, RCC has become a member of four contract markets[3] and has acted as a futures commission merchant[4] executing futures contracts in gold and silver solely for the account of Bank and Trade Development Bank, one of its parent bank holding companies.[5] Applicants now propose that

[1] Trade Development Holland Holding B.V., Amsterdam, the Netherlands; Trade Development Finance (Netherlands Antilles) N.V., Curacao, the Netherlands Antilles; Trade Development Bank, Geneva, Switzerland; Trade Development Bank Holding S.A., Luxembourg, Luxembourg; and Saban S.A. Panama, Panama.

[2] Pursuant to a reorganization approved by the Board June 20, 1977 (63 Federal Reserve Bulletin 683), Trade Development Bank has no actual direct or indirect ownership of Bank's shares, and a request is now pending before the Board, approval of which would have the effect of terminating Trade Development Bank's status as a bank holding company.

[3] Commodity Exchange, Inc. and New York Mercantile Exchange, New York, N.Y.; International Money Market Division of Chicago Mercantile Exchange, Inc., Chicago, Ill.; and Winnepeg Commodity Exchange, Winnepeg, Canada. Bank could itself become a clearing member of an exchange and engage in the activities now engaged in by RCC under section 4(c)(1)(C). See letter of March 12, 1975, to Bank from J. T. Watson, Deputy Comptroller of the Currency. RCC is not a clearing member of the Winnepeg Commodity Exchange.

[4] A futures commission merchant, as defined in 7 U.S.C. § 2, includes a corporation engaged in soliciting or accepting orders for the purchase or sale of a commodity for future delivery on or subject to the rules of any contract market and that accepts, in connection with such business, money or other property (or extends credit in lieu thereof) to margin, guarantee, or secure any resulting trades or contracts.

[5] RCC also now acts as a futures commission merchant in executing futures contracts in foreign exchange on behalf of Bank and Trade Development Bank, but under Applicant's proposal RCC would not offer this service to other persons.

RCC extend this service to those customers of Bank and Trade Development Bank who are precious metals professionals. Such an expansion requires Board approval because RCC would no longer be engaged solely in furnishing or performing services for Bank and its parent bank holding companies, and it would accordingly lose the benefit of the exemption it currently enjoys under section 4(c)(1)(C) of the Act.[6]

In order to approve these applications under section 4(c)(8), the Board must determine that the proposed activity is so closely related to banking or managing or controlling banks as to be a proper incident thereto. The Board has previously determined certain gold and silver coin and bullion activities to be closely related to banking. In its Order of September 27, 1973, the Board, on the basis of that determination, permitted Standard and Chartered Banking Group, Limited, London, England, a foreign bank holding company, to acquire directly 30 percent of the voting shares of Mocatta Metals, Inc. ("Mocatta"), New York, N.Y., and to acquire indirectly Mocatta's five subsidiaries, one of which was organized to engage in the same activity that is the subject of the present applications.[7] Bank has been active in international banking activities and in the precious metals field for a number of years, and upon examination of the facts of record of the present applications, including the fact that the proposed service appears to be an integral adjunct to precious metals professionals' other gold and silver dealings with Bank and is fundamentally a substitute for or variation of other precious metals services Bank currently provides to its customers, the Board has determined that in this instance acting as a futures commission merchant for the execution of futures contracts covering gold and silver bullion and coins on contract markets is closely related to banking.

To approve these applications the Board must also determine that the proposed activity is a proper incident to banking or managing or controlling banks. This test requires the Board to consider whether the performance of the proposed activity by RCC in accordance with the terms of these applications "can reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices."

Commencement by RCC of the proposed activity may be expected to serve the convenience of Applicant's precious metals customers, and it would have a procompetitive effect in the limited precious metals field, permitting Applicants to compete on a more equal footing with their competitors by providing a full range of precious metals services required by Applicants' customers and generally available from their competitors. Approval is expected to result as well in certain gains in efficiency, as spreading the fixed costs of RCC's existing operation over a greater volume of business will result in lower costs per transaction.

With respect to possible adverse effects, nothing in the record indicates that Applicants' proposal would result in any undue concentration of resources or unfair competition. The Board recognizes there is some potential in the proposal for conflicts of interests and for financial exposure that could lead to unsound banking practices. Both areas of concern, however, are subject to regulation and safeguards prescribed by the exchanges and the Commodity Futures Trading Commission, and the Board is particularly influenced by Bank's long experience and demonstrated competence in the coin and bullion field in concluding that in this specific case the public benefits to be derived from Applicant's proposal outweigh these potential adverse effects. The Board is also influenced by the fact that RCC will provide its futures commission merchant service only to those customers of Bank and Trade Development Bank who are precious metals professionals, and RCC does not propose to solicit or provide the service to any other unaffiliated person.[8]

Accordingly, on the basis of the record [9] and for the reasons summarized above, the applications are approved, subject to the limitations specified in the applications that Applicants restrict RCC's gold and silver futures commission merchant service to Bank, Trade Development Bank, and those of their customers whose business is entirely or substantially devoted to dealing or trading in gold and silver bullion and coins (including futures contracts pertaining thereto), and that RCC not solicit or accept such business from other persons or advertise the service in the financial press or other mass media. RCC shall commence its proposed activity not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of New York pursuant to authority hereby delegated. This determination is subject to the conditions set forth in section 225.4(c) of Regulation Y, and to the Board's authority to require reports by and make examinations of bank holding companies and their subsidiaries, and to require such modification or termination of the activities of a bank holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act or to prevent evasion thereof.

By order of the Board of Governors,[10] effective September 14, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-27661 Filed 9-21-77;8:45 am]

WAUKON FINANCIAL CORP.

Formation of Bank Holding Company

Waukon Financial Corp., Waukon, Iowa, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 54.8 percent or more of the voting shares of Waukon State Bank, Waukon, Iowa. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 13, 1977.

Board of Governors of the Federal Reserve System, September 15, 1977.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.77-27662 Filed 9-21-77;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM

Closing Date for Receipt of Non-Competing Continuation Applications

Notice is hereby given that, pursuant to the authority contained in sections

[6] In addition to prior Board approval, RCC must register as a futures commission merchant with the Commodity Futures Trading Commission before it offers its service to precious metals professionals.

[7] 38 FR 27552. The Board's Order was based in part on the express statutory authority of national banks to purchase and sell bullion and coin, and the Order specifically required Mocatta to terminate its trading activities in platinum, palladium, and all other commodities not so authorized.

[8] Under section 4(c)(8) the Board may proceed either by Order or regulation to determine whether an activity is closely related and a proper incident to banking. The Board has determined to act on these applications by Order. The record reflects that the financial risks associated with a "wholesale" futures business, such as that specifically proposed, are materially less than those inherent in a "retail" futures business, and the Board has not undertaken to assess generally the balance of public interest factors outside the narrow and limited scope of Applicant's specific proposal. This balance could be struck differently in the case of any bank holding company less fit than Applicants by experience and by the character of its general banking business to engage in the activity, or in the case of any proposal to solicit or serve a broad range of customers.

[9] Dissenting statement of Governor Jackson filed as part of the original document. Copies are available upon request to Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

[10] Voting for this action: Vice Chairman Gardner and Governors Wallich and Partee. Voting against this action: Governors Jackson and Lilly. Absent and not voting: Chairman Burns and Governor Coldwell.

623 and 624 of the Education of the Handicapped Act (20 U.S.C. 1423, 1424), the U.S. Commissioner of Education has established a final closing date of November 23, 1977, for receipt of applications for noncompeting continuation grants for Handicapped Children's Early Education Program Outreach Projects (13.444B). Applications should be received on or before the above date.

Eligible applicants are those grantees whose projects have completed one or more years of outreach funding. (Potential applicants for support for new demonstration projects under the Handicapped Children's Early Education Program should apply under a separate program (13.444A).

The funding level for the Handicapped Children's Early Education Program is expected to be approximately $22 million for fiscal year 1978. Funding for outreach projects under 13.444B has averaged between $50,000 and $150,000. The approximate number of noncompeting continuation grants is 42.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.444B. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 18, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mailrooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be delivered to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays.

C. *Program information and forms.* Information and applications may be obtained from the Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202. Applications will be available on or about September 23, 1977.

D. *Applicable regulations.* The regulations applicable to this program incude the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121 and 121d).

(20 U.S.C. 1423, 1424.)

Dated: September 19, 1977.

(Catalog of Federal Domestic Assistance No. 13.444B Handicapped Children's Early Education Program.)

ERNEST L. BOYER,
U.S. Commissioner of Education.

[FR Doc.77-27753 Filed 9-21-77;8:45 am]

Office of Human Development Services

WORK INCENTIVE PROGRAM

Reapportionment of Fiscal Year WIN Limits of Entitlement

AGENCY: Work Incentive Office, Office of Human Development Services (OHDS), HEW.

ACTION: Notice.

SUMMARY: Notice is hereby given of reapportioned annual limits of entitlement for States from Federal financial participation in expenditures under the Work Incentive (WIN) Program pursuant to section 402(a)(19)(G) and 403(d) of the Social Security Act, 42 U.S.C. 602(a)(19)(G) and 603(d) for fiscal year 1977 (October 1, 1976, through September 30, 1977). The reapportioned annual limits of entitlement promulgated herein replace and supersede the limits of entitlement which were published in the FEDERAL REGISTER on December 22, 1976 (41 FR 47688). These reapportioned limits are based on a survey of States' fiscal year 1977 WIN program needs required by the National Coordination Committee Operating Memorandum No. 30-77 dated July 20, 1977.

FOR FURTHER INFORMATION CONTACT:

Pera Daniels, telephone 202-245-0436.

SUPPLEMENTARY INFORMATION: Requests for Federal financial participation in expenditures incurred pursuant to section 402(a)(19)(G) and 403(d) of the Social Security Act during the period October 1, 1976, through September 30, 1977, will be honored only to the extent of limits as follows:

WIN

REVISED FISCAL YEAR 1977 LIMITS OF ENTITLEMENT

Alabama	$1,100,000
Alaska	452,820
Arizona	1,406,294
Arkansas	991,000
California	15,408,460
Colorado	1,653,383
Connecticut	1,294,351
Delaware	341,011
District of Columbia	1,716,865
Florida	2,430,000
Georgia	2,963,000
Guam	90,000
Hawaii	730,185
Idaho	606,715
Illinois	5,290,920
Indiana	1,826,056
Iowa	1,625,100
Kansas	1,200,657
Kentucky	1,258,384
Louisiana	1,110,819
Maine	579,869
Maryland	3,063,315
Massachusetts	2,536,927
Michigan	8,249,142
Minnesota	2,443,463
Mississippi	763,200
Missouri	2,484,176
Montana	617,610
Nebraska	567,580
Nevada	147,250
New Hampshire	650,000
New Jersey	6,124,796
New Mexico	550,000
New York	12,726,430
North Carolina	2,178,000
North Dakota	413,395
Ohio	5,000,000
Oklahoma	1,292,662
Oregon	2,875,443
Pennsylvania	5,338,359
Rhode Island	1,150,000
Puerto Rico	1,196,156
South Carolina	987,418
South Dakota	889,569
Tennessee	1,000,000
Texas	3,215,666
Utah	1,736,840
Vermont	880,000
Virgin Islands	65,000
Virginia	1,624,010
Washington	3,181,970
West Virginia	2,570,814
Wisconsin	4,149,330
Wyoming	165,990
Total	124,910,400

Dated: September 16, 1977.

ARABELLA MARTINEZ,
Assistant Secretary for Human Development Services.

[FR Doc.77-27554 Filed 9-21-77;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ARIZONA

[A 9553]

Amended Notice of Airport Lease Application

Notice is hereby given that pursuant to the Act of May 24, 1928 (49 U.S.C. 211-214) the Board of Supervisors, Mohave County, Ariz., has applied for an airport lease for the following lands:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 41 N., R. 7 W.,
Sec. 14, E½NE¼NE¼, SW¼NE¼NE¼, E½SW¼NE¼, W½SE¼NE¼, NE¼SE¼NE¼, E½SW¼NW¼, W½SE¼NW¼, SE¼SE¼NW¼, E½E½SW¼, NW¼NE¼SW¼, SW¼SE¼SW¼, W½SE¼, W½E½SE¼, SE¼SE¼SE¼;
Sec. 23, N½, NE¼NE¼, NE¼NW¼
containing 380 acres.

The purpose of this notice is to inform the public that the filing of this application segregates the described land from all other forms of use or disposal under the public land laws.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 250, St. George, Utah 84770.

Dated: September 15, 1977.

MILDRED C. KOZLOW,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27523 Filed 9-21-77;8:45 am]

[CA 3620]

CALIFORNIA

Proposed Withdrawal and Reservation of Land

SEPTEMBER 14, 1977.

The Forest Service, U.S. Department of Agriculture, on March 26, 1976, filed application serial No. CA 3620 for the withdrawal of approximately 480 acres of national forest lands from location and entry under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, subject to valid existing rights.

ELDORADO NATIONAL FOREST

STUMPY MEADOWS RECREATION AREA

Mount Diablo Meridian

T. 12 N., R. 12 E.,
Sec. 11, SE¼NE¼ and SW¼SE¼;
Sec. 12, S½N½ and N½S½.
T. 12 N., R. 13 E.,
Sec. 7, Lot 3 and NE¼SW¼.
The area described aggregates 481.50 acres in El Dorado County, Calif.

The Forest Service desires the withdrawal of these lands to protect the public recreation use in this area. The subject parcels contain two established campgrounds around Stumpy Meadows Lake and an additional large campground is planned for construction within five years. The lands will remain within the Eldorado National Forest and will be administered in accordance with applicable laws and regulations for national forest lands.

On or before October 25, 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.

Pursuant to Section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the undersigned, Bureau of Land Management, Room E–2841 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825, on or before October 25, 1977. 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, Sec. 2351.16.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 assuring that the area sought is the minimum essential to meet the applicant's needs, providing for the maximum concurrent utilization of the lands for purposes other than the applicant's, and reaching 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. The Secretary's determination shall, in a proper case, be subject to the provisions of Section 204(c) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2752. The above described lands are temporarily segregated from all forms of appropriation under the mining laws (30 U.S.C., Ch. 2) to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. The segregative effect of this proposed withdrawal shall terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications in connection with this proposed withdrawal should be addressed to the undersigned, Bureau of Land Management, Room E–2841 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

JOAN B. RUSSELL,
Chief, Lands Section, Branch of Lands and Minerals Operation.

[FR Doc. 77-27665. Filed 9-21-77; 8:45 am]

[SAC 047049]

CALIFORNIA

Termination of Proposed Withdrawal and Reservation of Land

SEPTEMBER 14, 1977.

Notice of a Forest Service, U.S. Department of Agriculture, application Sacramento 047049 for withdrawal and reservation of lands for roadside zones, administrative sites, and campgrounds within the Stanislaus National Forest was published as FR Doc. 57–7081 on pages 6995 and 6996 of the issue of August 30, 1957. The applicant agency has cancelled its application.

STANISLAUS NATIONAL FOREST

MOUNT DIABLO MERIDIAN

A strip of land 200 feet on each side of the centerline of the Sonora Pass Highway, Project 38–H, State of California Route 108, through the following legal subdivisions.

T. 3 N., R. 17 E.,

Sec. 2, Lots 2 and 3, those portions of Lots 2 and 3 as conveyed to the State of California by deed recorded in the Tuolumne County Recorder's Office in Book 5 of Official Records at page 82, described as follows:

Commencing at the southeast corner of the Northwest Quarter of Northeast Quarter of said Sec. 2; running thence along the east line of said quarter quarter section 1068.4 feet to a point 300 feet northwesterly at right angles from center line of the United States Bureau of Public Roads Surveys 2–Calif–38–C (State Highway Route X–Tuo–13–E between 1.0 mile north of Stoddard Springs and McCoy Saddle); thence parallel to said survey center line South 56°42' West 446.5 feet; thence South 70°26' West 2458.2 feet to the southwest corner of the Northeast Quarter of the Northwest Quarter of said Sec. 2; thence along quarter quarter section line east 2689.4 feet to the point of commencement;

Sec. 3, SE¼;
Sec. 9, SE¼SW¼, NE¼SE¼, and S½SE¼;
Sec. 10, NW¼NE¼ and S½NW¼;
Sec. 16, N½NW¼, SW¼NW¼, and NW¼SW¼;
Sec. 17, Lots 2, 3, and 4;
Sec. 20, Lots 1, 3, and 6;
Sec. 30, E½NE¼, NE¼NE¼NE¼, W½NE¼NE¼, and NW¼NE¼.

T. 4 N., R. 17 E.,
Sec. 35, SE¼SE¼;
Sec. 36, SE¼NW¼, NE¼NW¼, and SW¼SW¼, that portion of the Southwest Quarter of the Southeast Quarter of said Sec. 35 and those portions of the Southeast Quarter of the Northwest Quarter, Northeast Quarter of the Southwest Quarter, and Southwest Quarter of Southwest Quarter of said Sec. 36 as conveyed to the State of California by deed recorded in the Tuolumne County Recorder's Office in Book 5 of Official Records at page 82, described as follows, to wit:

Parcel 1: Commencing at southwest corner of said Sec. 36; running thence along the south line of said Sec. 36 east 1332.2 feet to the southeast corner of the southwest quarter of the southwest quarter of said Sec. 36; thence along quarter quarter section line north 1197.4 feet to a point 50 feet northwesterly at right angles from the centerline of the United States Bureau of Public Roads Survey 2–Calif–38–C (State Highway Route X–Tuo–13–E between 1.0 mile north of Stoddard Springs and McCoy Saddle); thence parallel to said survey centerline and along the northwesterly line of the existing State Highway right-of-way described in deed dated October 18, 1933, and recorded in Volume 102 of Deeds at page 427, Tuolumne County Records, South 70°34' West 187.37 feet; thence continuing along said northwesterly line by a curve to the left, radius 2050 feet through an angle of 19°56' a distance of 713.20 feet; thence continuing along said northwesterly line South 50°38' West 695.0 feet to a point in the east line of Sec. 35, T. 4 N., R. 17 E., M.D.M.; thence South 69°43' West 989.1 feet to a point in the south line of said Sec. 35 that is 300 feet northwesterly at right angles from said survey centerline; thence along section line South 89°49' East 927.8 feet to the point of commencement.

Parcel 2: Commencing at the southeast corner of the Northeast Quarter of the Southwest Quarter of said Sec. 36; running thence along quarter quarter line north 2708.8 feet to the northeast corner of the Southeast Quarter of the Northwest Quarter of said Sec. 36; thence South 26°35'50" West 2902.1 feet to a point in the west line of the Northeast Quarter of the Southwest Quarter of said Sec. 36 that is 300 feet northwesterly radially opposite the centerline of the United States Bureau of Public Roads Survey 2–Calif–38–C (State Highway Route X–Tuo–13–E between 1.0 mile north of Stoddard Springs and McCoy

Saddle); thence along quarter quarter section line south 113.8 feet to the southwest corner of the Northeast Quarter of the Southwest Quarter of said Sec. 36; thence along quarter quarter section line east 1299.3 feet to the point of commencement.

T. 4 N., R. 18 E.,
Sec. 4, Lot 1 and E½SE¼;
Sec. 8, E½SE¼;
Sec. 9, NE¼, S½NW¼, and SW¼;
Sec. 17, N½NE¼, SE¼NW¼, E½SW¼, and NW¼SE¼;
Sec. 21, Lots 3 and 4 and W½SW¼;
Sec. 29, S½NW¼, NW¼SW¼, W½NW¼NE¼, and NW¼SW¼NE¼;
Sec. 30, Lots 7, 8, and 12, SE¼SW¼, and SW¼SE¼;
Sec. 31, Lot 1.

T. 5 N., R. 18 E.,
Sec. 1, E½SE¼;
Sec. 11, E½SE¼ and SW¼SE¼;
Sec. 12, SE¼NW¼, SW¼, W½SW¼NE¼, and NE¼NE¼;
Sec. 14, N½NE¼, SW¼NE¼, SE¼NW¼, NE¼SW¼, NW¼SW¼, and E½SW¼SW¼;
Sec. 21, E½SE¼;
Sec. 22, NE¼, S½NW¼, N½SW¼, and SW¼SW¼;
Sec. 23, NW¼NW¼;
Sec. 27, W½NW¼;
Sec. 28, E½NE¼, N½SE¼, and SW¼SE¼;
Sec. 33, NW¼NE¼, S½NE¼, E½NW¼, and SE¼.

T. 5 N., R. 19 E.,
Sec. 6, Lots 3, 4, and 5.

T. 6 N., R. 19 E.,
Sec. 31, SW¼SE¼.

A strip of land 150 feet wide commencing from the centerline of the Sonora Pass Highway, Project 38-H, State of California Route 108, through the following legal subdivisions:

T. 4 N., R. 18 E.,
Sec. 17, Lots 2, 4, and 5.

ADMINISTRATIVE SITES

American Camp Lookout

T. 3 N., R. 14 E.,
Sec. 25, SE¼SE¼NW¼, SW¼SW¼NE¼, and NE¼NE¼SW¼.

Folsom Lookout

T. 7 N., R. 15 E.,
Sec. 29, NW¼NW¼ and SW¼NE¼NW¼.

Mt. Elizabeth Lookout

T. 3 N., R. 16 E.,
Sec. 32, SW¼ of Lot 4.

Center

T. 3 N., R. 16 E.,
Sec. 33, Lots 7 and 8.

Riverside

T. 2 N., R. 16 E.,
Sec. 34, Lots 11, 12, 13, and 14.

Long Barn

T. 3 N., R. 17 E.,
Sec. 20, S½SW¼.

Thompson Peak Lookout

T. 2 N., R. 17 E.,
Sec. 26, NE¼SE¼.

Sugarloaf Lookout

T. 1 N., R. 17 E.,
Sec. 31, SW¼NE¼.

Old Strawberry Addition

T. 4 N., R. 18 E.,
Sec. 21, W½SW¼NE¼ and S½NW¼.

N. Fork Tuolumne

T. 4 N., R. 18 E.,
Sec. 28, W½NW¼NW¼;
Sec. 29, NE¼NE¼, E½NW¼NE¼, NE¼SW¼NE¼, and N½SE¼NE¼.

Herring

T. 5 N., R. 19 E.,
Sec. 20, E½SE¼SW¼, W½NE¼SE¼, and W½SE¼;
Sec. 29, NW¼NE¼ and NE¼NW¼.

Junction

T. 6 N., R. 19 E.,
Sec. 22, S½SW¼NE¼, SE¼SW¼NW¼, S½SE¼NW¼, N½NE¼SW¼, NE¼NW¼SW¼, and N½NW¼SE¼.

Smith Peak Lookout

T. 1 S., R. 17 E.,
Sec. 34, W½ Lot 6.

Pilot Lookout

T. 2 S., R. 18 E.,
Sec. 13, SW¼SW¼NE¼, SE¼SE¼NW¼, NE¼NE¼SW¼, and NW¼NW¼SE¼.

Carlon

T. 1 S., R. 19 E.,
Sec. 34, SE¼NE¼NE¼ and NE¼SE¼NE¼;
Sec. 35, SW¼NW¼NW¼ and NW¼SW¼NW¼.

RECREATION AREAS

Beardsley Reservoir

T. 4 N., R. 17 E.,
Sec. 12, E½E½;
Sec. 13, N½NE¼, S½N½NW¼, and S½NW¼.

T. 4 N., R. 18 E.,
Sec. 7, Lot 4, SE¼SW¼, and SW¼SE¼;
Sec. 18, Lot 1 and NE¼NW¼.

Cherry Valley

T. 1 N., R. 19 E.,
Sec. 4, Lots 1 and 2 and S½NE¼;
Sec. 5, Lots 1, 2, 3, and 4, S½N½, and N½S½;
Sec. 6, Lot 1.

T. 2 N., R. 19 E.,
Sec. 17, S½SE¼;
Sec. 20, E½NW¼, SW¼NW¼, and W½SW¼;
Sec. 27, W½, less that portion within Yosemite National Park;
Sec. 28, E½, NE¼NW¼, and E½SE¼NW¼;
Sec. 29, W½W½, W½SE¼NW¼, W½NE¼SW¼, and SE¼SW¼;
Sec. 31, E½SE¼;
Sec. 32, NW¼, NE¼SW¼, W½SW¼, and W½SE¼SW¼;
Sec. 33, All;
Sec. 34, NW¼, less that portion within Yosemite National Park.

CAMPGROUNDS

Moore Creek

T. 7 N., R. 15 E.,
Sec. 12, NE¼NE¼.

Big Meadow

T. 7 N., R. 17 E.,
Sec. 33, S½S½N½ and N½N½S½.

Lake Alpine

T. 7 N., R. 18 E.,
Sec. 8, SW¼NE¼;
Sec. 9, S½N½NW¼.

Cascade

T. 5 N., R. 18 E.,
Sec. 14, W½SW¼SW¼.

Mill Creek

T. 5 N., R. 18 E.,
Sec. 12, E½SW¼NE¼, SE¼NE¼, and N½NE¼SE¼.

Pinecrest

T. 4 N., R. 18 E.,
Sec. 21, SE¼NE¼ and N½NE¼SE¼;
Sec. 22, SW¼NW¼NW¼ and SW¼NW¼.

Cow Creek

T. 5 N., R. 18 E.,
Sec. 33, SE¼SE¼NE¼, NE¼NE¼SE¼, SE¼NE¼SE¼, and NE¼SE¼SE¼;
Sec. 34, SW¼SW¼NW¼.

Hermit Valley

T. 8 N., R. 19 E.,
Sec. 15, S½N½SW¼ and N½S½SW¼.

Brightman Flat

T. 6 N., R. 19 E.,
Sec. 23, NE¼SE¼;
Sec. 24, W½NW¼SW¼.

Dardanelles

T. 6 N., R. 19 E.,
Sec. 25, SW¼NE¼NE¼ and SE¼NE¼.

Pacific Valley

T. 8 N., R. 19 E.,
Sec. 28, W½W½NW¼;
Sec. 29, E½E½NE¼.

Herring Creek

T. 5 N., R. 19 E.,
Sec. 30, S½SE¼SW¼ and S½S½SE¼;
Sec. 31, N½NE¼, N½S½NE¼, and NE¼NW¼.

Niagara Creek

T. 6 N., R. 19 E.,
Sec. 32, SW¼SW¼NE¼, SE¼SE¼NW¼, NE¼NE¼SW¼, and NW¼NW¼SE¼.

Deadman

T. 5 N., R. 20 E.,
Sec. 2, Lot 3.

T. 6 N., R. 20 E.,
Sec. 35, SE¼SE¼SW¼.

Clarks Fork

T. 6 N., R. 20 E.,
Sec. 5, W½ Lot 2, Lot 3, E½ Lot 4, W½SW¼NE¼, S½NW¼, and N½N½SW¼.

Cottonwood

T. 6 N., R. 20 E.,
Sec. 7, Lot 1.

Douglas

T. 6 N., R. 20 E.,
Sec. 27, NW¼SE¼ and N½SW¼SE¼.

Pigeon Flat

T. 6 N., R. 20 E.,
Sec. 29, N½SW.

Bone Springs

T. 6 N., R. 20 E.,
Sec. 30, Lot 3 and W½NE¼SW¼.

Upper Baker Station

T. 6 N., R. 20 E.,
Sec. 35, E½SW¼NW¼, SW¼SE¼NW¼, W½NE¼SW¼, and E½NW¼SW¼.

Lumsden

T. 1 S., R. 17 E.,
Sec. 24, N½NE¼SE¼.

Lost Claim

T. 1 S., R. 17 E.,
Sec. 25, SE¼NE¼SE¼ and E½SE¼SE¼.

The Pines

T. 1 S., R. 17 E.,
Sec. 27, S½SE¼SW¼ and SW¼SW¼SE¼.

Middle Fork

T. 1 S., R. 19 E.,
Sec. 14, SW¼NW¼NW¼ and W½SW¼NW¼;
Sec. 15, S½NE¼NE¼ and SE¼NE¼.

Soldier Creek

T. 1 S., R. 19 E.,
Sec. 31, E½ of Lot 12.

Rush Creek

T. 1 S., R. 19 E.,
Sec. 34, SW¼SW¼NW¼ and NW¼NW¼SW¼.

Carlon

T. 1 S., R. 19 E.,
Sec. 35, E½SW¼NW¼.

The areas described herein lie in Tuolumne, Calaveras, Alpine, Mariposa, and Amador Counties, Calif.

Therefore, pursuant to the regulations contained in 43 CFR Part 2350, such lands at 10 a.m. on October 25, 1977, will be relieved of the segregative effect of the above mentioned application.

JOAN B. RUSSELL,
Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc.77-27666 Filed 9-21-77;8:45 am]

[SAC 054898]

CALIFORNIA

Opportunity for Public Hearing and Republication of Notice of Proposed Withdrawal

SEPTEMBER 14, 1977.

The Bureau of Reclamation, U.S. Department of the Interior, filed application Serial No. SAC 054898 on October 21, 1957, for a withdrawal in relation to the following described lands:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 32 N., R. 6 W.,
Sec. 18, NE¼NW¼;
Sec. 27, E½NW¼SW¼;
Sec. 28, S½NW¼ and SW¼ (excepting that portion lying within boundaries of M.S. 3163);
Sec. 29, E½NE¼NE¼;
Sec. 34, S½SW¼NW¼.
T. 34 N., R. 7 W.,
Sec. 18, SE¼SW¼ and W½W½SW¼SE¼.
T. 36 N., R. 7 W.,
Sec. 1, SW¼SW¼NE¼ and SE¼SE¼NW¼;
Sec. 18, NE¼NE¼NE¼ and N½SE¼NE¼NE¼;
Sec. 24, E½;
Sec. 28, W½W½NW¼SE¼.
T. 37 N., R. 7 W.,
Sec. 28, SW¼NW¼NW¼.
T. 33 N., R. 8 W.,
Sec. 5, Lot 14 in SW¼SW¼ (formerly Lot 14);
Sec. 30, Lots 3 and 4, E½SW¼, and S½SE¼.
T. 34 N., R. 8 W.,
Sec. 2, SW¼NE¼;
Sec. 14, S½NE¼;
Sec. 21, E½W½NE¼.
T. 35 N., R. 8 W.,
Sec. 36, S½SW¼NW¼.

The area described aggregates 1,085.71 acres in Shasta and Trinity Counties, Calif.

The applicant desires that the land be reserved for construction and subsequent operation and management of the Trinity River Division, Central Valley Project, Calif. The project includes reservoirs, access roads, material sites, and tunnel rights-of-way.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on January 7, 1959, page 173, FR Doc. 59-114.

Pursuant to Sec. 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing to the undersigned, Bureau of Land Management, E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825, on or before October 25, 1977. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before October 25, 1977.

The above described lands are temporarily segregated from the operation of the public land laws, including the mining laws (30 U.S.C., Ch. 2) and the mineral leasing laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications in connection with the pending withdrawal application should be addressed to the undersigned, Bureau of Land Management, Department of the Interior, Room E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

JOAN B. RUSSELL,
Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc.77-27667 Filed 9-21-77;8:45 am]

[CA 868]

CALIFORNIA

Proposed Withdrawal and Reservation of Lands

SEPTEMBER 15, 1977.

The Corps of Engineers, U.S. Department of the Army, on December 20, 1973, filed application, serial number CA 868, for the withdrawal of the following described lands from settlement, sale, location, or entry under all of the general land laws, including the mining laws (30 U.S.C., Ch. 2) and the mineral leasing laws, subject to valid existing rights:

MOUNT DIABLO MERIDIAN

T. 16 N., R. 5 E.,
Sec. 22, Lots 2, 3, 5, and 6;
Sec. 26, Lot 5;
Sec. 27, Lots 1, 2, 3, 4, and 5, and NE¼SW¼;
Sec. 28, Lot 5;
Sec. 32, Lots 1, 2, 3, 5, 6, 7, and 8, and SW¼SE¼.
T. 16 N., R. 6 E.,
Sec. 22, S½SE¼SE¼NW¼ and SE¼SW¼SE¼NW¼;
Sec. 27, W½SW¼NW¼ and NW¼NW¼SW¼.

The combined acreage of the above described parcels is 417.22 acres, more or less.

The Corps of Engineers desires these lands in connection with the Marysville Lake Project. The lands will be used for the construction of a multipurpose dam, reservoir, power plant, afterbay, and appurtenant facilities for flood control, additional water supply, power for integration with the Central Valley Project, recreation, and fish and wildlife enhancement.

For a period of 30 days from the date of publication of this notice, 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 authorized officer of the Bureau of Land Management.

Pursuant to Section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the undersigned, Bureau of Land Management, Room E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825, on or before October 26, 1977. 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, Sec. 2351.16.B.

The Department of the Interior's regulations provide that the authorized officer of the BLM 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 assuring that the area sought is the minimum essential to meet the applicant's needs, providing for the maximum concurrent utilization of the lands for purposes other than the applicant's, and reaching 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 and reserved as requested by the applicant agency. The determination of the Secretary on the application will be published in the Federal Register. The Secretary's determination shall, in a proper case, be subject to the provisions of Section 204(c) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2752. The above described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected

by the temporary segregation. The segregative effect of this proposed withdrawal shall terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications in connection with this proposed withdrawal should be addressed to the undersigned officer of the Bureau of Land Management.

JOAN B. RUSSELL,
Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc.77-27668 Filed 9-21-77;8:45 am]

[R 1663]

CALIFORNIA

Opportunity for Public Hearing and Republication of Notice of Proposed Withdrawal

SEPTEMBER 14, 1977.

The Forest Service, U.S. Department of Agriculture, filed application Serial No. R 1663 on August 16, 1968, for a withdrawal in relation to the following described lands:

INYO NATIONAL FOREST

JUNE LAKE LOOP RECREATION AREA, MOUNT DIABLO BASE AND MERIDIAN, CALIFORNIA

Rush Creek Campground

T. 1 S., R. 26 E.,
Sec. 33, E½SW¼SE¼ and W½SE¼SE¼.
T. 2 S., R. 26 E.,
Sec. 4, W½ of Lot 1, E½ of Lot 2, SW¼ NE¼, NW¼SE¼NE¼, NE¼SE¼NW¼, S½SE¼NW¼, NE¼SW¼, NE¼NW¼ SW¼, S½NW¼SW¼, N½NW¼SE¼, SW¼SW¼, and W½ SE¼SW¼;
Sec. 5, SE¼SE¼SE¼;
Sec. 8, NE¼NE¼NE¼, S½NE¼NE¼, SE¼ NE¼, and SE¼SW¼NE¼;
Sec. 9, W½W½NW¼ and NE¼NW¼NW¼.

June Lake Beach

T. 2 S., R. 26 E.,
Sec. 1, Lot 5;
Sec. 2, S½ of Lot 5.

Silver Lake Campground

T. 2 S., R. 26 E.,
Sec. 8, E½ of Lot 1, W½ of Lot 2, E½ NW¼SE¼, W½NE¼SE¼, W½NE¼SE¼, and N½NE¼NE¼SE¼.

Oh! Ridge Viewpoint

T. 2 S., R. 26 E.,
Sec. 12, Lot 1.

Gull Lake Campground

T. 2 S., R. 26 E.,
Sec. 14, N½SW¼SW¼;
Sec. 15, E½E½ of Lot 2.

LONE PINE CREEK RECREATION AREA

Whitney Portal

T. 15 S., R. 34 E.,
Sec. 35, S½SE¼NE¼, SE¼SW¼NE¼, and E½NW¼SE¼;
Sec. 36, E½SW¼NW¼NE¼, SE¼NW¼ NE¼, W½SW¼NE¼NW¼, N½SW¼ NW¼, and SW¼SW¼NW¼.

Lone Pine

T. 15 S., R. 35 E.,
Sec. 29, S½N½SE¼ and N½S½SE¼.

The areas described aggregate approximately 789.87 acres in Inyo and Mono Counties.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on September 5, 1968, pages 12583 and 12584, FR Doc. 68-10665.

Pursuant to Sec. 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing to the undersigned, Bureau of Land Management, E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825, on or before October 25, 1977. Notice of the public hearing will be published in the FEDERAL REGISTER, giving the time and place of such hearing. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before October 25, 1977.

The above described lands are temporarily segregated from the operation of the United States mining laws (30 U.S.C., Ch. 2), to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with Section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1961, unless sooner terminated by action of the Secretary of the Interior.

All communications in connection with the pending withdrawal application should be addressed to the undersigned, Bureau of Land Management, Department of the Interior, Room E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, California 95825.

JOAN B. RUSSELL,
Chief, Lands Section, Branch of Lands and Minerals Operations.

[FR Doc.77-27669 Filed 9-21-77;8:45 am]

[C-25845]

COLORADO

Proposed Withdrawal and Reservation of Lands

SEPTEMBER 16, 1977.

The Bureau of Reclamation, Department of the Interior, on September 1, 1977, filed application, Serial No. Colo. 25845 for the withdrawal of approximately 1,226.52 acres of public lands from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws.

The Bureau of Reclamation desires these lands for construction of a portion of the McPhee Reservoir, Dolores Project.

For the period of 30 days from the date of publication of this notice, 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 authorized officer of the Bureau of Land Management.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded in connection with the proposed withdrawal. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the State Director, CO-946 Bureau of Land Management, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, on or before October 25, 1977. 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, Sec. 2351.16 B.

The Department of the Interior's regulations provide that the authorized officer of the BLM 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 assuring that the area sought is the minimum essential to meet the applicant's needs, providing for the maximum concurrent utilization of the lands for purposes other than the applicant's and reaching 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 and reserved as requested by the applicant agency. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. The Secretary's determination shall, in a proper case, be subject to the provisions of section 204(c) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2752. The below described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. The segregative effect of the application shall terminate upon (1) rejection of the application by the Secretary, (2) withdrawal of the lands by the Secretary, or (3) the expiration of two years from the date of publication of this notice.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN

T. 38 N., R. 15 W.,
Sec. 3, Lot 2, E½NE¼SE¼, SW¼NE¼SE¼, SW¼SE¼;
Sec. 7, S½NE¼, E½SE¼;
Sec. 18, Lots 2 and 3, NE¼SW¼;
Sec. 19, SE¼NW¼, NE¼SW¼;
Sec. 28, NW¼SW¼.
T. 38 N., R. 16 W.,
Sec. 2, Lots 1, 2, 3, and 4;
Sec. 11, S½N½;
Sec. 12, SW¼NE¼, S½NW¼, N½S½, SW¼SW¼, SE¼SE¼;
Sec. 13, W½NW¼.

All communications in connection with this proposed withdrawal, except public hearing requests, should be addressed to the undersigned, Bureau of Land Management, Department of the Interior, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202.

ANDREW W. HEARD, Jr.,
Acting Chief, Branch of Adjudication.

[FR Doc.77-27524 Filed 9-21-77;8:45 am]

[M 26024]

MONTANA

Opportunity for Public Hearing and Republication of Notice of Proposed Withdrawal

SEPTEMBER 16, 1977.

The Department of Agriculture filed application, Serial No. M 26024, on October 1, 1973, for a withdrawal in relation to the following-described lands:

PRINCIPAL MERIDIAN, MONTANA

HELENA NATIONAL FOREST

Thompson Gulch Guard Station

T. 9 N., R. 4 E.,
Secs. 22 and 27, A tract of land lying in the SE¼SW¼ of Sec. 22 and the NE¼NW¼ of Sec. 27, more particularly described as follows: Beginning at the brass cap ¼ corner monument between Secs. 22 and 27 which is Corner No. 1, the true point of beginning; thence S. 66°38' W., 656.82 feet to Corner No. 2; (Corner Nos. 2, 3, 4, and 5 are all ⅝" rebar with aluminum cap and number); thence N. 40°37' W., 597.80 feet to Corner No. 3; thence N. 57°01' E., 994.03 feet to Corner No. 4; thence N. 83°40' E., 129.10 feet to Corner No. 5; thence S. 02°15' E., 749.46 feet to the true point of beginning, all according to the plat designated Plot Plan of Thompson Gulch Administrative Site drawn by Lewis and approved by P. W. Waters on November 11, 1971.

The area described contains 13.42 acres in Meagher County, Montana.

The applicant desires that the land be reserved for a fire guard station and facilities.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on October 26, 1973, Volume No. 38, Page No. 29621, Document No. 73-22816.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing with the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107, on or before October 27, 1977. Notice of the public hearing will be published in the FEDERAL REGISTER, giving the time and place of such hearing. The hearing will be scheduled and conducted in accordance with BLM Manual Sec. 2351.16 B. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before October 27, 1977.

The above-described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications (except for public hearing requests) in connection with the pending withdrawal application should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Department of the Interior, P. O. Box 30157, Billings, Montana 59107.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27670 Filed 9-21-77;8:45 am]

[M 29832]

MONTANA

Opportunity for Public Hearing and Republication of Notice of Proposed Withdrawal

SEPTEMBER 13, 1977.

The Department of Agriculture filed application, Serial No. M 29832, on July 5, 1974, for a withdrawal in relation to the following described lands:

PRINCIPAL MERIDIAN, MONTANA

CUSTER NATIONAL FOREST

Unsurveyed, but which probably will be when surveyed:

T. 8 S., R. 27 E.,
Sec. 3, W½SE¼SE¼ and SW¼SE¼; and
Sec. 10, N½NW¼NE¼ and NW¼NE¼NE¼.

The area described contains 90 acres in Carbon County, Montana.

The applicant desires that the land be reserved for a recreation and picnic area and for the protection and preservation of a unique geologic ice cave in the Pryor Mountains south of Billings.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on July 23, 1974, Volume No. 39, Page No. 26760, Document No. 74-16732.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing with the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Montana 59107, on or before October 24, 1977. Notice of the public hearing will be published in the FEDERAL REGISTER, giving the time and place of such hearing. The hearing will be scheduled and conducted in accordance with BLM Manual Sec. 2351.16 B. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before October 24, 1977.

The above-described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications (except for public hearing requests) in connection with the pending withdrawal application should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Department of the Interior, P.O. Box 30157, Billings, Montana 59107.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27671 Filed 9-21-77;8:45 am]

[NM 31546]

NEW MEXICO

Application

SEPTEMBER 13, 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. 756), El Paso Natural Gas Co. has ap-

plied for one 4½-inch natural gas pipeline right-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 31 N., R. 11 W.,
Sec. 7, SE¼SE¼;
Sec. 8, SW¼SW¼.

This pipeline will convey natural gas across 0.259 of a mile of public land in San Juan County, N. Mex.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 6770, Albuquerque, N. Mex. 87107.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27672 Filed 9-21-77;8:45 am]

[NM 31553]

NEW MEXICO

Application

SEPTEMBER 14, 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), El Paso Natural Gas Co. has applied for two 4½-inch natural gas pipeline rights-of-way across the following land:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 24 S., R 24 E.,
Sec. 8, S½SE¼;
Sec. 9, S½SW¼;
Sec. 17, NE¼NE¼.

These pipelines will convey natural gas across 0.789 miles of public land in Eddy County, N. Mex.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons 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, N. Mex. 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27673 Filed 9-21-77;8:45 am]

[NM 31541, 31544, 31545, and 31548]

NEW MEXICO

Applications

SEPTEMBER 14, 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), El Paso Natural Gas Co. has applied for a dehydration site and six 4½-inch pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 21 S., R. 21 E.,
Sec. 14, SW¼NW¼, N½SW¼, SE¼SW¼, and W½SE¼;
Sec. 15, S½NE¼;
Sec. 23, NW¼NE¼.
T. 24 S., R. 24 E.,
Sec. 4, SW¼SE¼;
Sec. 9, N½NE¼ and SE¼NE¼;
Sec. 10, W½W½ and SE¼SW¼;
Sec. 15, E½NW¼.
T. 10 S., R. 30 E.,
Sec. 13, SE¼SW¼.

The site and pipelines will be used in connection with natural gas operations and will cross 3.465 miles and 2.500 acres of public lands in Chaves and Eddy Counties, N. Mex.

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 persons 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, N. Mex. 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27674 Filed 9-21-77;8:45 am]

[NM 31673, 31675, and 31676]

NEW MEXICO

Applications

SEPTEMBER 14, 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), El Paso Natural Gas Co. has applied for six 4½-inch and 6⅝-inch natural gas pipeline rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 25 S., R. 26 E.,
Sec. 11, SW¼NE¼ and W½SE¼;
Sec. 14, W½NE¼.
T. 20 S., R. 27 E.,
Sec. 32, NE¼SE¼;
Sec. 33, SW¼NE¼, SE¼NW¼, and N½SW¼.
T. 20 S., R. 28 E.,
Sec. 18, SW¼SE¼.

These pipelines will convey natural gas across 2.232 miles of public lands in Eddy County, N. Mex.

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 persons 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, N. Mex. 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27675 Filed 9-21-77;8:45 am]

[NM 31469]

NEW MEXICO

Application

SEPTEMBER 13, 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), Natural Gas Pipeline Co. of America has applied for one 4-inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 18 S., R. 25 E.,
Sec. 6, lot 6.
T. 18 S., R. 26 E.,
Sec. 1, SE¼NE¼.

This pipeline will convey natural gas across 0.223 miles of public lands in Eddy County, N. Mex.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons 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, N. Mex. 88201.

FRED E. PADILLA,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27676 Filed 9-21-77;8:45 am]

[M 21192(ND)]

NORTH DAKOTA

Opportunity for Public Hearing and Republication of Notice of Proposed Withdrawal

SEPTEMBER 14, 1977.

The Department of Interior, Fish and Wildlife Service, filed application, M 21192(ND), on April 10, 1972, for a withdrawal in relation to the following described lands:

FIFTH PRINCIPAL MERIDIAN, NORTH DAKOTA.

T. 163 N., R. 65 W.,
Sec. 5, Lot 3.

The area described contains 13.50 acres in Towner County, N. Dak.

The applicant desires that the land be reserved for a waterfowl production area.

A notice of the proposed withdrawal was published in the FEDERAL REGISTER on August 27, 1974, Volume No. 39, Page No. 30959, Document No. 74-19778.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, 90 Stat. 2754, notice is hereby given that an opportunity for a public hearing is afforded in connection with the pending withdrawal application. All interested persons who desire to be heard on the proposed withdrawal must file a written request for a hearing with the State Director, Bureau of Land Management, P.O. Box 30157, Billings, Mont. 59107, on or before October 26, 1977. Notice of the public hearing will be published in the FEDERAL REGISTER, giving the time and place of such hearing. The hearing will be scheduled and conducted in

accordance with BLM Manual Sec. 2351.16 B. All previous comments submitted in connection with the withdrawal application have been included in the record and will be considered in making a final determination on the application.

In lieu of or in addition to attendance at a scheduled public hearing, written comments or objections to the pending withdrawal application may be filed with the undersigned authorized officer of the Bureau of Land Management on or before October 26, 1977.

The above-described lands are temporarily segregated from the operation of the public land laws, including the mining laws, to the extent that the withdrawal applied for, if and when effected, would prevent any form of disposal or appropriation under such laws. Current administrative jurisdiction over the segregated lands will not be affected by the temporary segregation. In accordance with section 204(g) of the Federal Land Policy and Management Act of 1976, the segregative effect of the pending withdrawal application will terminate on October 20, 1991, unless sooner terminated by action of the Secretary of the Interior.

All communications (except for public hearing requests) in connection with the pending withdrawal application should be addressed to the Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Department of the Interior, P.O. Box 30157, Billings, Mont. 59107.

ROLAND F. LEE,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27677 Filed 9-21-77;8:45 am]

R/W APPLICATION FOR PIPELINE NORTHWEST PIPELINE CORPORATION

Colorado C-25122F Lawrence Barker Addition of the Foundation Creek Gathering System

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920 (41 Stat. 449), as amended (30 U.S.C. 185), Northwest Pipeline Corp., P.O. Box 1526, Salt Lake City, Utah 84110, has applied for a right of way for a 8⅝" o.d. and a 4½" o.d. natural gas pipelines for the Lawrence Barker addition of the Foundation Creek Gathering System approximately 12.5 miles long, across the following Public Lands:

SIXTH PRINCIPAL MERIDIAN, RIO BLANCO COUNTY, COLORADO

T. 3 S., R. 101 W.,
Sec. 32, SW¼SE¼, S½SW¼.
T. 3 S., R. 102 W.,
Sec. 34, SE¼NW¼, W½SW¼, S½SE¼;
Sec. 36, S½SW¼.
T. 4 S., R. 101 W.,
Sec. 3, NW¼NE¼, NE¼NW¼, S½NW¼;
Sec. 4, S½N½, N½SE¼;
Sec. 5, Lots 6 and 9, SW¼NE¼, SE¼NW¼, E½SW¼, SW¼SW¼;
Sec. 6, SE¼SE¼, W½SE¼, N½SW¼, SW¼NW¼;
Sec. 7, SW¼SE¼, S½SW¼;
Sec. 17, W½NW¼;
Sec. 18, N½NE¼, SW¼NE¼, N½SE¼, SE¼SE¼;
Sec. 19, NE¼NE¼;
Sec. 20, W½NW¼.
T. 4 S., R. 102 W.,
Sec. 1, Lots 7 and 8, S½NW¼, NE¼SW¼, S½SE¼, NE¼SE¼;
Sec. 2, Lot 5, S½NE¼, SE¼NW¼, N½S½, SE¼SE¼;
Sec. 3, Lots 5-8, SW¼NE¼, SE¼NW¼, NW¼SE¼;
Sec. 11, NE¼;
Sec. 12, NW¼NE¼, SE¼NE¼, NW¼NW¼;
Sec. 24, NE¼SW¼, W½SE¼;
Sec. 25, N½NW¼, NW¼NE¼.

The above-named gathering system will enable the applicant to collect natural gas in the area through which the pipeline will pass and to convey it to the applicants' customers.

The purposes for this notice are: (1) to inform the public that the Bureau of Land Management is proceeding with the preparation of environmental and other analytic reports, necessary for determining whether or not the application should be approved and if approved, under what terms and conditions, (2) to give all interested parties the opportunity to comment on the application, (3) to allow any party asserting a claim to the lands involved or having bona fide objections to the proposed natural gas pipelines to file its claim or objections in the Colorado State Office. Any party so filing must include evidence that a copy thereof has been served on Northwest Pipeline Corp.

Any comment, claim, or objections must be filed with the Chief, Branch of Adjudication, Bureau of Land Management, Colorado State Office, Room 700, Colorado State Bank Building, 1600 Broadway, Denver, Colo. 80202, as promptly as possible after publication of this notice.

ANDREW W. HEARD, Jr.,
Acting Chief, Branch of Adjudication.

[FR Doc.77-27527 Filed 9-21-77;8:45 am]

[W-60227]

WYOMING

Proposed Withdrawal and Reservation of Lands

SEPTEMBER 13, 1977.

The Fish and Wildlife Service, Department of the Interior, on July 19, 1977, filed application, Serial No. W-60227, for the withdrawal of approximately 11.21 acres of land from settlement, sale, location, or entry, under all of the general land laws, including the mining laws, but not the mineral leasing laws, subject to valid existing rights.

The Fish and Wildlife Service desires these lands for use as a district administrative headquarters site for Animal Damage Control activities.

For a period of 30 days from the date of publication of this notice, 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 authorized officer of the Bureau of Land Management.

Pursuant to section 204(h) of the Federal Land Policy and Management Act of 1976, notice is hereby given that an opportunity for a public hearing is afforded. All interested persons who desire to be heard on the proposed withdrawal must submit a written request for a hearing to the State Director, Bureau of Land Management, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyo. 82001, on or before October 24, 1977. Upon determination by the State Director that a public hearing will be held, the time and place will be announced.

The Department of the Interior's regulations provide that the authorized officer of the BLM 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 a 20 year period, and the lands will remain segregated for the duration of the withdrawal.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 19 N., R. 105 W.,
Sec. 22, Lots 22 and 23, containing 11.21 acres.

All communications in connection with this withdrawal should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Department of the Interior, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyo. 82001.

NYLES L. HUMPHREY,
Chief, Division of Technical Services.

[FR Doc.77-27526 Filed 9-21-77;8:45 am]

[Wyoming 61084]

WYOMING

Application

SEPTEMBER 15, 1977.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the

Colorado Interstate Gas Co. of Colorado Springs, Colo. filed an application for a right-of-way to construct a 4½" O.D. pipeline for the purpose of transporting natural gas across the following described public lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 17 N., R. 99 W.,
Sec. 10, N½SE¼ and SE¼SE¼;
Sec. 14, NW¼NW¼ and S½NW¼.

The pipeline will transport natural gas produced from the Higgins No. 6 well in Section 14, T. 17 N., R. 99 W., Sweetwater County, Wyo., into existing natural gas pipeline located in Section 10, T. 17 N., R. 99 W.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the District Manager, Bureau of Land Management, Highway 187 North, P.O. Box 1869, Rock Springs, Wyo. 82901.

HAROLD G. STINCHCOMB,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.77-27525 Filed 9-21-77;8:45 am]

Office of Hearings and Appeals

[Docket No. M 77-253]

BRUSHY FORK MINING CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Brushy Fork Mining Company, c/o Baird & Baird, Box 351, Pikesville, Kentucky, has filed a petition to modify the application of 30 CFR 75.1710-1, cabs or canopies, to its Mine No. 3, 1 located in Pike County, Kentucky.

The substance of Petitioner's statement is as follows:

1. Petitioner is the operator of a coal mine which is subject to the mandatory safety standards for underground mines, in particular 30 CFR 75.1710-1. The first underground mining operations commenced on or about March of 1975 by the Petitioner. The Petitioner in February of 1977 placed an order with S & S Corporation for one S & S type scoop. This scoop arrived from the manufacturer shortly thereafter with manufacturer provided canopy for same. Prior to the order of this scoop the Petitioner used a S & S "74" scoop, which is a lower profile or heighth than the scoop ordered and received in February of 1977. The Petitioner used the lower profile type of scoop in its operations from March of 1975 until February of 1977. During the initial period of March 1975 a canopy was installed on the S & S "74" scoop. During the use of this scoop rolls and dips in the coal seam were being encountered which caused the machinery canopy to come in contact with the roof, causing severe damage to the roof bolts which ultimately resulted in a hazardous roof condition. The canopy was lowered to the lowest position possible; however, this did not solve the problem, but tended to create an additional problem in that the operator complained of backaches, dizziness, cramps and blurred vision from being cramped into such a small space.

2. Shortly thereafter the canopy was removed on the above referenced scoop as this canopy was considered by Petitioner and the machine operator as well, to be a great safety hazard. The second scoop has been used in this mine since February of 1977 and would be subjected to the same conditions if said canopy was used. The Petitioner was cited by the Department on August 9, 1977, for using the above-referenced S & S scoop without a canopy.

3. The Petitioner requests that 30 CFR 75.1710-1 be modified so as not to require installation of the aforementioned canopy at its mine for the following reasons:

(a) The first line of safety in Petitioner's mine and in all underground coal mines is the use of adequate roof bolting. The individual safety of all the underground miners would be endangered by the use of this canopy in that the canopy will sheer or catch the roof bolts therefore weakening the overhead arch and increasing the likelihood of roof falls;

(b) When the canopy is used, it puts the operator in a cramped and awkward position and has caused dizziness, headaches and blurred vision thereby not only causing a risk to the operator but also to his fellow workers;

(c) To the Petitioner's knowledge there is no known machinery available which would decrease or alleviate the above hazards;

(d) Since September of 1970 the Petitioner has been in the underground mining business and during such period of time has a perfect safety record in that none of its employees has ever received an injury while on the job;

(e) The Petitioner states that to require it to install the canopy on its machinery would create an unreasonable and dangerous hazard to the safety of its employees.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID B. GRAHAM,
Director, Office of Hearings and Appeals.

SEPTEMBER 14, 1977.

[FR Doc.77-27528 Filed 9-21-77;8:45 am]

[Docket No. M 77-256]

BUCK MT. COAL CO.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Buck Mt. Coal Co., 14 Maple St., Pine Grove, Pennsylvania 17963, has filed a petition to modify the application of 30 CFR 75.301, air quality, quantity and velocity, to its Buck Mt. Slope Mine, located in Schuylkill County, Pennsylvania.

The substance of Petitioner's statement is as follows:

1. Petitioner requests that section 75.301 be modified for this anthracite mine to require, in part, that the minimum quantity of air reaching each working face shall be 1,500 cubic feet a minute, that the minimum quantity of air reaching the last open crosscut in any pair or set of developing entries shall be 5,000 cubic feet a minute, and that the minimum quantity of air reaching the intake end of a pillar line shall be 5,000 cubic feet a minute and/or whatever additional quantity of air that may be required in any of these areas to maintain a safe and healthful mine atmosphere.

2. This petition requesting modification to 30 CFR 75.301 is submitted for the following reasons:

a. Air sample analysis history reveals that harmful quantities of methane are nonexistent in the mine.

b. Ignition, explosion and mine fire history are nonexistent for the mine.

c. There is no history of harmful quantities of carbon dioxide and other noxious or poisonous gases.

d. Mine dust sampling programs have revealed extremely low concentrations of respirable dust.

e. Extremely high velocities in small cross sectional areas of airways and manways required in friable anthracite veins for control purposes, particularly in steeply pitching mines, present a very dangerous flying object hazard to the miners.

f. High velocities and large air quantities cause extremely uncomfortable damp and cold conditions in the already uncomfortable, wet mines.

g. Difficulty in keeping miners on the job and securing additional mine help is due primarily to the conditions cited.

3. The petitioner avers that a decision in its favor will in no way provide less than the same measure of protection afforded the miners under the existing standard.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arling-

ton, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID B. GRAHAM,
Director, Office of Hearings and Appeals.

SEPTEMBER 14, 1977.

[FR Doc.77-27529 Filed 9-21-77;8:45 am]

[Docket No. M 77-257]

E & V COAL CORP.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), E & V Coal Corp., c/o Kenneth R. Krushenski, P.O. Box 3447, Oak Ridge, Tennessee, has filed a petition to modify the application of 30 CFR 77.1605(k), berms and guardrails, to its Mine No. 1, located in Anderson County, Tennessee.

The substance of Petitioner's statement is as follows:

1. Providing berms or guardrails as required by 77.1605(k) for this mine will create more safety hazards than exist at the mine in its present condition.

2. Petitioner will, upon investigation by the Department of Interior, show that an alternative method of achieving the specific result of safety standard 77.1605 (k) does exist, which will in fact at all times guarantee no less than the same measure of protection afforded the miners of Petitioner's Mine No. 1, by such safety standard.

3. Present safety rules in effect at the mine have prevented accidents from occurring at the mine and the measures already taken will be of more benefit than the implementation of mandatory safety standard 77.1605(k).

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID B. GRAHAM,
Director, Office of Hearings and Appeals.

SEPTEMBER 14, 1977.

[FR Doc.27530 Filed 9-21-77;8:45 am]

[Docket No. M 77-254]

MILL BRANCH MINING CO., INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accordance with the provisions of section 301(c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Mill Branch Mining, Co., Inc., P.O. Box 121, Elkhorn City, Kentucky 41522, has filed a petition to modify the application of 30 CFR 75.1710-1, cabs or canopies, to its No. 8 Mine, located in Pike County, Kentucky.

The substance of Petitioner's statement is as follows:

1. Petitioner feels that the installation of canopies on this equipment will create a hazard to the equipment operators.

2. Petitioner's haulage equipment consists of three Porter End Dump shuttle cars, one 14Bu7 Joy loading machine, one Paul's coal drill, one 300 Galis roof drill, and one 484 S&S scoop.

3. The No. 8 Mine is in the No. 1 Elkhorn Seam and ranges from 42 to 50 inches in height. The coal seam has consistent ascending and descending grades creating dips in the coalbed. As a result of these dips, the canopies have to be installed in such a manner as to prevent the canopies from getting against the roof and possibly destroying roof support. Also, this only allows a 24-inch vertical operating compartment thus limiting the vision of the equipment operator and creating a hazard to them as well as to other employees in the mine.

4. Petitioner feels that since the equipment operators' vision is limited and, because of the position required in order to be seated in the decks, the installation of canopies could be a contributing factor in any accidents which may arise.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID B. GRAHAM,
Director, Office of Hearings and Appeals.

SEPTEMBER 14, 1977.

[FR Doc.77-27531 Filed 9-21-77;8:45 am]

[Docket No. M 77-255]

TARHEEL COALS, INC.

Petition for Modification of Application of Mandatory Safety Standard

Notice is hereby given that in accord

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. § 861(c) (1970), Tarheel Coals Inc., P.O. Box 266, Pineville, Kentucky 40977, has filed a petition to modify the application of 30 CFR 77.1605(k), berms and guardrails, to its No. 3 Surface Mine, located in Perry County, Kentucky.

The substance of Petitioner's statement is as follows:

1. In attempting to comply with section 75.1605(k), the following hazards were noticed and observed which make the road a greater hazard to travel.

a. Water drainage on the down slope, or berm side, creates a ditch which might throw vehicles into or over the berm. Water freezing on the roads creates a hazard.

b. Snow cannot be removed from elevated haulage roads due to the berm.

c. Roads on a 2 to 1 out slope are being narrowed to passage of one vehicle because of the width and height of the barm.

d. Roads cannot be widened because the inner bank of the road is of solid rock on the highwall side, and widening of the road may cause landslides in some areas.

e. Because of elevation of the roads and numerous switch backs, some roads are underneath each other, thus causing the berms to slide into the road beneath. This is causing a danger to vehicles traveling underneath, and is also stopping all drainage on roads.

f. Where guardrails are installed the posts are not stable enough because there is not enough to hold the posts, even after concrete has been used.

g. The vision of the operators of vehicles is hampered by road berms for oncoming traffic, mainly on switch backs and curves.

2. The alternate method being proposed under section 301(c) listed below will guarantee no less protection than the mandatory standard.

a. All loaded haulage vehicles will have the right-of-way on highwall sides of the roads regardless of their direction of travel.

b. Training of operators of haulage vehicles in the manner and safety of handling haulage vehicles on haulage roads will be initiated.

c. Roads to be maintained in a safe condition;. surface, ditches, and passing areas.

d. All haulage vehicles are to have: (1) Original manufacturers' brakes;

(2) Engine or Jacobs brake; and

(3) Emergency braking system.

e. Roads are and will be maintained as good as or better than unpaved secondary roads in the State of Kentucky in elevated areas.

f. Warning signs should be required to be posted designating curves, steep grades, where trucks should shift to a lower gear, and where roadways are reduced to one-lane traffic. Stop signs should be required where one road intersects another, giving main haulage traffic the right-of-way.

g. Adequate supplies of crushed stone or other suitable materials should be required to be stored at strategic locations along the haulage roads for use when the road surface becomes slippery.

REQUEST FOR HEARING OR COMMENTS

Persons interested in this petition may request a hearing on the petition or furnish comments by October 25, 1977. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the In-

terior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

DAVID B. GRAHAM,
Director, Office of Hearings and Appeals.

SEPTEMBER 14, 1977.

[FR Doc.77-27532 Filed 9-21-77;8:45 am]

INTERNATIONAL TRADE COMMISSION

[Investigation 337-TA-36]

CERTAIN PLASTIC FASTENER ASSEMBLIES

Second Preliminary Conference

Notice is hereby given that a second Preliminary Conference will be held in connection with the above styled investigation at 11:00 a.m. on Monday, September 26, 1977, in the Hearing Room of the Administrative Law Judge, Room 610 Bicentennial Building, 600 E Street, NW., Washington, D.C. Notice of this investigation was published in the FEDERAL REGISTER on August 11, 1977 (42 FR 40786). The purposes of this preliminary conference are to exchange discovery plans, to discuss the procedures which will be followed in pursuing such discovery, and to resolve any other matters necessary to the conduct of this investigation.

If any questions should arise not covered by these instructions, the parties or their counsel shall call Mr. Robbins Pancake, Advisory Attorney to the Presiding Officer, at (202) 724-0070.

The Secretary shall serve a copy of this Notice upon all parties of record and shall publish it in the FEDERAL REGISTER.

Issued September 16, 1977.

ITALO H. ABLONDI,
Commissioner, Presiding Officer.

[FR Doc.77-27744 Filed 9-21-77;8:45 am]

[TA-201-28]

HIGH-CARBON FERROCHROMIUM

Time and Place of Public Hearing

Notice is hereby given that the public hearing in this matter scheduled to begin on Tuesday, October 11, 1977, in Pittsburgh, Pa., will commence at 10:00 a.m., e.d.t., in the Allegheny Room of the William Penn Hotel, Mellon Square, Pittsburgh, Pa. Requests to appear at the hearing should be filed, in writing, with the Secretary of the United States International Trade Commission at his office in Washington, D.C., not later than noon, Friday, October 7, 1977.

Notice of the investigation and hearing was published in the FEDERAL REGISTER of July 18, 1977 (42 F.R. 36896).

Issued: September 16, 1977.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.77-27722 Filed 9-21-77;8:45 am]

DEPARTMENT OF JUSTICE

Antitrust Division

UNITED STATES v. ILLINOIS PODIATRY SOCIETY, INC.

Proposed Consent Judgment and Competitive Impact Statement

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 a competitive impact statement as set out below have been filed with the United States District Court for the Northern District of Illinois, Eastern Division, in *United States* v. *Illinois Podiatry Society, Inc.*, Civil No. 77 C 501 (N.D. Ill., filed February 14, 1977). The complaint in this case alleges that the defendant conspired with its members and others in violation of section 1 of the Sherman Act by adopting and circulating relative value studies and guides that assign numerical values to particular podiatric procedures and that are used by the Society's members in determining their fees. The proposed judgment would prohibit the defendant from adopting or circulating any relative value study or similar guide. The competitive impact statement describes the terms of the judgment and the background of the action. Public comment is invited on or before November 14, 1977. Such comments and responses thereto will be published in the FEDERAL REGISTER and filed with the Court. Comments should be directed to John E. Sarbaugh, Chief, Midwest Office, Antitrust Division, Department of Justice, Room 2634, 219 South Dearborn Street, Chicago, Ill. 60604.

Dated: September 13, 1977.

CHARLES F. B. MCALEER,
Assistant Chief, Judgments & Judgment Enforcement Section, Antitrust Division.

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

United States of America, plaintiff v. Illinois Podiatry Society, Inc., defendant. Civil action, No. 77 C 501; filed: September 13, 1977.

STIPULATION

It is stipulated by and between the undersigned parties, 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 either 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 without prejudice to the plaintiff and the defendant in this or any other proceeding.

For the Plaintiff: John H. Shenefield, Acting Assistant Attorney General; William E. Swope; John E. Sarbaugh, Attorney, Department of Justice; William H. Page, Steven M. Kowal, Ruth Dicker, Attorneys, Department of Justice, Room 2634, Everett M. Dirksen Bldg., Chicago, Ill. 60604 (312-353-6975).

For the defendant: Saul A. Epton, Russell S. Barone, Epton & Druth, 69 West Washington Street, Chicago, Ill. 60602.

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

United States of America, plaintiff, v. Illinois Podiatry Society, Inc., defendant. Civil action, No. 77 C 501; filed: September 13, 1977.

FINAL JUDGMENT

Plaintiff, United States of America, having filed its complaint herein on February 14, 1977, and defendant Illinois Podiatry Society, Inc., having filed its answer to said complaint and plaintiff and defendant, by their respective attorneys, having consented to the making and entry of this Final Judgment without admission by any party in respect to any issue and without this Final Judgment constituting evidence or an admission by any party thereto with respect to any issue;

Now, therefore, before any testimony has been taken herein, without trial or adjudication of any issue of fact or law herein, and upon consent of the parties hereto, it is hereby

Ordered, Adjudged, and Decreed as follows:

I. This court has jurisdiction over the subject matter of this action and of the parties hereto. The complaint states claims upon which relief may be granted against the defendant under Section 1 of the Sherman Act. 15 U.S.C. § 1.

II. As used in this Final Judgment:

(A) "Defendant" shall mean the Illinois Podiatry Society, Inc.;

(B) "Person" shall mean any individual, partnership, firm, association, corporation, or other business or legal entity;

(C) "Relative Value Study" shall mean any list or compilation of surgical, medical or other procedures or services that sets comparative values for such procedures or services, whether or not those values are expressed in monetary terms; and

(D) "Appeals, Controls, and Review Commission" shall mean defendant's commission which arbitrates and settles fee disputes between podiatrists and their patients; between podiatrists and the insurers of such patients; or between podiatrists and the governmental agencies who reimburse them for rendering services to such patients.

III. The provisions of the Final Judgment applicable to defendant shall apply to its officers, directors, members, agents, servants, employees, subsidiaries, successors and assigns, and to all persons in active concert or participation with defendant who shall have received actual notice of this Final Judgment by personal service or otherwise.

IV. Defendant, whether acting unilaterally or pursuant to an agreement or understanding with any other person, is enjoined and restrained from directly or indirectly:

(A) Initiating, developing, maintaining, publishing, or circulating any relative value study or any other similar guide;

(B) urging, recommending, or suggesting that any of its members adhere to or use any relative value study or any other similar guide; and

(C) employing or referring to any relative value study or similar guide in performing the functions of its Appeals, Controls, and Review Commission.

Nothing in this Final Judgment shall prohibit defendant or its Appeals, Controls, and Review Commission from furnishing testimony, or such information as may be requested, to any government body, committee, or instrumentality.

Nothing in this Final Judgment shall prohibit defendant or its Appeals, Controls, and Review Commission from furnishing testimony or information to any third party directly engaged in the provision, reimbursement, indemnification or pre-payment of the costs of health services; to the extent, however, that such information or testimony may bear directly or indirectly on compensation levels for podiatric services or procedures it shall be limited to information or testimony derived solely from the professional experience of the individual members of defendant without reference to any relative value study or similar compilation.

V. Defendant is ordered and directed within thirty (30) days from the date of entry of this Final Judgment:

(A) to cancel, repeal, abrogate, and withdraw permanently any and all relative value studies that it has initiated, developed, maintained, published, or circulated; and

(B) to amend its rules, bylaws, resolutions, code of ethics, and policy statements in the manner necessary to comply with this paragraph V and to eliminate any provision which is contrary to or inconsistent with any provision of this Final Judgment.

VI. Defendant is ordered and directed:

(A) to distribute by first class mail within thirty (30) days from the date of entry of this Final Judgment a copy of this Final Judgment, together with a letter identical in text to that attached to this Final Judgment as Appendix "A", to all podiatrists who at any time since January 1, 1973, have been members of defendant, instructing them to return to defendant all copies of defendant's relative value studies in their possession;

(B) to file with the Court, and with the plaintiff herein, within ten (10) days of its compliance with Section VI(A) a report setting forth the fact and manner of its compliance with Section VI(A), together with the name and address of each person to whom a copy of this Final Judgment and a letter identical in text to that attached to this Final Judgment as Appendix "A" have been mailed in compliance herewith; and

(C) to file with the Court, and with the plaintiff herein, within sixty (60) days of its compliance with Section VI(A) a report setting forth the name and address of each person from whom a copy of a relative value study has been received in response to the letters of instruction mailed by defendant in compliance with paragraph VI(A).

VII. For the purpose of determining or securing compliance with this Final Judgment and subject to any legally recognized privilege, from time to time:

(A) Duly 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:

(1) Access during office hours of the 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 matters contained in this Final Judgment; and

(2) Subject to the reasonable convenience of the defendant and without restraint or interference from it, to interview officers, employees and agents of the defendant, who may have counsel present, regarding any such matters.

(B) Upon the written request of the Attorney General or of the Assistant Attorney General in charge of the Anti-trust Division made to the defendant's principal office, the 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.

No information or documents obtained by the means provided in this Section VII 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 to which the United States is a party, or for the purpose of securing compliance with this Final Judgment, or as otherwise required by law.

If at the time information or documents are furnished by the defendant to plaintiff, the defendant represents and identifies in writing the material in any such information or documents to which a claim of protection may be asserted under Rule 26 (c)(7) of the Federal Rules of Civil Procedure, and the defendant marks each pertinent page of such material, "Subject to claim of protection under Rule 26(c)(7) of the Federal Rules of Civil Procedure," then 10 days notice shall be given by plaintiff to the defendant prior to divulging such material in any legal proceeding (other than a Grand Jury proceeding) to which the defendant is not a party.

VIII. Jurisdiction is retained by this Court 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 for the construction or carrying out of this Final Judgment, for the modification of any of the provisions hereof, for the enforcement of compliance herewith, and for the punishment of violations hereof.

IX. The entry of this Final Judgment is in the public interest.

United States District Judge.

Dated:

APPENDIX A

(ILLINOIS PODIATRY SOCIETY LETTERHEAD)

Date _____

To: Present and former members of the Illinois Podiatry Society.

The Antitrust Division of the U.S. Department of Justice has been conducting inquiries into the relative value study activities of various medical societies including the Illinois Podiatry Society. As you may know, they have recently filed a suit challenging the legality of the Illinois Podiatric Relative Value Study. The Board of Directors of the Society, rather than to continue involvement in this lawsuit, has decided to discontinue its relative value study activities and has done so. Therefore, it has entered into an agreement with the Department of Justice to formalize the discontinuance of its Relative Value Study.

The agreement resulted in the entry by the United States District Court for the Northern District of Illinois, Eastern Division, of a consent decree, which requires that the Society:

(a) Stop publishing and participating in the development of relative value studies;

(b) Withdraw the relative value studies it has already published;

(c) Distribute a copy of the Final Judgment to all podiatrists who at any time since January 1, 1973, have been members of the Society; and

(d) Instruct all podiatrists who at any time since January 1, 1973, have been members of the Society to return their copies of the Society's relative value studies.

The complaint of the Department of Justice alleges that the Society's relative value studies have the effect of influencing fees charged by podiatrists in Illinois in violation of section 1 of the Sherman Act. The Final Judgment states that the Judgment is for settlement purposes only and does not constitute an admission by the Society of the charges in the complaint or that the law has been violated.

In accordance with the consent decree, you are instructed to cease using and to return within seven (7) days of your receipt of this letter all copies of any Society relative value studies in your possession.

The proper mailing address is:

Illinois Podiatry Society, 307 North Michigan Avenue, Suite 924, Chicago, Ill. 60601.

A copy of the Final Judgment is enclosed.

Sincerely,

_____,
President.

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

United States of America, Plaintiff, v. *Illinois Podiatry Society, Inc.*, Defendant.

Civil Action No. 77 C 501.

Filed: September 13, 1977.

COMPETITIVE IMPACT STATEMENT

Pursuant to section 2(b) of the Antitrust Procedures and Penalties Act, 15 U.S.C. § 16 (b)-(h), the United States of America hereby files this Competitive Impact Statement explaining the proposed Final Judgment in this civil antitrust proceeding.

I.—NATURE AND PURPOSE OF THE PROCEEDING

This is a civil antitrust action by the United States against the Illinois Podiatry Society, Inc., of Chicago, Ill. The complaint, which was filed on February 14, 1977, alleges that the defendant has engaged in an unlawful combination and conspiracy to restrain interstate trade and commerce in violation of section 1 of the Sherman Act, 15 U.S.C. § 1. This action was brought to enjoin the alleged combination and conspiracy and to prevent the perpetuation of its effects.

II.—PRACTICES AND EVENTS GIVING RISE TO THE ALLEGED VIOLATION OF THE ANTITRUST LAWS

The complaint states that podiatrists in Illinois are licensed to diagnose and treat disorders of the human foot by all medical, physical, and surgical techniques except administration of general anesthetics or amputation of the foot. There are in Illinois approximately 700 practicing podiatrists who generally are engaged in private practice, deriving their income from fees charged directly to patients.

The defendant is a professional association, comprised of most of the podiatrists practicing in Illinois. The complaint states that its members realize aggregate annual revenues in excess of $35 million.

The complaint alleges that beginning in 1964, the defendant, and co-conspirators including the defendant's members, have combined and conspired to fix, maintain, and stabilize podiatric fees by adopting and circulating relative value studies and guides that assign specific numerical values to particular podiatric procedures and are used by

members of the defendant in determining their fees.

According to the complaint, the alleged conspiracy had the effect of restraining price competition in the sale of podiatric services, and of fixing, maintainng, and stablizing fees for podiatric services at artificial and non-competitive levels.

III.—EXPLANATION OF THE PROPOSED CONSENT JUDGMENT

The United States and the defendant have agreed that a consent judgment, in the form negotiated by the parties, may be entered by the Court at any time after compliance with the Antitrust Procedures and Penalties Act, provided that plaintiff has not withdrawn its consent. The stipulation provides that there has been no admission by either 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 judgment is conditioned upon a determination by the Court that it is in the public interest.

A. *Mandatory provisions of the proposed judgment.* The proposed judgment prohibits the defendant from developing, maintaining, circulating, or recommending any relative value study or similar guide. The defendant is specifically enjoined from employing or referring to any relative value study or similar guide in performing its peer review functions. A proviso permits the defendant to furnish information requested by government agencies. Defendant is also permitted to submit information to health maintenance organizations, so long as any such information relating to fees is derived solely from the professional experience of its members without reference to any relative value studies.

The proposed judgment orders the defendant within thirty days of entry of the judgment to cancel and withdraw all of its relative value studies and to amend its rules, bylaws, resolutions, code of ethics, and policy statements to eliminate any provisions inconsistent with the judgment.

The defendant must distribute to all podiatrists who at any time since January 1, 1973, have been members of the Illinois podiatrists, within 30 days of entry of the judgment, a copy of the judgment and a form letter directing the addressees to return all copies of defendant's relative value studies. Within ten days after distributing the copies of the judgment and the letter, defendant must file a report setting forth the name and addresses of persons to whom they were sent. Within sixty days after distributing the copies of the judgment and the letter, defendant must file a report setting forth the names and addresses of persons from whom copies of relative value studies have been received.

The Department of Justice will have access, upon reasonable notice, to the records and personnel of defendant in order to determine defendant's compliance with the provisions of the judgment. The Court retains jurisdiction of the matter to enable either party to apply for such orders or directions as may be necessary for carrying out the judgment, for modification of its provisions, or for punishment of any violations.

B. *Scope of the proposed judgment.* The terms of the proposed judgment are perpetual in duration except as specifically noted in the preceding paragraph, and apply to the defendant, its officers, directors, members, agents, servants, employees, subsidiaries successors, and assigns, and to all other persons in active concert or participation with defendant who receive actual notice of the judgment.

IV.—EFFECT OF THE PROPOSED JUDGMENT ON COMPETITION

The mandatory provisions of the proposed judgment are designed to cause podiatrists in Illinois independently to determine their fees and the relative values of the procedures and services that they perform.

V.—ALTERNATIVE REMEDIES ACTUALLY CONSIDERED BY THE GOVERNMENT

The Government considered requiring the defendant to abolish altogether its peer review committee, which adjudicates fee disputes between third party reimbursement organizations and podiatric care providers. The Government abandoned this position in light of the character of the committee's functions. Similarly, the Government considered prohibiting all communications with private parties concerning compensation levels for podiatric services, unless those communications were "limited to historical data, free of editing or interpretation, [were] completely described as to methodology." This provision was eliminated in favor of the current one, which permits transmitting information not inconsistent with the decree to health maintenance organizations.

VI.—REMEDIES AVAILABLE TO POTENTIAL PRIVATE LITIGANTS

Section 4 of the Clayton Act, 15 U.S.C. § 15, provides that any person who has been injured in his business or property as a result of conduct prohibited by the antitrust laws may sue in federal court for three times the damages such person has suffered as well as for costs and reasonable attorney's fees. Entry of the proposed final judgment in this proceeding will neither impair nor assist the bringing of section 5(a) of the Clayton Act, 15 U.S.C. § 16, the proposed final judgment will have no prima facie effect in any subsequent private lawsuit that may be brought against the defendant.

VII.—PROCEDURES AVAILABLE FOR MODIFICATION OF THE PROPOSED JUDGMENT

As provided by the Antitrust Procedures and Penalties Act, any person believing that the proposed Final Judgment should be modified may submit written comments to John E. Sarbaugh, Chief, Midwest Office, Antitrust Division, Department of Justice, Room 2634, 219 South Dearborn Street, Chicago, Ill. 60604, within the 60-day period provided by the Act. These comments and the responses to them will be filed with the Court and published in the FEDERAL REGISTER. All comments will be given due consideration by the Department of Justice, which remains free to withdraw its consent to the proposed judgment at any time prior to its entry if it should determine that some modification of it is necessary.

VIII.—OTHER MATERIALS

There are no materials or documents which the Government considered determinative in formulating this proposed Final Judgment. Therefore, none is being filed along with this Competitive Impact Statement.

JOHN E. SARBAUGH,
Attorney, Department of Justice.
WILLIAM H. PAGE,
STEVEN M. KOWAL,
Attorney, Department of Justice, Room 2634, Everett M. Dirksen Bldg., Chicago, Ill. 60604 (312-353-6975).

[FR Doc.77-27535 Filed 9-21-77;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

MEETING

Notice is hereby given, pursuant to Pub. L. 92-563, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on Thursday, October 13, Friday, October 14 and Saturday, October 15, 1977. The Committees on Site Visits/Parent Involvement, Indian Education/Migrant, and Legislative Testimony will meet on Thursday from 7 p.m. to 9 p.m. The regular Council meeting will be held from 9 a.m. to 4:30 p.m. on Friday, and on Saturday from 9 a.m. to 1 p.m. The three-day activities will be held at 425 13th Street NW., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The purpose of the committee meetings will be to:

1. Review portions of draft special reports;
2. Review written comments on the Migrant Regulations;
3. Discuss and further develop testimony for the Title I Reauthorization; and
4. Further discuss current status of individual committee activities.

The Council meeting is being held to review overall progress toward Council Report activities; review and approve draft testimony and plan further Council activities to achieve its stated goals for the 1977-78 calendar year; and to respond to the NIE Compensatory Education Reports.

The entire meeting will be open to the public. Because of limited space, all persons wishing to attend should call for reservations by October 11, 1977, area code 202/724-0114.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 13th Street NW., Suite 1012, Washington, D.C. 20004.

Signed at Washington, D.C., on September 19, 1977.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.77-27726 Filed 9-21-77;8:45 am]

NATIONAL CAPITAL PLANNING COMMISSION

COMMISSION MEETING

Tentative Agenda Items

In order to provide notice regarding matters which may be acted upon by

the Commission and to solicit written comments prior to and oral comments at meetings of the Commission in accordance with the Commission's Procedures for Citizen Participation and Intergovernmental Liaison, approved April 7, 1977, there is set forth below a list of agenda items tentatively scheduled for consideration by the Commission at its meeting at 9:30 a.m. on October 6 and 13, 1977 and at subsequent meetings. The Commission meets in its Tenth Floor Conference Room at 1325 G Street NW., Washington, D.C.

File No. and Item

OCTOBER 6 AND 13, 1977

CP01/1203—Comprehensive Plan for the National Capital: Foreign Missions and International Agencies. (Commission action requested: adoption of proposed element and related conforming modifications to other elements pursuant to Section 4 of the National Capital Planning Act of 1952.)

CP14—Prince George's County, Maryland, Fiscal Years 1978–1983 Capital Improvements Program. (Commission action requested: comments on Federal interest to Prince George's County Council.)

MP128—Montgomery County, Maryland, North Bethesda Sector Plans—Twinbrook, Nicholson Lane and Grosvenor (Preliminary Draft). (Commission action requested: comments to Montgomery County Planning Board.)

0029, MP44—Metro: Rockville Route. Air Conditioning Facility Chiller Plant and Cooling Towers (National Zoological Park). (Commission action requested: approval of final site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952 and D.C. Code, sec. 5–428.)

0348—District of Columbia Multi-Year Capital Improvements Program, Fiscal Years 1979–1984. (Commission action requested: comments pursuant to Section 7 of the National Capital Planning Act of 1952.)

0435—Prince George's County Zoning Map Petition. Request for construction of mausoleum in cemetery southeast of intersection of Eastern Avenue and Bladensburg Road, N.E., near District line. (Commission action requested: report to Maryland-National Capital Park and Planning Commission.)

0841—Notices of Availability of Excess Real Property:

a. King Warehouse Site, 219 North Lee Street, Alexandria, Virginia. (Commission action requested: comments to General Services Administration.)

b. Quartermaster Market Center, North Henry Street and Bashford Lane, Alexandria, Virginia. (Commission action requested: comments to General Services Administration.)

1727—General Services Administration, Central Heating Plant, 13th and D Streets, SW., Oil Handling Facility. (Commission action requested: approval of final site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952 and D.C. Code, sec. 5–428.)

1729—Proposed text amendment to the Zoning Regulations of the District of Columbia prohibiting sex oriented businesses in districts other than C–3–B and C–4, (Zoning Commission Case No. 77–15). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5–417.)

1734—Change in Permanent System of Highways Plan—Elimination of part of 30th Street, N.W., between Oregon Avenue and Aberfoyle Place and Aberfoyle Place South of 31st Street, (S.O. 70–280). (Commission action requested: approval pursuant to D.C. Code, sec. 7–122.)

1735—Proposed amendment to the Zoning Map of the District of Columbia to change from C–2–A and R–4 to C–2–B and R–5–C Squares 912 and 934 bounded by 8th, 10th, G and H Streets, N.E., (H Street Urban Renewal Area) (Zoning Commission Case No. 77–2). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5–417.)

1736—Proposed amendment to the Zoning Map of the District of Columbia to change from R–5–B and C–2–A to R–5–C various lots in Square 204, (Shaw School Urban Renewal Area) (Zoning Commission Case No. 77–14). (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5–417.)

1737—Veterans Administration Hospital, Michigan Avenue and North Capitol Street, N.W. Linear Accelerator Suite Addition. (Commission action requested: approval of final site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952 and D.C. Code, sec. 5–428.)

1740—Proposed text amendment to the Zoning Regulations of the District of Columbia expediting the procedure for approval of certain proposed planned unit developments in major business and employment centers. (Zoning Commission Case No. 77–24.) (Commission action requested: report to Zoning Commission pursuant to D.C. Code, sec. 5–417.)

NOVEMBER 3 AND 10, 1977

1738—Street and alley closing—Part of New Jersey Avenue, N.W., between Massachusetts Avenue and H Street, (S.O. 76–395). (Commission action requested: recommendations to Council of the District of Columbia pursuant to D.C. Code, sec. 7–401.)

1614—Bolling/Anacostia Tract, District of Columbia, Defense/Intelligence Agency. (Commission action requested: comments on final site and building plans pursuant to Section 610(a) of Military Construction Authorization Act, 1974.)

DECEMBER 1 AND 8, 1977

MP15—George Washington Memorial Parkway, Montgomery County, Maryland—Boundary Revision and Occupation of Lands, (Gold Mine Tract and Conduit Road.) (Commission action requested: approval of revised boundary pursuant to Capper-Cramton Act.)
West Potomac Park, District of Columbia.

MP49—a. Subarea Master Plan. (Commission action requested: approval pursuant to Section 5 of the National Capital Planning Act of 1952.)

0570—b. Franklin Delano Roosevelt Memorial. (Commission action requested: approval of preliminary site and building plans pursuant to Section 5 of the National Capital Planning Act of 1952.)

1676—Washington, D.C. Civic Center, 9th and H Streets, N.W. (Commission action requested: approval of location and program pursuant to Section 5 of the National Capital Planning Act of 1952 and D.C. Code, sec. 5–428.)

Organizations and individuals desiring to make a statement or otherwise communicate their views on any item tentatively scheduled for the October 6 and 13 meeting should advise Samual K. Frazier, Chief, Office of Public Affairs, National Capital Planning Commission, Washington, D.C. 20576, telephone 724–0174. Copies of the Executive Director's Recommendation on any action item on the agenda for the October 6 and 13 meeting may be obtained from Mr. Frazier on or after October 4. Agenda items with respect to which no organization or individual has advised Mr. Frazier by Thursday, September 29, 12:00 noon, of a desire to present views in person to the Commission and on which the Executive Director recommends approval or a favorable report, may be placed on the "consent calendar" and acted upon by the Commission, without presentation or discussion, at the beginning of the Commission meeting on October 6. To insure that written comments on any items are placed before the Commission prior to Commission action thereon, written statements must be received by Mr. Frazier by Wednesday, October 5, 12:00 noon.

The Commission's Procedures for Citizen Participation and Intergovernmental Liaison, copies of which may be obtained from Mr. Frazier, generally provide that comments on District plans and projects should address their effect on the Federal establishment and/or on Federal interests in the National Capital Region.

DANIEL H. SHEAR,
Secretary.

SEPTEMBER 16, 1977.

[FR Doc.77-27534 Filed 9-21-77;8:45 am]

NUCLEAR REGULATORY COMMISSION

ABNORMAL OCCURRENCE REPORT

Ninth Report Submitted to the Congress

Notice is hereby given that pursuant to the requirements of Section 208 of the Energy Reorganization Act of 1974, as amended, the Nuclear Regulatory Commission has published and issued the ninth periodic report to Congress on abnormal occurrences (NUREG–0090–8). The release date is September 15, 1977.

Under the Energy Reorganization Act of 1974, which created the NRC, an abnormal occurrence is defined as "an unscheduled incident or event which the Commission (NRC) determines is significant from the standpoint of public health or safety." The NRC has made a determination, based on criteria published in the FEDERAL REGISTER (42 FR 10950) on February 24, 1977, that events involving an actual loss of significant reduction in the degree of protection against radioactive properties of source, special nuclear, and byproduct materials are abnormal occurrences.

The ninth report to Congress is for the second quarter of 1977 and indicates that during this period:

(a) There were two abnormal occurrences at the 64 nuclear power plants licensed to operate. One involved a breach

of a plant's physicial security system and the other involved degraded fuel rods.

(b) There were no abnormal occurrences at fuel cycle facilities (other than nuclear power plants).

(c) There were two abnormal occurrences at other licensee facilities. One involved improper radiactive source handling procedures and the other involved overexposure of two radiographers.

The incidents involved temporary reductions in margins of safety normally provided.

The ninth report to the Congress also contains updating information on abnormal occurrences reported in previous reports.

The report does not contain information on activities in those states which have entered into agreements with the NRC for the assumption of certain regulatory authority pursuant to Section 274 of the Atomic Energy Act of 1954, as amended. Future reports will include Agreement State licensee activities.

Interested persons may review the report at the NRC's Public Document Room, 1717 H Street NW., Washington, D.C. or at any of the 130 local Public Document Rooms throughout the country. The report, designated NUREG-0090-8, may be purchased from the National Technical Information Service, Springfield, Va. 22161, at $4 a copy on or about September 30, 1977.

Dated at Washington, D.C. this 16th day of September, 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK,
Secretary of the Commission.

[FR Doc.77-27540 Filed 9-21-77;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, SUBCOMMITTEE ON REACTOR SAFETY RESEARCH

Meeting

In accordance with the purposes of Sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the ACRS Subcommittee on Reactor Safety Research will hold an open meeting on October 5, 1977, in room 1162, 1717 H St. NW., Washington, D.C. 20555. This is a continuation of the meetings of the Reactor Safety Research Subcommittee and its various Working Groups in the ACRS effort to gather information to provide a yearly report to Congress on reactor safety research. The purpose of this meeting is to discuss with the NRC Staff the management aspects and interoffice procedures for establishing safety research programs.

The agenda for subject meeting shall be as follows:

WEDNESDAY, OCTOBER 5, 1977

2 P.M. UNTIL CONCLUSION OF BUSINESS

The Subcommittee may meet in Executive Session to explore and exchange preliminary opinions regarding matters which should be considered during the meeting and to formulate a report and recommendations to the full Committee.

At the conclusion of the Executive Session the Subcommittee will discuss with representatives of the NRC Staff the NRC Reactor Safety Research Program.

At the conclusion of these sessions the Subcommittee may caucus to determine whether the matters identified in the Executive Sessions have been adequately covered and whether the project is ready for review by the full Committee.

Practical considerations may dictate alterations in the above agenda or schedule. The Chairman of the Subcommittee is empowered to conduct he meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted session from one day to the next.

The Advisory Committee on Reactor Safeguards is an independent group established by Congress to review and report on each application for a construction permit and on each application for an operating license for a reactor facility and on certain other nuclear safety matters. The Committee's reports become a part of the public record. Although ACRS meetings are ordinarily open to the public and provide for oral or written statements to be considered as a part of the Committee's information gathering procedure concerning the health and safety of the public, they are not adjudicatory type hearings such as are conducted by the Nuclear Regulatory Commission's Atomic Safety and Licensing Board as part of the Commission's licensing process. ACRS meetings do not normally treat matters pertaining to environmental impacts outside the radiological safety area.

With respect to public participation in the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda may do so by providing a readily reproducible copy to the Subcommittee at the beginning of the meeting. Comments should be limited to safety related areas within the Committee's purview.

Persons desiring to mail written comments may do so by sending a readily reproducible copy thereof in time for consideration at this meeting. Comments postmarked no later than September 28, 1977, addressed to Mr. Thomas G. McCreless, ACRS, NRC, Washington, D.C. 20555, will normally be received in time to be considered at this meeting.

(b) Persons desiring to make an oral statement at the meeting should make a request to do so prior to the meeting, identifying the topics and desired presentation time so that appropriate arrangements can be made. The Subcommittee will receive oral statements on topics relevant to its purview at an appropriate time chosen by the Chairman.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call on September 20, 1977, to the Office of the Executive Director of the Committee (telephone 202-634-1374, Attn: Mr. Thomas G. McCreless) between 8:15 a.m. and 5 p.m., e.d.t.

(d) Questions may be propounded only by members of the Subcommittee, its consultants, and Staff.

(e) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will be allowed while the meeting is in session at the discretion of the Chairman to a degree that is not disruptive to the meeting. When use of such equipment is permitted, appropriate measures will be taken to protect proprietary or privileged information which may be in documents, folders, etc., being used during the meeting. Recordings will be permitted only during those sessions of the meeting when a transcript is being kept.

(f) A copy of the transcript of the meeting where factual information is presented and a copy of the minutes of the meeting will be available for inspection or after October 12, 1977, and January 5, 1978, respectively, at the NRC Public Document Room, 1717 H Street NW., Washington, D.C. 20555.

Copies may be obtained upon payment of appropriate charges.

Dated: September 20, 1977.

CHASE R. STEPHENS,
Acting Advisory Committee Management Officer.

[FR Doc.77-27813 Filed 9-4-77;8:45 am]

[Docket No. 50-341]

DETROIT EDISON CO. ENRICO FERMI ATOMIC POWER PLANT UNIT 2

Consideration of Issuance of Amendment to Construction Permit

The Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Construction Permit No. CPPR-87 issued to the Detroit Edison Company (the applicant) on September 26, 1972 for construction of the Enrico Fermi Atomic Power Plant Unit 2 (the facility) located in Monroe County, Michigan.

The proposed amendment would add Northern Michigan Electric Cooperative, Inc. and Wolverine Electric Cooperative, Inc., as 20 percent co-owners of the facility. Under the proposed amendment, the applicant will continue to have the sole responsibility and authority to construct the facility. In addition, the applicant will have the responsibility and the authority to act on behalf of Northern Michigan Electric Cooperative, Inc. and Wolverine Electric Cooperative, Inc. in pursuing such further facility and materials license applications as may be required by law and regulations.

Prior to a decision on the proposed amendment, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The amendment to the construction permit will not be approved until the Commission has reviewed the

proposal and has concluded (1) that the amendment will not be inimical to the common defense and security and would not constitute an unreasonable risk to the health and safety of the public and, (2) that the co-owners are financially qualified for joint participation in the ownership of the facility. The NRC will complete an evironmental evaluation in accordance with 10 CFR Part 51 to determine if the preparation of an environmental impact statement, or negative declaration and environmental appraisal is warranted. The action will be the subject of a notice in the FEDERAL REGISTER.

Pursuant to 10 CFR § 2.105, by October 25, 1977, the applicant may file a request for a hearing; and, any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the proposed amendment to the construction permit. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed action. Such petitions must be filed in accordance with this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by October 25, 1977. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Eugene B. Thomas, Jr., Esq., LeBoeuf, Lamb, Leiby and MacRae, 1757 N Street, NW., Washington, D.C. 20036, and Peter A. Marquardt, Esq., The Detroit Edison Company, 2000 Second Avenue, Detroit, Michigan 48226, attorneys for the applicant.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Contentions shall be limited to the matters within the scope of the amendment under consideration. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely will not be entertained absent a determination by the Commission or designated licensing board that the petitioner, in addition to the matters specified in 10 CFR § 2.714 (d), has made a substantial showing of good cause for failure to file on time. The reasons for the tardiness in filing a petition for leave to intervene, as well as the factors specified in 10 CFR § 2.714(a) (1)–(4), shall be considered in making a determination whether there has been a substantial showing of good cause by the petitioner.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding to disposition of the petitions. In the event no request for a hearing or petition to intervene is filed by the above date, the Commission may upon satisfactory completion of all evaluations, issue a construction permit amendment approving the change in ownership without further prior notice.

In the event that a hearing is held and a person is permitted to intervene, he/she becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he/she may present evidence and examine witnesses.

For further details with respect to this action, see Amendments 8 and 9 to the application for a license to operate the facility dated May 6, 1977 and May 25, 1977 which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the local Public Document Room at Monroe County Library System, Reference Department, 3700 South Custer Road, Monroe, Michigan 48161. The amendment and the Safety Evaluation Report, when issued, may be inspected at the above locations.

Dated at Bethesda, Maryland this 1st day of September, 1977.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
Chief, Light Water Reactors Branch No. 1 Division of Project Management.

[FR Doc.77-27072 Filed 9-21-77;8:45 am]

[Docket No. 50-335]

FLORIDA POWER & LIGHT CO.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 16 to Facility Operating License No. DPR-67, issued to Florida Power & Light Co. (the licensee), which revised Enclosure 1 of the license for operation of the St. Lucie Plant Unit No. 1 (the facility) located in St. Lucie County, Fla. The amendment is effective as of its date of issuance.

The amendment extends certain surveillance intervals for less than one month to allow testing to be performed during a scheduled reactor shutdown.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated August 22, 1977, as supplemented by letter dated September 2, 1977, (2) Amendment No. 16 to License No. DPR-67, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Indian River Junior College Library, 3209 Virginia Avenue, Ft. Pierce, Fla. 33450. A single copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this sixth day of September 1977.

For the Nuclear Regulatory Commission.

MARSHALL GROTENUIS,
Acting Chief, Operating Reactors Branch No. 2, Division of Operating Reactors.

[FR Doc.77-27259 Filed 9-21-77;8:45 am]

[Docket No. 50-336]

NORTHEAST NUCLEAR ENERGY CO., ET AL.

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 31 to Facility Operating License No. DPR-65 issued to Northeast Nuclear Energy Co., The Connecticut Light and Power Co., The Hartford Electric Light Co., and Western Massachusetts Electric Co., which revised Technical Specifications for operation of the Millstone Nuclear Power Station, Unit No. 2, located in the Town of Waterford, Conn. The amendment is effective as of the date of issuance.

The amendment modifies the existing Technical Specifications 3.4.11 and 4.4.11.2 which address the required use of the Internals Vibration Monitor (IVM).

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Com-

mission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated March 25, 1977, (2) Amendment No. 31 to License No. DPR–65, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Waterford Public Library, Rope Ferry Road, Waterford, Conn. 06385. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 12th day of September 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.77-27260 Filed 9-21-77;8:45 am]

[Docket No. 50-285]

OMAHA PUBLIC POWER DISTRICT

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 29 to Facility Operating License No. DPR–40 issued to Omaha Public Power District which revised Technical Specifications for operation of the Fort Calhoun Station, Unit No. 1, located in Washington County, Nebr. The amendment is effective as of its date of issuance.

The amendment revises section 5.3.1 of the Technical Specifications relating to the qualifications of the Supervisor, Chemical and Radiation Protection, in response to a request made by the NRC in a letter to the licensee dated March 2, 1977.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment dated May 31, 1977, (2) Amendment No. 29 to License No. DPR–40, and (3) the Commission's related evaluation contained in the Commission's letter to the licensee dated September 12, 1977. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Blair Public Library, 1665 Lincoln Street, Blair, Nebr. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 12th day of September 1977.

For the Nuclear Regulatory Commission.

GEORGE LEAR,
Chief, Operating Reactors Branch No. 3, Division of Operating Reactors.

[FR Doc.77-27261 Filed 9-21-77;8:45 am]

[Docket No. 50-549]

POWER AUTHORITY OF THE STATE OF NEW YORK

Availability of Safety Evaluation Report for Greene County Nuclear Power Plant

Notice is hereby given that the Office of Nuclear Reactor Regulation has published its Safety Evaluation Report on the proposed construction of the Greene County Nuclear Power Plant to be located in Greene County, New York. Notice of receipt of the Power Authority of the State of New York's application to construct and operate the Greene County Nucelar Power Plant was published in the FEDERAL REGISTER on February 19, 1976 (41 FR 7593).

The report is being referred to the Advisory Committee on Reactor Safeguards and is being made available at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Catskill Public Library, 1 Franklin Street, Catskill, N.Y., for inspection and copying. The report (Document No. NUREG–0283) can also be purchased, at current rates, from the National Technical Information Service, Springfield, Va. 22161.

Dated at Bethesda, Md., this 14th day of September, 1977.

For the Nuclear Regulatory Commission.

HARRY ROOD,
Acting Chief, Light Water Reactors Branch No. 2, Division of Project Management.

[FR Doc.77-27283 Filed 9-21-77;8:45 am]

[Docket No. 50-333]

POWER AUTHORITY OF THE STATE OF NEW YORK

Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 27 to Facility Operating License No. DPR–59, issued to Power Authority of the State of New York (the licensee), which revised Technical Specifications for operation of the James A. FitzPatrick Nuclear Power Plant (the facility) located in Oswego County, N.Y. The amendment is effective as of its date of issuance.

The amendment revises the Inservice Inspection requirements for the plant.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of this amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of this amendment will not result in any significant environmental impact and that pursuant to 10 CFR § 51.5(d)(4) an environmental impact statement, negative declaration or environmental impact appraisal need not be prepared in connection with issuance of this amendment.

For further details with respect to this action, see (1) the application for amendment transmitted by letter dated June 15, 1977, as supplemented August 25, 1977, (2) Amendment No. 27 to License No. DPR–59, and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. and at the Oswego County Office Building, 46 E. Bridge Street, Oswego, N.Y. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Md., this 12th day of September 1977.

For the Nuclear Regulatory Commission.

GERALD B. ZWETZIG,
Acting Chief, Operating Reactors Branch No. 4, Division of Operating Reactors.

[FR Doc.77-27633 Filed 9-21-77;8:45 am]

PUBLIC SERVICES CO. OF OKLAHOMA, ET AL.

Order Resuming Evidentiary Hearing on Environmental and Site Suitability Issues

In the matter of Public Services Co. of Oklahoma, Associated Electric Cooperative, Inc. and Western Farmers Electric Cooperative, Inc. (Black Fox Station, Units 1 and 2); Docket Nos. STN 50-556, STN 50-557.

Please take notice and it is hereby ordered that the evidentiary hearing on the environmental and site suitability issues will resume at 9:30 a.m. on October 17, 1977 and continue through October 21, 1977. The location of the hearing is as follows:

Sheraton Inn-Skyline East, 6333 East Skelly Drive, Tulsa, Okla. 74135.

Any outstanding written direct testimony must be submitted on or before October 7, 1977.

Members of the public are invited to attend this evidentiary hearing.

It is so ordered.

Dated this 16th day of September, 1977 at Bethesda, Md.

For the Atomic Safety and Licensing Board.

SHELDON J. WOLFE,
Chairman.

[FR Doc.77-27631 Filed 9-21-77;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicant concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.39, Revision 2, "Housekeeping Requirements for Water-Cooled Nuclear Power Plants," describes an acceptable method of complying with the Commission's regulations with regard to housekeeping requirements for the control of work activities, conditions, and environments at water-cooled nuclear power plant sites. This guide endorses ANSI Standard N45.2.3-1973, "Housekeeping During the Construction Phase of Nuclear Power Plants." This guide was revised to reflect public comment and additional staff review.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

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

Dated at Rockville, Md., this 15th day of September 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,
Office of Standards Development.

[FR Doc.77-27632 Filed 9-21-77;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.135, "Normal Water Level and Discharge at Nuclear Power Plants," provides methods acceptable to the NRC staff for determining normal ground and surface water levels and surface water discharges. This information is needed to analyze the effect of natural and accidental design basis events on structures and systems at nuclear power plants. The guide also suggests data sources for use in determining such water levels and discharges.

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.135 will, however, be particularly useful in evaluating the need for an early revision if received by November 15, 1977.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

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

Dated at Rockville, Md., this 12th day of September 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,
Office of Standards Development.

[FR Doc.77-27262 Filed 9-21-77;8:45 am]

REGULATORY GUIDE

Issuance and Availability

The Nuclear Regulatory Commission has issued a new guide in its Regulatory Guide Series. This series has been developed to describe and make available to the public methods acceptable to the NRC staff of implementing specific parts of the Commission's regulations and, in some cases, to delineate techniques used by the staff in evaluating specific problems or postulated accidents and to provide guidance to applicants concerning certain of the information needed by the staff in its review of applications for permits and licenses.

Regulatory Guide 1.134, "Medical Certification and Monitoring of Personnel Requiring Operator Licenses," describes a method acceptable to the NRC staff for complying with the Commission's regulations for evaluation of the medical qualifications of applicants for initial or renewal operator or senior operator licenses. This guide endorses ANSI Standard N546-1976, "Medical Certification and Monitoring of Personnel Requring Operator Licenses for Nuclear Power Plants."

Comments and suggestions in connection with (1) items for inclusion in guides currently being developed or (2) improvements in all published guides are encouraged at any time. Public comments on Regulatory Guide 1.134 will, however, be particularly useful in evaluating the need for an early revision if received by November 16, 1977.

Comments should be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

Regulatory guides are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Requests for single copies of issued guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division

of Document Control. Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and Commission approval is not required to reproduce them.

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

Dated at Rockville, Md., this 13th day of September 1977.

For the Nuclear Regulatory Commission.

ROBERT B. MINOGUE,
Director,
Office of Standards Development.

[FR Doc.77-27284 Filed 9-21-77;8:45 am]

[Docket Nos. 50-295 and 50-304]

COMMONWEALTH EDISON CO.

Proposed Issuance of Amendments to Facility Operating Licenses

The Nuclear Regulatory Commission (the Commission) is considering, the issuance of amendments to Facility Operating Licenses No. DPR-39 and DPR-48 issued to Commonwealth Edison Company (the licensee) for operation of the Zion Station Units 1 and 2 (the facility) located in Zion, Illinois.

The amendments will involve changes to the common Unit 1 and Unit 2 Technical Specifications to (1) change the allowed indicated axial flux difference for Units 1 and 2 from ±5% to +6, −7%, (2) change the hot channel factor limits for Unit 1, and (3) delete the requirement to monitor the Unit 1 axial peaking factor with the Axial Power Distribution Monitoring System (APDMS). The present Technical Specifications require monitoring the Unit 1 axial peaking factor with the APDMS for power levels above 98.2%.

Prior to issuance of the proposed license amendments, the Commission will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations.

By October 25, 1977, the licensee may file a request for a hearing and any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendments to the subject facility operating licenses. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of Section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and Section 2.714 of 10 CFR, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and to Mr. John W. Rowe, Isham, Lincoln & Beale, One First National Plaza, Chicago, Illinois 60690, the attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendments dated July 12, 1977, which is available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the Waukegan Public Library, 128 North County Street, Waukegan, Illinois 60085.

Dated at Bethesda, Maryland, this 15th day of September 1977.

For the Nuclear Regulatory Commission.

A. SCHWENCER,
Chief, Operating Reactors Branch #1, Division of Operating Reactors.

[FR Doc.77-27911 Filed 9-21-77;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Meeting

The meeting notice for the ACRS meeting to be held on October 6-8, 1977, in Room 1046, 1717 H Street NW., Washington, D.C., is revised as noted below. This change is to correct an error regarding the nature of the review of the Pilgrim Nuclear Power Station Unit 2. This review will consider the request for a Construction Permit for this facility rather than an Operating License as previously indicated.

THURSDAY, OCTOBER 6, 1977

2:15 p.m.–2:45 p.m.: Executive Session (Open)—The Committee will hear and discuss the report of the ACRS Subcommittee and consultants who may be present related to the request for a Construction Permit for the Pilgrim Nuclear Power Station Unit 2. Portions of this session will be closed if necessary to discuss Proprietary Information applicable to this project and provisions for physical protection of this facility.

2:45 p.m.–5:45 p.m.: Pilgrim Nuclear Power Station Unit 2 (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC Staff and the Applicant related to the request for a Construction Permit for the Pilgrim Nuclear Power Station Unit 2. Portions of this session will be closed if required to discuss Proprietary Information related to this facility and provisions for physical protection of this facility.

Dated: September 20, 1977.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.77-27909 Filed 9-21-77; 8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON THE SKAGIT NUCLEAR PROJECT

Meeting Location

The September 30, 1977 meeting of the ACRS Subcommittee on the Skagit Nuclear Project, announced in the FEDERAL REGISTER on September 15, page 46432, will be held at the Hyatt House, 17001 Pacific Highway, Seattle, WA 98188.

All other matters pertaining to this meeting remain the same.

Dated: September 20, 1977.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.77-27910 Filed 9-21-77;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Proposed Meetings

In order to provide advance information regarding proposed meetings of the ACRS Subcommittees and Working Groups and of the full Committee, the following preliminary schedule is being published. This preliminary schedule reflects the current situation, taking into account additional meetings which have been scheduled and meetings which have been postponed or cancelled since the last list of proposed meetings published in the FEDERAL REGISTER on August 22, 1977, page 42267. Those meetings which are definitely scheduled have had, or will have, an individual notice published in the FEDERAL REGISTER approximately 15 days (or more) prior to the meeting. Those Subcommittee and Working Group meetings for which it is anticipated that there will be a portion or all of the meeting open to the public are indicated by an asterisk (*). It is expected that the sessions of the full Committee meeting designated by an asterisk (*) will be open in whole or in part to the public. Information as to whether a meeting has been firmly scheduled, can-

celled or rescheduled, or whether changes have been made in the agenda for the October 6–8, 1977 ACRS full Committee meeting can be obtained by a prepaid telephone call to the Office of the Executive Director of the Committee (telephone 202–634–1374, Attn: Mary E. Vanderholt) between 8:15 a.m. and 5:00 p.m., EDT.

SUBCOMMITTEE AND WORKING GROUP MEETINGS

Pilgrim Nuclear Station, Unit No. 2, September 22, 1977, *Boston, MA*. The Subcommittee will meet to continue its review of the application of the Boston Edison Company for a permit to construct Unit No. 2 of the Pilgrim Nuclear Station. Notice of this meeting was published in the FEDERAL REGISTER on September 1, 1977, page 44040.

Working Group No. 2 of the Reactor Safety Research Subcommittee and the Reactor Fuel Subcommittee: September 22, 1977 at San Jose, CA; September 23, 1977 at Palo Alto, CA. The Working Group and Subcommittee will hold a joint meeting to discuss water reactor safety research and development pertaining to fuel behavior and materials and metallurgy, and to discuss improved fuel concepts for boiling water reactors. Notice of this meeting was published in the FEDERAL REGISTER on September 1, page 44041 and September 12, page 45724.

Working Group No. 4 of the Reactor Safety Research Subcommittee, September 28–29, 1977, Washington, D.C. The Working Group will meet to review the NRC sponsored research on advanced reactor technology. Notice of this meeting was published in the FEDERAL REGISTER on September 12, page 45723.

Floating Nuclear Plant, September 29, 1977, Denver, CO. The Subcommittee will meet to continue its review of the liquid pathway generic study. Notice of this meeting was published in the FEDERAL REGISTER on September 12, page 45722.

Skagit Nuclear Project, September 30, 1977, Seattle, WA. The Subcommittee will meet to review the application of the Puget Sound Power and Light Company for a permit to construct the Skagit Nuclear Plant. Notice of this meeting was published in the FEDERAL REGISTER on September 15, page 46432. An additional notice announcing the exact location of the meeting appears elsewhere in this issue.

Regulatory Activities, October 5, 1977, Washington, D.C. The Subcommittee will review working papers, future Regulatory Guides, and changes to existing Regulatory Guides; also, it will discuss pertinent activities which affect the current licensing process and/or reactor operations. Notice of this meeting was published in the FEDERAL REGISTER on September 19, page 46961.

Reactor Safety Research, October 5, 1977, Washington, D.C. The Subcommittee will discuss with the NRC Staff the management aspects and interoffice procedures for establishing safety research programs. This is a continuation of the meetings of the Reactor Safety Research Subcommittee and its various Working Groups in the ACRS effort to gather information to provide yearly reports to Congress on reactor safety research. Notice of this meeting appears elsewhere in this issue.

Reactor Safety Study, October 5, 1977, Washington, D.C. The Working Group will hold discussions with the NRC Staff and the Risk Assessment Review Group. Notice of this meeting was published in the FEDERAL REGISTER on September 19, page 46962.

Environmental, October 20, 1977, Washington, D.C. The Subcommittee will review the concepts of Regulatory Guides 1.52 and 1.ZZ, and the Radiological Assessment Branch Technical Position (BTP) on Radiological Environmental Monitoring.

Atlantic Generating Station, October 21–22, 1977, Atlantic City, N.J. The Subcommittee will meet to continue its review of the application of the Public Service Electric and Gas Company of New Jersey for a permit to construct the Atlantic Generating Station.

Fluid/Hydraulic Dynamic Effects, October 26, 1977, Portland, OR. The Subcommittee will continue discussion of the effects of blowdown forces on reactor vessel supports.

Seismic Activities, Skagit Nuclear Project, Pebble Springs Nuclear Plant, and the Washington Public Power Supply Systems (WPPSS) Nuclear Projects, October 27–28, 1977, Portland, OR. The Subcommittees will hold a joint meeting to continue ACRS review of the 1872 earthquake and its implications regarding nuclear plants in the Pacific Northwest, and to continue its review of the application of the Portland General Electric Company for a construction permit for the Pebble Springs Nuclear Plant, Units 1 and 2.

Yellow Creek Nuclear Power Plant, October 28, 1977, Cornith, MS. Postponed indefinitely.

Resolution of Generic Items, November 1, 1977, Washington, D.C. The Subcommittee will meet to review the current status of generic issues identified in "Status of Generic Items Relating to Light Water Reactors. Report No. 5," dated February 24, 1977.

Regulatory Activities, November 2, 1977, Washington, D.C. The Subcommittee will review working papers, future Regulatory Guides, and changes to existing Regulatory Guides; also, it will discuss pertinent activities which affect the current licensing process and/or reactor operation.

Transportation of Radioactive Materials, November 15–16, 1977, Chicago, IL. The Working Group will continue its review of NURGE-0170, "Final Environmental Statement on the Transportation of Radioactive Materials by Air and Other Modes," and the final design and test program results for the newly designed shipping package for plutonium and other highly radioactive materials.

Diablo Canyon Nuclear Station, Unit No. 1, November 21–22, 1977, Wash., D.C. The Subcommittee will review the application of the Pacific Gas and Electric Company for an interim operating license for Unit No. 1.

D. C. Cook Nuclear Plant, Unit No. 2, December 3, 1977, Benton Harbor, MI. The Subcommittee will meet to review the application of the Indiana and Michigan Power Company for a permit to operate Unit No. 2

Regulatory Activities, December 7, 1977, Washington, D.C. The Subcommittee will review working papers, future Regulatory Guides, and changes to existing Regulatory Guides; also, it will discuss pertinent activities which affect the current licensing process and or reactor operations.

FULL COMMITTEE MEETNGS

OCTOBER 6–8, 1977

A. *Greene County Nuclear Power Plant—Construction Permit Review.

B. *Pilgrim Nuclear Station, Unit No. 2—Construction Permit Review.

NOVEMBER 3–5, 1977

Agenda to be announced.

Dated: September 20, 1977.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.77-27908 Filed 9-21-77;8:45 am]

NATIONAL TRANSPORTATION SAFETY BOARD

[N-AR 77-38]

ACCIDENT REPORT; SAFETY RECOMMENDATIONS

Availability

Railroad Accident Report.—The National Transportation Safety Board has made public its investigation report on the August 18, 1976, rear end collision of two trains operated by the Greater Cleveland (Ohio) Regional Transit Authority. The report, No. NTSB-RAR-77-5, was released September 13.

Twenty persons were injured when train No. 461 struck the rear of train No. 409 which was standing near the east 79th Street Station in Cleveland. Property damage was estimated to be $61,000.

The Safety Board determined that the probable cause of the accident was the failure of the operator of train No. 461 to comply with the mandatory stop signal indication and to apply the brakes in emergency promptly after the train ahead had been sighted, and operation of the train at an excessive speed. Contributing to the probable cause was the lack of an effective operator training program and the ineffectiveness of the protective devices and procedures to prevent a following train from entering an occupied block.

As a result of its investigation of this accident, the Safety Board last month issued four recommendations, Nos. R-77-20 through 23, to the Greater Cleveland

Regional Transit Authority; also, one recommendation, No. R–77–24, was issued to the Federal Railroad Administration. (See 42 FR 42934, August 25, 1977.)

The recommendations to the Transit Authority called for: Operating trains on an "absolute block"—a system which would prevent one train from entering a block occupied by another train; implementing a system which will insure that employees read and understand the general orders and bulletins issued by the Transit Authority; requiring more extensive testing of the transit system equipment and providing a record of test results to train operators; and developing an improved set of operating rules, including a procedure to reexamine personnel on the rule requirements.

Four of the five Safety Board Members recommended that the Federal Railroad Administration establish operating and procedure standards for rail rapid transit systems. Vice Chairman Kay Bailey, while agreeing with most of the report and recommendations, disagreed in asking FRA to promote standardization of mass transit systems. In her dissenting statement, Miss Bailey stated, "Mass transit systems, more than any other transportation mode, can't be standardized. Each system must fit the population configurations and traffic problems of its particular area."

Miss Bailey believes philosophically in local control and local regulations. She notes that some transit systems have operated extremely well for decades with "almost unbelievably good safety records." She added, "When a system doesn't operate well and consistently fails to improve itself, *then* the need for regulatory discipline is obvious." In view of the size of the industry and its diversity, she believes that FRA should apply its efforts first to performance standard definition, then compare individual systems to the standard, and finally take action where required.

Aviation Safety Recommendations A–77–59 and 60.—Investigation into the crash of a Dassault Falcon Fan Jet at Naples, Florida, last November 12 has revealed that the nine passengers encountered severe difficulties in evacuating the aircraft because they lacked knowledge of emergency procedures; the passengers were not briefed before departure, and there were no placarded instructions for opening the main cabin door or the two overwing exits. Although a passenger briefing is required by 14 CFR 91.199, the pilots did not brief the passengers before takeoff regarding location and operation of the main door and the overwing exits.

In view of its findings in the investigation, the Safety Board on September 13 recommended that the Federal Aviation Administration:

Issue an Operations Bulletin to alert FAA inspectors to bring to the attention of Part 91 corporate aircraft operators the need for: Briefing passengers before takeoff on emergency procedures; compliance with placarded instructions on doors which are required to be open during takeoff and landing; stowing all loose items in the aircraft before takeoff and landing; and periodically reviewing the adequacy of passenger briefing cards. (A–77–59)

Issue a Maintenance Bulletin to request FAA inspectors to review the proper installation and adequacy of placarded instructions for opening all exits on large corporate aircraft. (A–77–60)

Both recommendations are designated "Class II," asking for priority followup.

Aviation Safety Recommendations A–77–61 and 62.—Two Class I—Urgent Followup recommendations were issued September 14 to the Federal Aviation Administration as a result of Board investigation into the crash three months earlier of a Sikorsky S–58FT helicopter 6 miles south of Goiconda, Nevada. The helicopter, operating under contract to the Energy Research and Development Administration, was surveying the area for uranium deposits at the time of the June 14 accident. The pilot was killed and the magnetometer operator was seriously injured.

The helicopter struck the ground in a tail-low attitude at 5,220 feet m.s.l.; density altitude for the ambient conditions was 7,800 feet. The severe vertical impact compressed the helicopter structure from 14 to 7 feet. Visual examination of the main and tail rotor systems on-site revealed minimal rotational damage at impact, indicating that possible abrupt power loss caused the rapid vertical descent.

During disassembly and examination of the engines and combining gearbox, contaminants were found within the fuel inlet side of the oil-to-fuel heater of both engine power sections. While tests conducted by Pratt & Whitney of Canada tend to discount contamination of the heaters as a factor in this accident, the Board is concerned that such a restriction of fuel flow could limit an engine's power output. The power available might then not be sufficient for sustained operation at high-density altitudes and high helicopter gross weights.

Further, the Safety Board is concerned that the current S–58T installation does not comply with the intent of 14 CFR 27.997, which requires a strainer or filter installation to prevent fuel starvation because of contamination of fuel pumps or fuel metering devices. Since there are no filter elements before the oil-to-fuel heater, it is possible for a buildup of contaminants to restrict fuel flow through the heaters. The Board believes that this possibility increases the hazard of engine power degradation or stoppage in Sikorsky S–58T helicopters modified in accordance with Supplemental Type Certificate 871EA. About 113 aircraft have have been or will be modified. Accordingly, the Safety Board recommends that FAA:

Issue an Airworthiness Directive, applicable to the Sikorsky S–58T helicopters, to require installation of a fuel strainer or filter between the fuel tank outlet and the inlet of the oil-to-fuel heater assembly to prevent contaminants of a sufficient size to clog oil-to-fuel heater passages, or, if the filter installation is not technically feasible because of physical constraints, require modification of the existing oil-to-fuel heater to include a fuel bypass path activated by a pressure differential sensing device and an impending bypass warning light system. (A–77–61)

Advise designated engineering representatives and cognizant engineering personnel responsible for approving newly designed fuel systems or modifications to existing ones that the intent of the applicable sections of 14 CFR Parts 23, 25, 27, 29, and 33 is to provide a fuel strainer or filter between the fuel tank outlet and the inlet to the first engine fuel system component which is susceptible to restricted fuel flow because of contaminants. (A–77–62)

Safety Board Comments on Federal Aviation Administration Proposed Rule re Recommendation A–77–29.—After reviewing Notice of Proposed Rule Making Docket No. 77–WE–20–AD, which was published August 18 at 42 FR 41647, the Safety Board on September 9 informed FAA that its proposal will partially solve the problem which led to issuance of recommendation A–77–29. (See 42 FR 28194, June 2, 1977.) However, the Board finds that FAA's alternate action does not entirely fulfill the intent of this recommendation, which suggested self-illuminating paint or a light source in close proximity to the tail cone release handle.

Accordingly, the Safety Board now recommends that FAA perform extensive trials on the McDonnell Douglas paint scheme before approval is given to the subject Airworthiness Directive.

NOTE.—The above notice consists of summaries of Safety Board documents made available during the week preceding publication of this notice in the FEDERAL REGISTER. The accident report and the safety recommendation letters in their entirety are available to the general public; single copies are obtainable without charge while the limited supply lasts. Copies of Board correspondence may be obtained at a cost of $4.00 for service and 10¢ per page for reproduction. All requests must be in writing, identified by recommendation number and date of publication of this notice. Address inquiries to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594.

Multiple copies of the accident report may be purchased by mail from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151.

(Secs. 304(a)(2) and 307 of the Independent Safety Board Act of 1974 (Pub. L. 93–633, 88 Stat. 2169, 2172 (49 U.S.C. 1903, 1906)).)

MARGARET L. FISHER,
Federal Register Liaison Officer.

SEPTEMBER 19, 1977.

[FR Doc.77–27679 Filed 9–21–77;8:45 am]

PRIVACY PROTECTION STUDY COMMISSION

PRIVACY ACT OF 1974

Revocation and Transfer of Systems of Records

Pursuant to the provisions of the Privacy Act of 1974, Pub. L. 93–579, 5

U.S.C. 552a, the Privacy Protection Study Commission published in the FEDERAL REGISTER (41 FR 40436, 51889) notices of the existence of the following systems of records subject to the Privacy Act: PPSC–1, Commission Member and Staff Personnel Records; PPSC–2, Letters of Contact with the Commission; PPSC–3, Payroll Records; and PPSC–4, General Financial Records. The Commission will terminate operations on September 30, 1977, and the above systems of records are revoked as of that date.

Following is a summary of the disposition of the Commission's systems of records, subsequent to the termination date:

Commission Member and Staff Personnel Records PPSC–1—

To be retained by General Services Administration, Central Office, 18th and F Streets NW., Washington, D.C., for use in concluding administrative operations of the Privacy Protection Study Commission.

Letters of Contact with the Commission PPSC–2—

Reviewed by the National Archives and Records Service and disposed of in accordance with Comprehensive Records Control Schedule NC1–220–77–7.

Payroll Records PPSC–3—

To be retained by General Services Administration, Region 3 Office, 7th & D Streets SW., Washington, D.C., for use in concluding administrative operations of the Privacy Protection Study Commission as part of the GSA system of records, Manpower and Payroll Statistics.

General Financial Records PPSC–4—

To be retained by General Services Administration, Central Office, 18th & F Streets NW., Washington, D.C., for use in concluding administrative operations of the Privacy Protection Study Commission.

CAROLE W. PARSONS,
Executive Director.

SEPTEMBER 16, 1977.

[FR Doc.77-27500 Filed 9-21-77;9:43 am]

FILING OF REPORTS ON NEW SYSTEMS UNDER THE PRIVACY ACT OF 1974

Termination

The Privacy Protection Study Commission will terminate all activities and go out of existence at close-of-business on September 30, 1977, pursuant to Pub. L. 95–38 (June 1, 1977). After September 30, 1977, agencies of the Federal Government no longer need send copy to the Privacy Protection Study Commission of each report on new systems pursuant to section 5(e)(2)(A) of the Privacy Act of 1974, Pub. L. 93–579 (5 U.S.C. 552a note).

CAROLE W. PARSONS,
Executive Director.

SEPTEMBER 16, 1977.

[FR Doc.77-27499 Filed 9-21-77;9:43 am]

DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

TARIFF OF TOLLS

Negagtive Determination of Environmental Impact re Proposed Revision of Joint Tariff of Tolls for St. Lawrence Seaway

The Saint Lawrence Seaway Development Corporation, U.S. Department of Transportation, hereby gives notice that it has performed an appraisal of the environmental impacts associated with a proposed revision of the tariff of tolls which the Corporation establishes and administers jointly with the St. Lawrence Seaway Authority of Canada for the use of the St. Lawrence Seaway. The proposed revision has been negotiated with the Canadian Authority pursuant to the authority contained in Section 12(a) of Pub. L. 358, 83rd Congress, approved May 13, 1954 (33 U.S.C. 988) and were announced in the FEDERAL REGISTER on Monday, August 29, 1977, (Volume 42, Number 167, page 43613).

Based upon the appraisal of environmental impacts that are expected to result from implementation of the proposed revision of the tariff of tolls the Corporation has determined such implementation will not be a "major Federal action significantly affecting the quality of the human environment" within the meaning of section 102(2)(c) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332(2)(C) and therefore does not require an environmental impact statement.

Single copies of the Environmental impact appraisal of the implementation of the proposed revisions of the tariff of tolls for the St. Lawrence Seaway are available upon request from the Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, N.Y. 13662.

Interested persons are invited to submit data, views or comments with respect to the environmental impact appraisal to the Saint Lawrence Seaway Development Corporation, P.O. Box 520, Massena, N.Y. 13662. Comments should be received by October 31, 1977, in order to receive full consideration.

Issued in Washington, D.C., on September 16, 1977.

WILLIAM H. KENNEDY,
Associate Administrator.

[FR Doc.77-27723 Filed 9-21-77;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–13933; File No. SR–Amex–76–31]

AMERICAN STOCK EXCHANGE, INC.

Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94–29, 16 (June 4, 1975), notice is hereby given that on August 26, 1977 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

In this amendment to File No. SR–Amex–76–31, the American Stock Exchange, Inc. proposed to rescind paragraph (d) of Rule 5. The rescission will eliminate the requirement that members file weekly reports with the Exchange of their off-board agency transactions. Certain other minor amendments to Rule 5 are proposed in order to conform the remaining provisions of Rule 5 to this deletion. The text of the proposed rule change is attached as Exihbit A.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed rescission of paragraph (d) of Amex Rule 5 is to eliminate the requirement that members file weekly reports of their off-board agency transactions with the Exchange. The requirement has been rescinded in accordance with the SEC's view that it imposes a burden on competition in contravention of SEC Rule 19c–1. The Commission's staff has indicated that deletion of this reporting requirement would not prejudice the Amex's ability to reinstitute a reporting requirement in the future, if it were to appear that such a requirement were necessary to enable the Exchange to perform its self-regulatory functions.

On or before October 27, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549.

Copies of the filing with respect to the foregoing and all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-

regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before October 13, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 6, 1977.

EXHIBIT A

AMERICAN STOCK EXCHANGE

Text of Proposed Amendments to Rule 5: Brackets [ ] indicate words to be deleted and italics indicates words to be added.

Over-the-Counter Execution of Equity Securities Transactions

Paragraph (b) is redesignated paragraph (a) and is amended to read as follows:

Rule 5. "[(b)] (*a*) Except as [otherwise] hereinafter provided by this Rule, no (*i*) member, (*ii*) member organization or [affiliated person] (*iii*) *other person who is a nonmember broker or dealer and who directly or indirectly controls, is controlled by, or is under common control with, a member or member organization (any such other person being hereinafter referred to as an affiliated person)* shall effect any transaction [as principal] in the over-the-counter market in any equity security admitted to dealings on the Exchange."

Paragraph (a) is redesignated paragraph (b) and is amended to read as follows: "[(a)] (b) [Except as hereinafter provided by this Rule] No rule, stated policy or practice of the Exchange shall prohibit or condition, or be construed to prohibit, condition or otherwise limit, directly or indirectly, the ability of any [(i)] member, [(ii)] member organization or [(iii) other person who is a nonmember broker or dealer and who directly or indirectly, controls, is controlled by, or is under common control with, a member or member organization (any such other person being hereinafter referred to as an affiliated person)] *affiliated person* acting as agent to effect transactions [on any other exchange or] over-the-counter with a third market maker or nonmember block positioner in any equity security admitted to dealings on the Exchange."

Paragraph (c) is deleted in its entirety as follows: "[(c) A member, member organization or affiliated person holding a customer's order for the purchase or sale of an equity security admitted to dealings on the Exchange (the Order) may execute the Order (or such portion thereof as may be so executed in accordance with this Rule) in the over-the-counter market with a third market maker or nonmember block positioner; provided such member, member organization or affiliated person assures that all public bids or offers on the specialist's book at the time of the over-the-counter execution, or, if inquiry is made of the specialist immediately prior to the over-the-counter execution, all public bids or offers on the specialist's book at the time of such inquiry, at prices which, insofar as the Order is concerned, are equal to or better than the price at which such portion of the Order is executed over-the-counter are satisfied at the price at which such portion of the Order is so executed. A member, member organization or affiliated person acting as agent may not execute an Order over-the-counter in any equity security dealt in on the Exchange except as provided in this paragraph (c), or unless such transaction is exempt from the provisions of this Rule pursuant to paragraph (e) hereof.]"

Paragraph (d) is deleted in its entirety as follows: "[(d) Each member, member organization or affiliated person which executes during any calendar week any Order or any portion thereof over-the-counter (other than a transaction not subject to the provisions of this Rule), shall, prior to the close of business on the last business day of the next succeeding calendar week, file a report with the Exchange listing each such over-the-counter execution. As to each such execution, such report shall state the time of execution, the price or prices thereof, whether such execution was a purchase or a sale by the member, member organization or affiliated person, the number of shares bought or sold at each such price and the name of the third market maker or nonmember block positioner with which the member, member organization or affiliated person dealt.]"

Paragraph (e) is redesignated paragraph (c) and is amended to read as follows: "[(e)] (*c*) The provisions of *paragraph* (*a*) of this Rule shall not apply to any of the following transactions:

[(i) any transaction effected on another securities exchange;]

[(ii)] (*i*) any transaction in stocks appearing on the Exchange's Exempt List in effect at the time, provided the member, member organization or affiliated person after reviewing, with due diligence, the proposed purchase or sale in the light of the factors involved, including the market existing on the Exchange, the price, and the size, is satisfied that the transaction can be executed more advantageously off the Exchange;

[(iii)] (*ii*) any transaction which is part of a primary distribution by an issuer, or a registered or unregistered secondary distribution, effected off the floor of the Exchange;

[(iv)] (*iii*) any transaction made in reliance on Section 4(2) of the Securities Act of 1933;

[(v)] (*iv*) any trade at a price unrelated to the current market for the security to correct an error or to enable the seller to make a gift;

[(vi)] (*v*) any transaction pursuant to a tender offer;

[(vii)] (*vi*) any purchase or sale of securities effected upon the exercise of an option pursuant to the terms thereof or the exercise of any other right to acquire securities at a preestablished consideration unrelated to the current market for such securities;

[(viii)] (*vii*) any purchase or sale of any security trading in which has been suspended by the Exchange pending review of the listing status of such security;

[(ix)] (*viii*) any acquisition of a security by a member organization as principal in anticipation of making an immediate special offering or exchange distribution on the Exchange under Rule 560 or Rule 570;

[(x)] (*ix*) any transaction for less than one unit of trading;

[(xi)] (*x*) any transaction in rights effected as principal with an institution or a nonmember broker or dealer; and

[(xii)] (*xi*) any other purchase or sale of any security under extraordinary or emergency conditions which receives the prior approval of the Exchange."

Paragraph (f) is redesignated Paragraph (d). "[(f)] (*d*) (1) The term 'nonmember broker or dealer' as used in paragraph (a) of this Rule shall mean any broker or dealer registered in accordance with Section 15(b) of the Securities Exchange Act of 1934 (the Act), which acts as a 'market maker' as defined in the Act, or whose gross income is derived substantially from acting as a 'broker' as defined in the Act, or both;

(2) The term "third market maker" as used in this Rule shall mean a "market maker" as defined in Rule 15c3-1(c)(8) under the Act, who makes markets over-the-counter in stocks dealt in on the Exchange and who maintains the minimum net capital required of a market maker by Rule 15c3-1 under the Act; and

(3) The term "nonmember block positioner" shall mean a "block positioner" as defined in Rule 17a-17 under the Act which is not a member of the Exchange."

Paragraph (g) is deleted in its entirety as follows: "[(g) (1) The price at which a transaction is effected, whether on the Exchange or in the over-the-counter market, shall, for purposes of this Rule, mean the price such transaction exclusive of any commission, commission equivalent, differential, tax or other charge applicable thereto.

(2) Each limited order entered on the specialist's book shall, for purposes of this Rule, be considered a public bid or offer unless initiated by a member on the Floor of the Exchange for his own account or for any account in which he, his member organization, or any affiliated person of his member organization has an interest.]"

Paragraph (h) is redesignated paragraph (e) and is amended to read as follows: "[(h)] (*e*) Notwithstanding the provisions of Rule 170, the specialist may buy for his own account on a plus or zero plus tick or sell for his own account on a minus or zero minus tick any or all of the stock which [is to be sold or purchased over-the-counter pursuant to paragraph (c) of this Rule] *a member, member organization or affiliated person proposes to sell or purchase over-the-counter.*"

Commentary .20 is deleted in its entirety as follows: "[.20 Notwithstanding the provisions of this Rule, a member, member organization or affiliated person may execute a customer's order in the over-the-counter market with a third market maker or nonmember block positioner outside of Exchange trading hours without satisfying public bids or offers on the specialist's book.]"

Commentary .30 is redesignated .20.

Commentary .40 is redesignated .30.

[FR Doc.77-27741 Filed 9-21-77; 8:45 am]

[Release No. 34-13932; File No. SR-Amex-76-31]

AMERICAN STOCK EXCHANGE, INC.

Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 30, 1976, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The American Stock Exchange, Inc. (the "Amex"), proposes to amend its Rule 5 to conform with the requirements of SEC Rule 19c-1. In substance the amendments to Rule 5 will remove all restrictions on transactions by members or member organizations, acting as agents, in a listed security over-the-counter with a third market maker or nonmember block positioner. Principal transactions of members and member organizations, with some exceptions, as well as agency cross transactions, continue to be subject to the requirement

that they be executed on the Exchange. The text of the proposed rule change is attached as Exhibit A.

STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed amendments to Rule 5 is to conform AMEX rules relating to off-board transactions in listed securities with SEC Rule 19c–1, which required the elimination, as of January 2, 1977, of all restrictions on off-board agency transactions with a third market maker or nonmember block positioner.

While proposing these changes in order to be in compliance with SEC Rule 19c–1 promulgated under the Act, the Exchange believes that eliminating at this time the requirement that a member satisfy customers' limit-price orders on the specialist's book before executing an off-board agency transaction is not likely to further protection of investors and of the public interest. The Exchange believes that this should be an interim step which underscores the need for public limit order protection within the context of a national market system as is now being developed by the National Market Assocition.

Amex Rule 5 will continue to prohibit members from engaging in off-board principal transactions. Elimination by the Exchange of restrictions on agency transactions, as here proposed, does not in any way represent a lessening of the Exchange's support for existing requirements that exchange members execute principal transactions in listed securities in the exchange market. The Exchange believes that these restrictions are fundamental to the continued viability of the exchange auction markets.

No comments were solicited or received with respect to the proposed rule changes.

This rule change, which eliminates restrictions on off-board agency transactions, is being proposed in accordance with the Commisison's finding that such restrictions represent a burden on competition.

On or before October 27, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commisison, Washingtn, D.C. 20549. Copies of the filing with respect to the foregoing and all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before October 13, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

SEPTEMBER 6, 1977.

EXHIBIT A

AMERICAN STOCK EXCHANGE, INC.

Text of Proposed Amendments to Rule 5:

Over-the-Counter Execution of Equity Securities Transactions

Paragraph (b) is redesignated paragraph (a) and is amended to read as follows:

Rule 5. "[(b)] (a) Except as [otherwise] *hereinafter* provided by this Rule, no (*i*) member, (*ii*) member organization or [affiliated person], (*iii*) *other person who is a non-member broker or dealer and who directly or indirectly controls, is controlled by, or is under common control with, a member or member organization (any such other person being hereinafter referred to as an affiliated person)* shall effect any transaction [as principal] in the over-the-counter market in any equity security admitted to dealings on the Exchange."

Paragraph (a) is redesignated paragraph (b) and is amended to read as follows:

"[(a)] (*b*) [Except as hereinafter provided by this Rule] No rule, stated policy or practice of the Exchange shall prohibit or condition, or be construed to prohibit, condition or otherwise limit, directly or indirectly, the ability of any [(i)] member, [(ii)] member organization or [(iii) other person who is a nonmember broker or dealer and who directly or indirectly, controls, is controlled by, or is under common control with, a member or member organization (any such other person being hereinafter referred to as an affiliated person)] *affiliated person* acting as agent to effect transactions [on any other exchange or] over-the-counter with a third market maker or nonmember block positioner in any equity security admitted to dealings on the Exchange."

Paragraph (c) is deleted in its entirety as follows:

"[(c) A member, member organization or affiliated person holding a customer's order for the purchase or sale of an equity security admitted to dealings on the Exchange (the Order) may execute the Order (or such portion thereof as may be so executed in accordance with this Rule) in the over-the-counter market with a third market maker or nonmember block positioner; provided such member, member organization or affiliated person assures that all public bids or offers on the specialist's book at the time of the over-the-counter execution, or, if inquiry is made of the specialist immediately prior to the over-the-counter execution, all public bids or offers on the specialist's book at the time of such inquiry, at prices which, insofar as the Order is concerned, are equal to or better than the price at which such portion of the Order is executed over-the-counter are satisfied at the price at which such portion of the Order is so executed. A member, member organization or affiliated person acting as agent may not execute an Order over-the-counter in any equity security dealt in on the Exchange except as provided in this paragraph (c), or unless such transaction is exempt from the provisions of this Rule pursuant to paragraph (e) hereof.]"

Paragraph (d) is redesignated paragraph (c) and is amended to read as follows:

"[(d)] (*c*) Each member, member organization or affiliated person which executes *over-the-counter* during any calendar week [any Order or any portion thereof over-the-counter (other than a transaction not subject to the provisions of this Rule),] *all or a portion of any customer's order for the purchase or sale of an equity security admitted to dealings on the Exchange* shall, prior to close of business on the last business day of the next succeeding calendar week, file a report with the Exchange listing each such over-the-counter execution. As to each such execution, such report shall state the time of execution, the price or prices thereof, whether such execution was a purchase or a sale by the member, member organization or affiliated person, the number of shares bought or sold at each such price and the name of the third market maker or nonmember block positioner with which the member, member organization or affiliated person dealt."

Paragraph (e) is redesignated paragraph (d) and is amended to read as follows:

"[(e)] (*d*) The provisions of *paragraphs (a) and (c) of* this Rule shall not apply to any of the following transactions:

[(i) any transaction effected on another securities exchange;]

[(ii)] (*i*) any transaction in stocks appearing on the Exchange's Exempt List in effect at the time, provided the member, member organization or affiliated person after reviewing, with due diligence, the proposed purchase or sale in the light of the factors involved, including the market existing on the Exchange, the price, and the size, is satisfied that the transaction can be executed more advantageously off the Exchange;

[(iii)] (*ii*) any transaction which is part of a primary distribution by an issuer, or a registered or unregistered secondary distribution, effected off the floor of the Exchange;

[(iv)] (*iii*) any transaction made in reliance on section 4(2) of the Securities Act of 1933;

[(v)] (*iv*) any trade at a price unrelated to the current market for the security to correct an error or to enable the seller to make a gift;

[(vi)] (*v*) any transaction pursuant to a tender offer;

[(vii)] (*vi*) any purchase or sale of securities effected upon the exercise of an option pursuant to the terms thereof or the exercise of any other right to acquire securities at a pre-established consideration unrelated to the current market for such securities;

[(viii)] (*vii*) any purchase or sale of any security trading in which has been suspended by the Exchange pending review of the listing status of such security;

[(ix)] (*viii*) any acquisition of a security by a member organization as principal in anticipation of making an immediate special offering or exchange distribution on the Exchange under Rule 560 or Rule 570;

[(x)] (*ix*) any transaction for less than one unit of trading;

[(xi)] (*x*) any transaction in rights effected as principal with an institution or a nonmember broker or dealer; and

[(xii)] (*xi*) any other purchase or sale of any security under extraordinary or emer-

gency conditions which receives the prior approval of the Exchange."

Paragraph (f) is redesignated Paragraph (e).

"[(f)] (e)(1) The term 'nonmember broker or dealer' as used in paragraph (a) of this Rule shall mean any broker or dealer registered in accordance with Section 15(b) of the Securities Exchange Act of 1934 (the Act), which acts as a 'market maker' as defined in the Act, or whose gross income is derived substantially from acting as a 'broker' as defined in the Act, or both;

(2) The term 'third market maker' as used in this Rule shall mean a 'market maker' as defined in Rule 15c3-1(c)(8) under the Act, who makes markets over-the-counter in stocks dealt in on the Exchange and who maintains the minimum net capital required of a market maker by Rule 15c3-1 under the Act; and

(3) The term 'nonmember block positioner' shall mean a 'block positioner' as defined in Rule 17a-17 under the Act which is not a member of the Exchange."

Paragraph (g) is redesignated paragraph (f) and is amended to read as follows:

"[(g)(1)] (f) The price at which a transaction is effected [, whether on the Exchange or in the over-the-counter market,] shall, for purposes of *paragraph* (c) *of* this Rule, mean the price of such transaction exclusive of any commission, commission equivalent, differential, tax, or other charge applicable thereto.

[(2) Each limited price order entered on the specialist's book shall, for purposes of this Rule, be considered a public bid or offer unless initiated by a member on the Floor of the Exchange for his own account or for any account in which he, his member organization, or any affiliated person of his member organization has an interest.]"

Paragraph (h) is redesignated paragraph (g) and is amended to read as follows:

"[(h)] (g) Notwithstanding the provisions of Rule 170, the specialist may buy for his own account on a plus or zero tick or sell for his own account on a minus or zero minus tick any or all of the stock which [is to be sold or purchased over-the-counter pursuant to paragraph (c) of this Rule] *a member, member organization or affiliated person proposes to sell or purchase over-the-counter.*"

Commentary .20 is deleted in its entirety as follows:

"[.20 Notwithstanding the provisions of this Rule, a member, member organization or affiliated person may execute a customer's order in the over-the-counter market with a third market maker or nonmember block positioner outside of Exchange trading hours without satisfying public bids or offers on the specialist's book.]"

Commentary .30 is redesignated .20.

Commentary .40 is redesignated .30.

[FR Doc.77-27742 Filed 9-21-77; 8:45 am]

[Release No. 20176; 70-6057]

SOUTHWESTERN ELECTRIC POWER CO.

Notice of Proposed Acquisition of Coal Hopper Rail Cars

SEPTEMBER 16, 1977.

In the matter of Southwestern Electric Power Co., P.O. Box 21106fi Shreveport, La. 71156.

Notice is hereby given that Southwestern Electric Power Co., ("SWEPCO"), an electric utility subsidiary of Central Southwest Corp., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a) and 10(a)(3) of the Act as applicable to the following proposed transaction. All interested persons are referred to the application which is summarized below, for a complete statement of the proposed transaction.

SWEPCO proposes to enter into a Conditional Sale Agreement (the "Sale Agreement") with the Thrall Car Manufacturing Co. ("Thrall"), pursuant to which SWEPCO will acquire 242 one hundred ton, sixty foot, open-top coal hopper rail cars (the "Equipment"). The equipment will be used to transport coal from a mine near Gillette, Wyo., with which, SWEPCO states, it has a 25-year requirements contract, to SWEPCO's Flint Creek and Welsh Power Plants, located at Siloam Springs, Ark., and Cason, Tex., respectively. SWEPCO further states that it has previously received authorization to acquire 363 rail cars in connection with the start-up of Unit No. 1 at the Welsh Plant (HCAR No. 19643) and that the equipment is necessary in connection with the Flint Creek Plant, for which coal stockpiling is to begin this fall. The Equipment is expected to be delivered in October.

Thrall will assign its right, title and interest in both the Sale Agreement and the Equipment to the Mercantile-Safe Deposit and Trust Company, Baltimore, Md., as Agent ("Agent"), pursuant to an agreement and assignment ("Assignment"). Certain institutional investors ("Investors") will provide funds ("Conditional Sale Indebtedness") to the Agent to pay Thrall pursuant to a Finance Agreement ("Finance Agreement"), receiving in return participating interests in the Sale Agreement, the Assignment, the security title in the Equipment retained by the Agent and certain other cash and property that may be held by the Agent under the Finance Agreement.

Thrall expects to manufacture the Equipment and deliver it to SWEPCO on the date or dates specified in the Sale Agreement. Any Equipment not so delivered, accepted and settled for by the Cut-off Date, as defined in the Sale Agreement, is to be excluded from the Sale Agreement and purchased directly by SWEPCO.

It is stated that the total base price for the Equipment will not exceed $8,400,000. SWEPCO will pay that portion of the total base price represented by the Conditional Sale Indebtedness payable in installments from May 1, 1978, to and including November 1, 1983 (up to $2,520,000) in 12 consecutive, equal, semi-annual installments beginning May 1, 1978, and will pay interest on such indebtedness at the rate of 7.75 percent per annum from the respective Closing Dates under the Sale Agreement on which payment to Thrall is made by the Agent and funds advanced by the Investors. That portion of the total base price represented by the Conditional Sale Indebtedness payable in installments from May 1, 1984 to and including November 1, 1997 (up to $5,889,000) will be paid by SWEPCO in 28 consecutive, equal, semi-annual installments beginning May 1, 1984 and SWEPCO will pay interest on such indebtedness at the rate of 8.20 percent per annum, from the respective Closing Date under the Sale Agreement on which payment to Thrall is made by the Agent and funds advanced by the investors. The Agent may invest the funds it receives from the Investors and the interest and proceeds from such investments will be used to pay Thrall the amounts due pursuant to the Assignment. SWEPCO is obligated to make up the difference, if any, between such interest and proceeds and the amounts due Thrall pursuant to the Assignment. SWEPCO will pay the Agent all expenses incurred by the Agent with respect to the investments made. So long as no default shall have occurred and be continuing, any excess of the interest and proceeds from such investments over and above the amounts due Thrall will be paid by the Agent to SWEPCO. SWEPCO is also obligated to pay the Agent the difference, if any, between the moneys it pays the Agent as assignee of Thrall's rights under the Sale Agreement and the installments of principal and interest owing the Investors under their certificates of interest. The Conditional Sale Indebtedness due from May 1, 1988, through November 1, 1997, will, in addition to prepayment on casualty occurrences, be prepayable beginning in 1988, at 104 percent of par declining in equal annual amounts to 100 percent of par at maturity, in each case together with accrued interest to the date of prepayment. The Conditional Sale Indebtedness due through November 1, 1988, will not be prepayable except on casualty occurrences.

It is stated that, in the event of any Casualty Occurrence, as defined in the Conditional Sales Agreement, SWEPCO must notify the Agent and when the Aggregate Casualty Value, defined as that amount which bears the same ratio to the original purchase price of the subject Equipment as the unpaid Conditional Sale indebtedness bears to the Original Conditional Sale Indebtedness, exceeds $200,000, SWEPCO will be required to pay an amount equal to the Aggregate Casualty Value to the Agent on the next date for payment of principal or interest. Such amounts may, at SWEPCO's option, be used either to prepay pro rata installments of the Conditional Sale Indebtedness or to purchase qualifying replacement equipment.

It is stated that no state commission and no Federal commission, other than this Commission, has jurisdiction with respect to the proposed transaction. It is stated that the fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than October 11, 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 application 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 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, as filed or as it may be amended, may be granted 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.77-27740 Filed 9-21-77;8:45 am]

SMALL BUSINESS ADMINISTRATION

LOUISVILLE DISTRICT ADVISORY COUNCIL

Public Meeting

The Small Business Administration Louisville District Advisory Council will hold a public meeting at 1:00 p.m., Friday, October 7, 1977, with adjournment at 12:00 noon, Saturday, October 8, 1977, at the Hyatt Regency, 400 W. Vine Street, Lexington, Ky., 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 R. B. Blankenship, District Director, U.S. Small Business Administration, Federal Office Building-Room 188, P.O. Box 3517, (502-352-5978).

Dated: September 19, 1977.

K. DREW,
Deputy Advocate for Advisory Councils.

[FR Doc.77-27752 Filed 9-21-77;8:45 am]

DEPARTMENT OF TRANSPORTATION

Materials Transportation Bureau

HAZARDOUS MATERIALS REGULATIONS EXEMPTIONS

Grants and Denials of Applications

AGENCY: Materials Transportation Bureau, DOT.

ACTION: Notice of Grants and Denials of Applications for Exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given of the exemptions granted August 1977. The modes of transportation involved are identified by a number in the "Nature of Exemption Thereof" portion of the table below as follows: (1) Motor vehicle, (2) Rail freight, (3) Cargo vessel, (4) Cargo-only aircraft, (5) Passenger-carrying aircraft.

Renewals

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
3134-X	DOT-E 3134	Hooker Chemicals & Plastics, Corp., Niagara Falls, N.Y.	49 CFR 173.249(a)(5) 179.200-4(a).	To ship caustic soda, liquid in a DOT specification 103W or 111A100W1 tank car tank. (Mode 2).
3188-X	DOT-E 3188	Matson Navigation Co., San Francisco, Calif.	49 CFR 173.119, 173.125.	To ship certain flammable liquids in a non-DOT portable tank. (Modes 1, 2, and 3.)
3353-X	DOT-E 3353	Kerr-McGee Chemical Corp., Oklahoma City, Okla.	49 CFR 173.163(a)(7), 173.239(a)(2).	To ship certain oxidizing material in non-DOT specification steel or aluminum tanks. (Modes 1, and 2.)
4262-X	DOT-E 4262	Schlumberger Well Services, Houston, Tex.	49 CFR 172.101, 173.53(u), 173.80.	To ship certain Class A explosives in specially constructed non-DOT motor vehicles. (Mode 1.)
4453-P	DOT-E 4453	Maynes Explosives Co., Lee's Summit Mo., Strawn Explosives, Inc., Dallas, Tex.	49 CFR 173.182(c).....	To become a party to Exemption 4453. (See Application 4453-X). (Mode 1.)
4684-X	DOT-E 4684	Honeywell, Inc., Minneapolis, Minn.	49 CFR 173.202, 173.306, 175.3.	To ship liquid sodium and potassium in valve actuators individually packed in a non-DOT fiberboard container. (Modes 1, 2, and 4.)
5038-X	DOT-E 5038	The Synthatron Corp., Edgewater, N.J.; Western Electric, Lee's Summit, Mo.; M & T Chemicals, Inc., San Francisco, Calif.	49 CFR 173.135(a)(6), 173.136(a)(5), 173.247(a)(1).	To ship corrosive and flammable liquids in non-DOT specification type 304 stainless steel cylinders. (Modes 1, and 2.)
5372-P	DOT-E 5372	Vulcan Materials Co., Birmingham, Ala.	49 CFR 173.301(d), 173.302(a)(3), 173.304(a)(2).	To become a party to Exemption 5372. (See application No. 5372-X.) (Modes 1, and 3.)
5615-X	DOT-E 5615	E. I. du Pont de Nemours & Co., Inc., Wilmington, Del.	49 CFR 173.245, 173.247, 173.263, 173.268, 173.269, 173.272, 173.349.	To ship certain hazardous materials in a non-DOT specification glass carboy/polystyrene overpack. (Modes 1, 2, and 3.)
5849-P	DOT-E 5849	U.S. Department of Defense, Washington, D.C.	49 CFR 173.217(a)(5), 175.3..	To become a party to Exemption 5849. (See application No. 5849-X.) (Modes 1, 2, 4, and 5.)
6113-P	DOT-E 6113	Brooklyn Union Gas Co., Brooklyn, N.Y.; Cities Transportation, Inc. North Hampton, N.H.	9 CFR 172.101, 173315(a)..	To become a party to Exemption 6113. (See application No. 6113.) (Mode 1.)
6267-X	DOT-E 6267	Bio-Lab, Inc., Decatur, Ga.; Costal Industries, Inc., Carlstadt, N.J.; TESCO, Marietta, Ga.	49 CFR 173.217(a).....	To ship certain oxidizing materials in a non-DOT specification double-faced fiberboard box. (Modes 1 and 2.)
6299-X	DOT-E 6299	Minnesota Valley Engineering, New Prague, Minn.	49 CFR 173.315(a)(1).....	To manufacture, mark, and sell non-DOT portable tanks for shipment of nonflammable gases. (Mode 1.)
6334-X	DOT-E 6334	Allied Chemical Corp., Morristown, N.J.; U.S. Department of Defense, Washington, D.C.	49 CFR 172.101, 172.504.....	To ship nitric acid, nitrogen dioxide mixture in DOT specification MC 312, MC 330 or MC 331 cargo tank. (Mode 1.)
6416-X	DOT-E 6416	Allied Chemical Corp., Morristown, N.J.	49 CFR 179.101-1(a).....	To ship monochlorodifluoromethane in DOT specification 105A300W tank cars equipped with safety relief valves having higher start-to-discharge setting. (Mode 2.)
6554-P	DOT-E 6554	Hill Brothers Chemical Co., City of Industry, Calif.	49 CFR 173.154, 173.217.....	To become a party to Exemption 6554. (See application No. 6554-X.) (Modes 1, 2, and 3.)
6571-X	DOT-E 6751	American LNG Co., Oak Brook, Ill.; Northern Petrochemical Co., Des Plaines, Ill.; Chemplex Co., Rolling Meadows, Ill.	49 CFR 172.101, 173.315(a)..	To ship certain flammable gases in a non-DOT specification cargo tank designed and constructed in accordance with Section VIII of the ASME code. (Mode 1.)
6575-X	DOT-E 6575	Remington Arms Co., Inc., Bridgeport, Conn.	49 CFR 173.107(d).....	To ship certain Class C explosives inside metal flat cans overpacked in a single wall DOT specification 12B fiberboard box. (Modes 1, and 2.)
6614-P	DOT-E 6614	All Pure Chemical Co., Tracy, Calif...	49 CFR 173.273(a) (28), 173.277(a)(6).	To become a party to Exemption 6614. (See application No. 6614-X. (Mode 1.)
6618-X	DOT-E 6618	Monsanto Co., St. Louis, Mo.....	49 CFR 173.374(a), 173.365(a), 172.101.	To ship certain Class B poison in an insulated MC 312 cargo tank. (Mode1.)
6626-X	DOT-E 6626	Airco Welding Products, Springfield, N.J.	49 CFR 173.34(e)(15)(i), 175.3.	To extend the 10 year retest provisions to DOT specification 3A or 3AA cylinders and cylinders marked ICC 3, 3A, or 3AA over 35 years old. (Modes 1, 2, 3, 4, and 5.)
6672-X	DOT-E 6672	Chandler Evans, Inc., West Hartford, Conn.; U.S. Department of Defense, Washington, D.C.	49 CFR 175.302(a)(4), 173.3..	To ship certain nonliquefied compressed gases in welded or seamless, non-refillable non-DOT specification steel cylinders. (Modes 1, 2, and 4.)

Application No.	Exemption No.	Applicant	Regulation(s) affected	Nature of exemption thereof
6749-P	DOT-E 6749	Chem Lab Products, Inc., Anaheim, Calif.	49 CFR 173.217(b)	To become a party to Exemption 6749. (See application No. 6749-X). (Modes 1, 2, and 3.)
6853-X	DOT-E 6853	Metal Finishing Research Corp., Chicago, Ill.	49 CFR 173.287(b)	To ship certain chromic acid solution in DOT specification MC 312 cargo (Mode 1.)
6939-X	DOT-E 6939	Warren Petroleum Co., Tulsa, Okla.	49 CFR 173.315 (a) (1), (c)(1).	To ship an ethane-propane mixture in a DOT specification MC 331 tank motor vehicle. (Mode 1.)
6984-P	DOT-E 6984	Atlas Powder Co., Dallas, Tex.; Trojan Division, IMC Chemical Group, Inc., Allentown, Pa.	49 CFR 173.56(g), 173.163(a), 177.835(g)(2)(i).	To become a party to Exemption 6984. (See application No. 6984-X). (Mode 1.)
7001-X	DOT-E 7001	Cealin Chemicals, Jacksonville, Fla.	49 CFR 173.217(a)	To ship certain oxidizers in non-DOT specification single-trip, removable head polyethylene container. (Mode 1.)
7063-X	DOT-E 7063	Hooker Chemicals & Plastics Corp., Niagara Falls, N.Y.	49 CFR 173.191(a)	To ship phosphorous pentachloride in a non-DOT single-trip, molded, removable-head, polyethylene container. (Modes 1, 2, and 3.)
7078-X	DOT-E 7078	Carrol Air Service, Inc., Kingston, N.Y.	49 CFR 175.75(a)(3), 175.700 (a).	To transport radioactive material packages having combined transport indices exceeding 50 in small cargo-only aircraft. (Mode 4.)
7087-X	DOT-E 7087	Unitex Corp., Monrovia, Calif.	49 CFR 173.286(b), 175.3.	To ship minute quantities of certain hazardous materials in glass, polyethylene or other plastic containers overpacked in a 200 lb test non-DOT fiberboard box, as chemical kits. (Modes 1, 2, 3, 4, and 5.)
7094-P	DOT-E 7094	Champion Chemicals Inc., Odessa, Tex.	49 CFR 172.101	To become a party to Exemption 7094. (See application 7094-X). (Mode 3.)
7220-X	DOT-E 7220	Greif Brothers Corp., Union, N.J.	49 CFR Part 173, 178.19.	To manufacture, mark, and sell non-DOT reusable, blow-molded, polyethylene containers in compliance with DOT specifications 34 with certain exceptions. (Modes 1, 2, and 3.)
7249-X	DOT-E 7249	E. I. du Pont de Nemours & Co., Inc., Wilmington, Del.	49 CFR 173.128(a)	To ship certain flammable liquids in DOT specification 34 reusable molded polyethylene containers. (Mode 1.)
7268-X	DOT-E 7268	Union Carbide Corp., Tarrytown, N.Y.	49 CFR 173.304(a)	To ship nonflammable compressed gases in a nonrefillable DOT specification 39 cylinder. (Modes 1, 2, and 3.)
7410-X	DOT-E 7410	Dow-Corning Corp., Midland, Mich.	49 CFR 173.135	To ship trimethylchlorosilane in a DOT Specification 51 portable tank. (Modes 1, and 3.)
7423-X	DOT-E 7423	Dow Chemical Co., Freeport, Tex.	49 CFR 173.220, 173.154	To ship certain flammable solids in a DOT Specification 56 portable tank. (Modes 1, 2, and 3.)
7426-X	DOT-E 7426	Martin Marietta Chemicals, Charlotte, N.C.	49 CFR 173.245(a)(20), 173.245(a)(31).	To ship corrosive liquids in DOT Specification MC 303 or MC 306 cargo tanks. (Mode 1.)
7444-P	DOT-E 7444	Mobil Chemical Co., Beaumont, Tex.; L.P. Transportation, Inc., Chester, N.Y.		To become a party to Exemption 7444. (See application No. 7444-X.) (Mode 1.)
7466-X	DOT-E 7466	Firmenich, Inc., Princeton, N.J.	49 CFR 173.119(a)(7), 175.3.	To ship certain flammable liquid mixtures in a spun 99-percent pure aluminum can, overpacked in a non-DOT corrugated box. (Modes 1, 2, 3, and 4.)
7470-P	DOT-E 7470	Phelps Dodge Corp., New York, N.Y.	49 CFR Part 173, 179.200-18 (b)(1), 179.201-1(a), 179.-201-7.	To become a party to Exemption 7470. (See application No. 7470-X.) (Mode 2.)
7470-P	DOT-E 7470	Ozark-Mahoning Co., Tulsa, Okla.; Olin Corp., Stamford, Conn.	49 CFR Part 173, 179-200-18 (b)(1), 179.201-1(a), 179.-201-7.	To become a party to Exemption 7470. (See application No. 7470-X.) (Mode 2.)
7633-X	DOT-E 7633	Sea Containers, Inc., Hamilton, Bermuda.	49 CFR 173.119(b), 173.125; 46 CFR 90.05-35.	To ship certain hazardous materials in a non-DOT specification stainless steel portable tank. (Modes 1, 2, and 3.)
7714-X	DOT-E 7714	Suttons International Limited, London, England; W. R. Zanes and Co., New Orleans, La.	49 CFR 173.245; 46 CFR 90.05-35.	To ship certain corrosive and combustible liquids in a non-DOT steel portable tank built in accordance with section VIII of the ASME code with certain exceptions. (Modes 1, 2, and 3.)
7666-N	DOT-E 7666	Delta Steamship Lines, Inc., New Orleans, La.	49 CFR 176.83(d)(3)	To authorize stowage of freight containers containing hazardous materials in accordance with 49 CFR 176.83(d)(3) with certain exceptions. (Mode 3.)
7676-N	DOT-E 7676	Universal Flavor Corp., Indianapolis, Ind.	49 CFR 172.101(g)(3), 172.-101, 173.3, 175.30.	To ship larger quantities of liquid flavoring extract in packagings marked in compliance with 49 CFR 173.118(b). (Modes 4, 5.)
7680-N	DOT-E 7680	Sterling Drug Inc., New York, N.Y.	49 CFR 173.206(a)(1), (c)(1).	To ship sodium amide in a reusable non-DOT specification stainless steel drum. (Mode 1.)
7683-N	DOT-E 7683	Lubbock Manufacturing Co., Lubbock, Tex.	49 CFR 173.315(a)(1), (c)(1).	To manufacture, mark, and sell polyurethane foam insulated non-DOT specification cargo tanks for the shipment of flammable gases. (Mode 1.)
7697-N	DOT-E 7697	Kerr-McGee Chemical Corp., Oklahoma City, Okla.	49 CFR 173.850(a)	To ship calcium oxide in DOT Specification 56 portable tanks. (Mode 3.)
7701-N	DOT-E 7701	Orval-Manutention, Paris, France	49 CFR 173.119(b), 173.125.	To ship flammable liquids in a non-DOT specification stainless steel portable tank. (Modes 1, 2, and 3.)
7708-N	DOT-E 7708	HTL Industries Inc., Monrovia, Calif.	49 CFR 173.302(a), 175.3.	To ship compressed air in a non-DOT specification girth welded steel cylinder. (Modes 1, 2, 4, and 5.)
7710-N	DOT-E 7710	Midway Can Co., St. Paul, Minn.	49 CFR Part 173, 178.24, 178.211.	To manufacture, mark, and sell modified DOT 12P fiberboard boxes having inside two DOT 2U polyethylene containers for the shipment of corrosive, flammable, and Class B poisonous liquids. (Modes 1 and 2.)
7737-N	DOT-E 7737	Cliff Impact Division, Parker Hannifin Corp., Eastlake, Ohio.	49 CFR 173.304(a)(1), 175.3, 178.42.	To manufacture, mark, and sell non-DOT specification seamless aluminum cylinders for shipment of liquefied carbon dioxide. (Modes 1, 2, and 4.)
7739-N	DOT-E 7739	New Zealand Electricity Department, Wellington, New Zealand.	46 CFR 90.05-35	To ship certain combustible liquids in a non-DOT specification portable tank. (Mode 3.)
7743-N	DOT-E 7743	Union Carbide Corp., Tarrytown, N.Y.	49 CFR 173.315	To ship dichlorosilane in DOT specification 51 portable tank. (Mode 1.)
7770-N	DOT-E 7770	Ugine Kuhlmann, Paris, France	49 CFR 173.264(b)(4)	To ship hydrogen fluoride in a non-DOT specification portable tank. (Modes 1, 2, and 3.)
7790-N	DOT-E 7790	Monsanto Co., St. Louis, Mo.	49 CFR 173.360(a)(14)	To ship carbolic acid in a DOT Specification MC 307 cargo tank. (Mode 1.)
7802-N	DOT-E 7802	Bennett Industries, Pacoima, Calif.	49 CFR, Part 173, Subpart F; 49 CFR, Part 173, Subpart D; 178.19.	To manufacture, mark, and sell non-DOT specification removable head, molded, 5 gal polyethylene containers for shipment of corrosive liquids and flammable liquids. (Modes 1, 2, and 3.)

DENIALS

4852-X, request by Monsanto Co., St. Louis, Mo.—To ship etching acid liquid in a DOT Specification 37M/2S or 2SL container or 6D/2SL container, denied August 30, 1977, as being unnecessary (Docket HM-139 obviates the need).

5995-X, request by Lucidol Division, Pennwalt Corp., Buffalo, N.Y.—To ship certain organic peroxides in dry or paste form, in polyethylene containers, denied August 17, 1977, as being unnecessary (Docket HM-119 obviates the need).

6178-X, request by Olympic Manufacturing Co., Atlanta, Ga.—For transportation of a liquid cleaning compound containing not more than 30 percent hydrofluoric acid, denied August 9, 1977, as being unnecessary (Docket HM-139 obviates the need).

6267-P, request by Tesco, Marietta, Ga.—To authorize another size packaging in exemption 6727 for an exception to the packaging requirements in 49 CFR 173.217 (a), denied August 30, 1977.

6498-X, request by Liquid Carbonic Corp., Chicago, Ill.—To ship certain liquefied and nonliquefied compressed gases in a non-DOT specification seamless high pressure aluminum cylinder, denied August 1, 1977, as being unnecessary.

6775-P, request by Valley Co-op Oil Mill Chemical Division, Harlingen, Tex.—To become a party to DOT-E 6775 authorizing shipment of organic phosphate materials in DOT Specification MC 330 and MC 331 cargo tanks, denied August 9, 1977, as being unnecessary (Docket HM-139 obviates the need).

6756-X, request by ICI United States Inc., Wilmington, Del.—To ship certain hazardous materials in foreign made packagings which are comparable to the DOT Specification 17E drums, denied August 26, 1977, as being unnecessary (Docket HM-112 obviates the need).

7221-X, request by Sis-Q-Flying Service, Inc., Santa Rosa, Calif.—To transport packages of high explosives offered by the Energy Research and Development Administration, denied August 30, 1977.

7413-P, request by General Motors Corp., Warren, Mich.—To become a party to DOT-E 7413 authorizing manufacturing and use of cylinders for liquefied carbon dioxide, denied August 31, 1977 as being unnecessary.

7600-P, request by Chemplex Co., Rolling Meadows, Ill.—To become a party to DOT-E 7600 authorizing shipment of liquefied ethylene in a non-DOT Specification insulated cargo tank, denied August 8, 1977, as being unnecessary.

7600-P, request by Mobile Chemical Co., Beaumont, Tex.—To become a party to Exemption 7600 authorizing shipment of liquefied ethylene in a non-DOT Specification insulated cargo tank, denied August 8, 1977, as being unnecessary.

7600-P, request by Northern Petrochemical Co., Des Plaines, Ill.—To become a party to DOT-E 7600 authorizing shipment of liquefied ethylene in a non-DOT Specification insulated cargo tank, denied August 8, 1977, as being unnecessary.

7619-N, request by Pullman Kellog, Houston, Tex.—To carry certain radioactive devices aboard passenger-carrying aircraft, denied August 4, 1977.

7623-N, request by Safeway Stores, Inc., Oakland, Calif.—To ship materials classed as ORM-D in wire baskets on rollers, denied August 26, 1977.

7646-N, request by WITCO Chemical Corp., Richmond, Calif.—To ship certain organic peroxides (solid), in a non-DOT specification 6-gallon removable head polyethylene container, denied August 17, 1977, as being unnecessary (Docket HM-119 obviates the need).

7652-N, request by Ciba—Geigy Corp., Ardsley, N.Y.—To ship certain class B poison packages without labels, denied August 15, 1977.

7733-N, request by Hach Chemical Co., Ames, Iowa—To ship certain small quantity class B poison packages without labels denied August 5, 1977.

7742-N, request by Sigma Chemical Co., St. Louis, Mo.—To ship limited quantities of certain class B poison packages without labels, denied August 15, 1977.

7747-N, request by Hercules Inc., Wilmington, Del.—To ship dicumyl peroxide, dry in used DOT-17H drums not reinspected or retested, denied August 4, 1977.

7760-N, request by Velsicol Chemical Corp., Chicago, Ill.—To ship hydrogen bromide in non-DOT specification cylinders for export only, denied August 8, 1977, as being unnecessary.

7812-N, request by Capel Klang Companies, South San Francisco, Calif.—To authorize use of shipping papers with a further description juxtaposed between the shipping name and hazard class, denied August 30, 1977.

7706-N, request by Technic Inc., Providence, R.I.—To ship certain Class B poison packages without labels, denied August 15, 1977.

WITHDRAWALS

4108-X, request by Southern Oxygen Supply Co., Atlanta, Ga.—To ship certain nonflammable cryogenic compressed gases in a non-DOT specification cargo tank, withdrawn August 17, 1977.

J. R. GROTHE,
Chief, Exemptions Branch, Office of Hazardous Materials Operations.

[FR Doc.77-27170 Filed 9-21-77;8:45 am]

Materials Transportation Bureau, Office of Hazardous Materials Operations

UNITED NATIONS RECOMMENDATIONS ON THE TRANSPORT OF DANGEROUS GOODS

Public Meeting

On June 27, 1977, a notice of public meeting was published in the FEDERAL REGISTER (42 FR 32605) providing basic information concerning United States involvement in the activities of the United Nations Committee of Experts on the Transport of Dangerous Goods (ECOSOC). An informal public briefing was held on July 12, 1977, to discuss certain outstanding matters presently under consideration by the Committee.

Approximately 70 people attended the meeting, and while the discussion was general in nature, reaction and response of the participants was such that it has been decided to continue to hold similar meetings periodically in the future. During the week of August 15–19, 1977, there was a meeting of the Group of Rapporteurs on the Transport of Dangerous Goods held in Geneva, Switzerland. In order to provide interested persons information concerning current issues under consideration, an informal briefing will be held on November 3, 1977, at 9:30 a.m., in Room 3201 of the Trans Point Building, 2100 Second Street SW., Washington, D.C. Some of the subjects that will be discussed are:

1. The United Nations Hazard Information System.
2. Changes in the definition of Class 6 Poisons.
3. The transfer of lachrymatory substances from Class 6 to Class 9.
4. New label for volatile toxic substances.
5. Specific minimum thicknesses for metal drums in addition to performance standards.
6. Embossment of certain United Nations markings to identify metal drums.
7. The listing of goods posing a hazard to the environment.

Persons interested in any of these subjects are invited to attend the meeting.

ALAN I. ROBERTS,
Director, Office of Hazardous Materials Operations.

[FR Doc.77-27541 Filed 9-21-77;8:45 am]

National Highway Traffic Safety Administration

[Docket No. IP77-10; Notice 1]

BERLINER MOTOR CORP.

Petition for Exemption From Notice and Remedy for Inconsequential Noncompliance

Berliner Motor Corporation of Hasbrouck Heights, New Jersey, has petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1581 et seq.) for apparent noncompliances with 49 CFR 571.122 and 571.123, Motor Vehicle Safety Standards Nos. 122, Motorcycle Brake Systems and 123, Motorcycle Controls and Displays. The basis of the petition is that the noncompliances are inconsequential as they relate to motor vehicle safety.

Petitioner imports motor vehicles for resale and therefore is a "manufacturer" as defined by 15 U.S.C. 1391(5). As a manufacturer, an importer is responsible for notification of purchasers and remedy of noncompliances and safety-related defects when they exist in the imported vehicles. Berliner has imported 276 mopeds, manufactured by Seimm of Italy in January 1976, that do not conform to all the safety requirements for motorcycles. Paragraph S5.1.5 of Standard No. 122 requires that means be provided for visually examining the brake shoe lining thickness without removing the drum. This feature is absent on the Berliner vehicles. Table 1 of Standard No. 123 requires that the "reserve" position in the manual fuel shutoff control be reached by pushing the control upward. Berliner's does not operate in this manner, but presumably by pushing the control backward. Table 3 of Standard No. 123 requires that the choke be labelled, and Berliner has failed to do so. It argues that the noncompliances with Standard No. 122 are inconsequential as the wear pattern can be observed when the brakes are "adjusted physically." With a maximum speed of 25 mph the vehicle's linings are said to last for several years. As for the choke, it is "semiautomatic" and its use is explained in the owner's manual. It is triggered before starting and released automatically by the throttle action. Berliner provides no views why it believes that the erroneous fuel valve position is inconsequential. NHTSA's investigative file on this case is CIR 1498.

This notice of receipt of a petition is published under section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit written data, views and arguments on the petition of Berliner Motor Corporation described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date: October 24, 1977.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on September 16, 1977.

ROBERT L. CARTER,
Associate Administrator, Motor Vehicle Programs.

[FR Doc.77-27462 Filed 9-21-77;8:45 am]

[Docket No. IP77-12; Notice 1]

FLXIBLE CO.

Petition for Exemption From Notice and Remedy for Inconsequential Noncompliance

The Flxible Company of Delaware, Ohio, has petitioned to be exempted from the notification and remedy requirements of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1581 et seq.) for an apparent noncompliance with 49 CFR 571.121, Motor Vehicle Safety Standard No. 121, Air Brake Systems. The basis of the petition is that the noncompliance is inconsequential as it relates to motor vehicle safety.

Flxible believes that approximately 1535 of its transit and suburban buses of 31, 35 and 40-foot lengths, manufactured from March 1976 through April 1977, may not comply with paragraph S5.3.4 of Standard No. 121. That section, titled Brake Release Time, requires in pertinent part that:

> With an initial service brake chamber air pressure of 95 psi, the air pressure in each brake chamber shall, when measured from the first movement of the service brake control, fall to 5 psi in not more than 0.55 seconds (sic) in the case of trucks and buses * * *.

Flxible has discovered that the release times of a certain front brake configuration averaged 1.167 seconds.

The problem occurred in this manner. When bus stopping distance requirements were temporarily suspended as of January 6, 1976 (41 FR 1598), on buses manufactured thereafter, Flxible disabled the antilock capability of the Rockwell-Standard Skid-Trol valve used in the air brake system. The Skid-Trol valve also performed the relay valve and quick release valve functions. Subsequently, Flxible returned to its pre-Standard No. 121 air distribution method, which employed, in part, "a straight "T" brake hose fitting in the front." In recent testing on a standard production 40-foot bus taken from the assembly line, Flxible discovered that the release times for the front brakes using the conventional "T" fitting averaged 1.167 seconds.

In Flxible's opinion the nonconformance is inconsequential because "there has been no indication that the slower release time has been the direct cause or has contributed to an unsafe condition." The company further points out that:

> * * * the braking system, without automatic antilock, involved herein has been tested as meeting the 121 specified service stopping distances without leaving a 12-foot lane and without lockup, criteria which by 121 appear to establish an acceptable level of directional stability and maneuverability.

This notice of receipt of a petition is published under section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit written data, views and arguments on the petition of The Flxible Company described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the FEDERAL REGISTER pursuant to the authority indicated below.

Comment closing date: November 7, 1977.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on September 16, 1977.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.77-27463 Filed 9-21-77;8:45 am]

[Docket No. EX-77- ; Notice 1]

TRAVEL EQUIPMENT CORP.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standard

Travel Equipment Corporation ("TEC" herein) of Goshen, Indiana, pursuant to 15 U.S.C. 1410(a)(1)(A) and 49 CFR 555.6(a), has petitioned for a temporary exemption from paragraph S6 of 49 CFR 571.301-75 Motor Vehicle Safety Standard No. 301-75 Fuel System Integrity, on the basis that compliance with the standard would cause it substantial economic hardship.

Paragraph S6 of Standard No. 301-75 sets forth requirements for barrier crash tests followed by static rollover. TEC manufactured 47 motor vehicles in the 12-month period before filing its petition. It receives completed and certified vans, altering them into ambulances and buses. It also manufactures an incomplete vehicle known as the Rescue Type III ambulance. The fuel system is not disturbed in any of the alterations but a larger alternator is installed "outboard and slightly below the original location." In the event of a 30 degree angle front barrier crash conducted in accordance with Standard No. 301-75 "it is possible that the alternator would be displaced inboard and down to a position of interference with the fuel pump". TEC appears to believe that its vehicles would comply with Standard No. 301-75 but cannot be sure without testing them. It seeks an exemption for 2 years, covering approximately 230 vehicles and estimates total compliance testing costs for the 1977 and 1978 model years as approximately $208,000. The company had a net loss before taxes of $39,000 in fiscal year 1976. TEC argues that an exemption would be in the public interest as "more and more community rescue services and fire departments are finding that the small van type ambulance is more versatile, more economical, and a proven method to bring much needed swift life saving and life-sustaining services to their citizens".

This notice of receipt of a petition for a petition for a temporary exemption is published in accordance with the NHTSA regulations on this subject (CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition for exemption of Travel Equipment Corporation. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and suporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent practicable. Notice of final action on the petition will be published in the FEDERAL REGISTER.

Comment closing date: October 24, 1977.

(Sec. 3, Pub. L. 92-548, 86 Stat. 1159 (15 U.S.C. 1410) delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on September 16, 1977.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.77-27461 Filed 9-21-77;8:45 am]

DEPARTMENT OF THE TREASURY

Customs Service

IMPRESSION FABRIC OF MANMADE FIBER FROM JAPAN

Antidumping; Withholding of Appraisement, Tentative Exclusion From and Tentative Discontinuance of Investigation

AGENCY: United States Treasury Department.

ACTION: Withholding of appraisement, tentative exclusion from and tentative discontinuance of investigation.

SUMMARY: This notice is to advise the public that there are reasonable grounds to believe or suspect that there are or are likely to be sales of impression fabric of manmade fiber from Japan at less than fair value within the meaning of the Antidumping Act of 1921, with the exception of that produced by Asahi Chemical Industry Co., Ltd., and Shirasaki Tape Co., Ltd. (Sales at less than fair value generally occur when the price of merchandise sold for exportation to the United States is less than the price of such or similar merchandise sold in

the home market or to third countries.) Appraisement for the purpose of determining the proper duties applicable to entries of this merchandise will be suspended for 6 months, except entries of that merchandise produced by Asahi and Shirasaki. Interested parties are invited to comment on this action.

EFFECTIVE DATE: September 22, 1977.

FOR FURTHER INFORMATION CONTACT:

David R. Chapman, Operations Officer, Office of Operations, Duty Assessment Division, United States Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229, telephone (202-566-5492).

SUPPLEMENTARY INFORMATION: On February 7, 1977, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), from counsel acting on behalf of Bomont Industries, Totowa, N.J.; Schwarzenbach Huber, a company of Carlsbrook Ind., Inc., New York, N.Y.; and Standard Products Corp., New Rochelle, N.Y., indicating a possibility that impression fabric of manmade fiber from Japan is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of March 15, 1977 (42 FR 14198). The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. However, the evidence on record, as set forth in the proceeding notice, was such that substantial doubt existed as to whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. Accordingly, the United States International Trade Commission was advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160 (c)(2)).

On April 11, 1977, the United States International Trade Commission notified the Secretary of the Treasury that, on the basis of its inquiry it did not determine that there is no reasonable indication that an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of impression fabric of manmade fiber from Japan. Accordingly, the Customs investigation in this proceeding was not terminated.

For purposes of this notice, the term "impression fabric of manmade fiber" means finished impression fabric, slit or uncut, and not inked.

TENTATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE

On the basis of the information developed in Customs investigation and for the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160 (b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price of impression fabric of manmade fiber from Japan, except that produced by Asahi Chemical Industry Co., Ltd., and Shirasaki Tape Co., Ltd., is less, or is likely to be less, than the fair value, and thereby, the foreign market value, of such or similar merchandise. In the face of impression fabric of manmade fiber from Japan produced by Asahi, I hereby exclude such merchandise from this tentative determination. In the case of such merchandise produced by Shirasaki, I hereby tentatively discontinue the antidumping investigation.

STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

a. *Scope of the investigation.* It appears that 100 percent of imports of the subject merchandise from Japan were sold for export to the United States by Asahi Chemical Industry Co., Ltd., Osaka, Japan (Asahi), Nissei Co., Ltd., Osaka, Japan (Nissei), and the Shirasaki Tape Co., Ltd., of Fukui, Japan (Shirasaki). Therefore, the investigation was limited to these three manufacturers.

b. *Basis of comparison.* For purposes of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison appears to be between purchase price and sales for exportation to countries other than the United States of such or similar merchandise on sales by Asahi and Shirasaki, and between purchase price and home market price of such or similar merchandise on sales by Nissei. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales by the three companies appear to be made to non-related customers in the United States.

In accordance with section 153.2 Customs Regulations (19 CFR 153.2), home market sales were used in the case of Nissei since such or similar merchandise appears to be sold in the home market in sufficient quantities to form an adequate basis of comparison.

In accordance with section 153.3 Customs Regulations (19 CFR 153.3), sales for exportation to countries other than the United States were used for Asahi since such or similar merchandise does not appear to be sold in the home market, and for Shirasaki since such or similar merchandise does not appear to be sold in the home market in sufficient quantities to form an adequate basis of comparison.

In accordance with section 153.31(b), Customs Regulations (19 CFR 153.31 (b)), pricing information was obtained concerning export and appropriate home market sales of impression fabric of manmade fiber from Japan during the period October 1, 1976, through March 31, 1977.

c. *Purchase price.* For purposes of this tentative determination of sales at less than fair value, purchase price has been calculated on the basis of the c.i.f. or f.o.b. price to the United States customers or the price to a trading company for export to the United States. Deductions have been made for ocean freight, marine insurance, shipping expenses, Japanese inland freight, containerization, an association fee, and an inspection fee, as appropriate.

d. *Home market price.* For the purpose of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the delivered price in the home market to unrelated purchasers. Adjustments have been made for differences in inland freight, packing and for interest expenses incurred in the home market sales but not incurred on export sales. Adjustments have also been made, where applicable, for differences in the merchandise compared.

e. *Sales price for exportation to countries other than the United States.* For the purpose of this tentative determination, the sales price for exportation to countries other than the United States has been calculated on the basis of the c.i.f. or f.o.b. price to unrelated customers in countries other than the United States or the price to a trading company for export to countries other than the United States. Deductions have been made for ocean freight, marine insurance, shipping expenses, Japanese inland freight, containerization, and an inspection fee, as appropriate. Adjustments have been made for differences in interest expenses incurred between sales to the United States and sales for exportation to countries other than the United States. Adjustments have also been made for differences in he merchandise compared, where applicable.

f. *Result of fair value comparisons.* Using the above criteria, preliminary analysis suggests that in certain instances purchase price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on approximately 99 percent of the sales of the subject merchandise to the United States by manufacturers during the investigation period. Margins were tentatively found ranging from 6 to 41 percent on sales made by Nissei on 100 percent of the sales compared, ranging from 0.3 to 85 percent on sales made by Shirasaki on 18 percent of the sales compared and from 0.1 to 1 percent on sales made by Asahi on 25 percent of the sales compared.

In the case of Asahi, the weighted-average margin on 100 percent of that firm's sales investigated was 0.15 percent, which is considered to be de minimis.

In the case of Shirasaki, the weighted-average margin on 100 percent of that firm's sales investigated was 1.15 percent, which is considered to be minimal in relation to the total volume of sales. In addition, formal assurances have been received from that producer that it would make no future sales at less than fair value within the meaning of the Antidumping Act.

Accordingly, Customs officers are being directed to withhold appraisement of impression fabric of manmade fiber whether slit or uncut, and not inked from Japan, except that produced by Asahi Chemical Industry Co., Ltd., and Shirasaki Tape Co., Ltd., in accordance with section 153.48 Customs Regulations (19 CFR 153.48).

In accordance with section 153.40, Customs Regulations (19 CFR 153.40), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue NW., Washington, D.C. 20229, in time to be received by his office no later than 10 days after publication of the notice in the FEDERAL REGISTER. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office no later than 30 days after publication of this notice.

This notice, which is published pursuant to sections 153.35(b), 153.38, and 153.33(b), Customs Regulations (19 CFR 153.35(b), 153.38, and 153.33(b)), shall become effective upon publication in the FEDERAL REGISTER. Withholding of appraisement shall cease to be effective at the expiration of 6 months from the date of publication, unless previously revoked.

ROBERT H. MUNDHEIM,
General Counsel of the Treasury.

SEPTEMBER 16, 1977.

[FR Doc.77-27678 Filed 9-21-77;8:45 am]

Office of the Secretary

ICE HOCKEY STICKS FROM FINLAND

Antidumping; Withholding of Appraisement Notice

SEPTEMBER 16, 1977.

AGENCY: U.S. Treasury Department.

ACTION: Withholding of Appraisement.

SUMMARY: This notice is to advise the public that an antidumping investigation has resulted in a preliminary determination that ice hockey sticks from Finland are being sold at less than fair value. Sales at less than fair value generally occur when the price of merchandise sold for exportation to the United States is less than the price of such or similar merchandise sold in the home market or to third countries. Appraisment for the purposes of determining the proper duties applicable to entries of this merchandise will be suspended for 6 months. Interested parties are invited to comment on this action.

EFFECTIVE DATE: September 22, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. John R. Kugelman, Operations Officer, U.S. Customs Service, Office of Operations, Duty Assessment Division, Technical Branch, 1301 Constitution Avenue NW., Washington, D.C. 20229 (202-566-5492).

SUPPLEMENTARY INFORMATION: On March 2, 1977, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), from The Northland Group, Inc., Chaska, Minn., alleging that ice hockey sticks from Finland are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). An "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER on March 16, 1977 (42 FR 14798). That notice indicated that there was evidence on record concerning injury to or likelihood of injury to, or prevention of establishment of, an industry in the United States.

TENTATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE

On the basis of the information developed in Customs' investigation and for the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price of ice hockey sticks from Finland is less, or is likely to be less, than the fair value, and thereby, the foreign market value, of such or similar merchandise.

STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

a. *Scope of the Investigation.* It appears that 100 percent of the imports of the subject merchandise from Finland were sold for export to the United States by Koho-Tuote Oy, Forsa, Finland (Koho), Oy Montreal-Urheilu, Tampere, Finland (Montreal), and Karhu-Titan Oy, Helsinki, Finland (Karhu). The investigation included sales by these three exporters but, since Koho accounted for approximately 75 percent of such sales, the fair value comparisons were confirmed to Koho's sales.

b. *Basis of Comparison.* For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison appears to be between purchase price and home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales appear to be made to non-related customers in the United States.

In accordance with section 153.2(a), Customs Regulations (19 CFR 153.2(a)), fair value was based on home market sales of such or similar merchandise to unrelated purchasers, which occurred in sufficient quantities to form an adequate basis of comparison.

In accordance with section 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning export and appropriate home market sales of ice hockey sticks from Finland during the period October 1, 1976, through March 31, 1977.

c. *Purchase Price.* For the purpose of this tentative determination of sales at less than fair value, purchase price has been calculated on the basis of the c.i.f. price to the United States customer, which already includes a quantity discount. Deductions have been made for ocean freight and marine insurance. An addition was made of the amount of Value Added Tax ("VAT") included in the home market price, pursuant to section 203 of the Act (19 U.S.C. 162).

d. *Home Market Price.* For the purpose of this tentative determination of sales at less than fair value, the home market price has been calculated on the basis of the ex-factory price in the home market to unrelated purchasers. Adjustments have been made for quantity discounts, a seasonal discount, credit cost and packing differentials, and for certain advertising and promotional expenses pursuant to section 153.10, Customs Regulations (19 CFR 153.10), as appropriate.

The credit cost adjustment was granted to take into account differences in those costs between home market sales and sales for export to the United States.

Additional adjustments were claimed for differences in invoicing and collection costs, warehousing costs and salaries in sales to the U.S. as opposed to home market sales. Because these costs are associated with general overhead expenditures are not directly related to the sale of hockey sticks, no adjustment was granted.

e. *Result of Fair Value Comparisons.* Using the above criteria, preliminary analysis suggests that purchase price is lower than the home market price of such or similar merchandise. Comparisons were made on approximately 98 percent of the sales of the subject merchandise to the United States by Koho during the investigative period. Margins were tentatively found ranging from 0 to 21 percent on sales by Koho on 98 percent of the sales compared. The weighted-average margin found on all Koho sales at margin was 14 percent.

Accordingly, Customs officers are being directed to withhold appraisement of ice hockey sticks from Finland in accordance with section 153.48, Customs Regulations (19 CFR 153.48).

In accordance with section 153.40, Customs Regulations (19 CFR 153.40), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addresed to the Commissioner of Customs, 1301 Constitution Avenue NW., Washington, D.C. 20229, in time to be received by his office no later than October 3, 1977. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to The Commissioner of Customs in time to be received in his office on or before October 25, 1977.

This notice, which is published pursuant to section 153.35(b), Customs Regulations (19 CFR 153.35(b)), shall become effective upon publication in the FEDERAL REGISTER. It shall cease to be effective 6 months from the date of publication, unless previously revoked.

ROBERT H. MUNDHEIM,
Treasury.

[FR Doc.77-27533 Filed 9-21-77;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 484]

ASSIGNMENT OF HEARINGS

SEPTEMBER 19, 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.

No. MC 56640 (Sub-No. 37), Delta Lines, Inc., application dismissed.

No. MC 83835 (Sub-No. 142), Wales Transportation, Inc., now assigned October 11, 1977, at Dallas, Tex., is cancelled and application dismissed.

MC 141465 (Sub. 3), Geneva Lake Area Joint Transit Commission, now assigned October 3, 1977, at Lake Geneva, Wis., is being postponed indefinitely.

MC 134477 (Sub-No. 172), Schanno Transportation, Inc., now being assigned November 1, 1977 (2 days), for hearing in St. Paul, Minn., in a hearing room to be later designated.

MC-F-13096, Herriot Trucking Co.—Purchase (Portion)—Great Lakes Express Co., MC-F-13100, The Cleveland, Columbus & Cincinnati Highway, Inc.—Purchase (Portion)—Great Express Co., MC-F-13101, Red Star Express Lines of Auburn, Inc., d.b.a. Red Star Express Lines—Purchase (Portion)—Great Lakes Express Co., MC-F-13102, Maiers Motor Freight Co.—Purchase (Portion)—Great Lakes Express Co., MC-F-13103, United Trucking Service, Inc.—Purchase (Portion)—Great Lakes Express Co., MC-F-13106, Branch Motor Express Co.—Control—Great Lakes Express Co., MC-F-13116, GRA-Bell Truck Line, Inc.—Purchase (Portion)—Great Lakes Express Co., and MC-F-13233, Arkansas Best Freight—Purchase (Portion)—Great Lakes Express Co., now assigned for prehearing conference on October 11, 1977, at Washington, D.C., are postponed for prehearing conference to November 29, 1977, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 119726 (Sub 82), N.A.B. Trucking, now assigned November 10, 1977, at Columbus, Ohio, is canceled and transfered to Modified Procedure.

MC 142464 (Sub-No. 1), John M. Christopher, now being assigned for continued hearing September 27, 1977, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 130440, Lawrence J. Liner, now assigned September 27, 1977, at Stamford Conn., is canceled, application dismissed.

MC-F-13194, Pacific Intermountain Express—Purchase (Portion)—Best Way Transportation and MC-F-13204, System 99—Purchase (Portion)—Best Way Transportation, now being assigned November 29, 1977 (14 days), at Phoenix, Ariz., in a hearing room to be later designated.

MC 126421 (Sub-No. 7), Gypsum Transport, Inc., now assigned October 19, 1977, at Dallas, Tex., is canceled.

MC 118089 (Sub-No. 22), Robert Heath Trucking, Inc., now being assigned October 19, 1977 (1 day), for hearing in Dallas, Tex. will be held in Room 5A15-17, Federal Building, 1100 Commerce Street.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-27721 Filed 9-21-77;8:45 am]

[AB 43 (Sub-No. 31)]

ILLINOIS CENTRAL GULF RAILROAD CO.

Abandonment Between Mason City and Jacksonville in Mason, Menard, Cass, Sangamon, and Morgan Counties, Ill.

SEPTEMBER 14, 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.

The 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.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc 77-27718 Filed 9-21-77;8:45 am]

[Notice No. 225]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include a request for oral hearing, must be filed with the Commission on or before October 25, 1977. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be presented cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopses form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

No. MC-FC-77249, filed August 2, 1977. Transferee: Linus Jankord, d.b.a. JANKORD TRUCKING, Revillo, S. Dak. 57259. Transferor: ERKEL TRANSFER, INC., 22 N. Lexington Ave., Le Center, Minn. 56057. Applicants' representative: John LaFramboise, c/o Erkel Transfer, Inc., 22 N. Lexington Ave., Le Center, Minn. 56057. Authority sought for purchase by transferee of a portion of the operating rights of transferor as set forth in Certificate No. MC 56863 (Sub-No. 5), issued March 3, 1971, as follows: *General commodities*, From St. Paul, Minn., to Milbank, S. Dak., serving the intermediate point of Minneapolis, Minn., for pickup only, and serving the off-route point of Revillo, S. Dak., for delivery only: From St. Paul over U.S. Highway 12 to Milbank, and return over the same route with no transportation for compensation except as otherwise authorized. *Livestock, empty barrels, drums, baskets, crates,* and *boxes*, From Milbank, S. Dak., to South St. Paul, Minn., serving the intermediate points of Minneapolis and St. Paul, Minn., for delivery only, and serving intermediate and off-route points in South Dakota within 25 miles of Milbank, for pickup only: From Milbank over U.S. Highway 12 to St. Paul, Minn., thence over city streets and connecting highways to South St. Paul, and return over the same route with no transportation for compensation except as othrewise authorized. *Twine*, From Stillwater, Minn., to Milbank, S. Dak., serving no intermediate points, but serving the off-route point of Revillo, S. Dak., for delivery only: From Stillwater over Minnesota Highway 212 to Minneapolis, Minn., thence over U.S. Highway 212 to junction U.S. Highway 75, thence over U.S. Highway 75 to Madison, Minn., thence over Minnesota Highway 40 via Marietta, Minn., to the Minnesota-South Dakota State line, thence over South Dakota unnumbered highway via Revillo, S. Dak. to junction U.S. Highway 77, thence over U.S. Highway 77 to Milbank (also from Minneapolis over U.S. Highway 12 to Milbank), and return over the same routes with no transportation for compensation except as otherwise authorized. From Duluth, Minn., to Milbank, S. Dak., serving no intermediate points but serving the off-route point of Revillo, S. Dak., for delivery only: From Duluth over U.S. Highway 61 to junction Minnesota Highway 23 at or near Sandstone, Minn., thence over Minnesota Highway 23 to St. Cloud, Minn., thence over U.S. Highway 52 to Sauk Centre, Minn., thence over Minnesota Highway 28 to Graceville, Minn., thence over U.S.

Highway 75 to Ortonville, Minn., thence over U.S. Highway 12 to Milbank, and return over the same route with no transportation for compensation except as otherwise authorized. From Duluth over U.S. Highway 61 to St. Paul, Minn., thence over U.S. Highway 12 to Milbank, and return over the same route with no transportation for compensation except as otherwise authorized.

General commodities, From St. Paul, Minn., to Milbank, S. Dak., serving the intermediate point of Minneapolis, Minn., to Milbank, S. Dak., serving the off-route point of Revillo, S. Dak., for delivery only: From St. Paul over U.S. Highway 212 to the Minnesota-South Dakota State line, thence over irregular routes to Milbank, with no transportation for compensation on return except as otherwise authorized, over the irregular and regular routes specified. *Livestock, empty barrels, drums, baskets, crates*, and *boxes*, from Milbank, S. Dak., to South St. Paul, Minn., serving the intermediate points of Minneapolis and St. Paul, Minn., for delivery only, and serving intermediate and off-route points in South Dakota within 25 miles of Milbank, S. Dak., for pickup only: From Milbank over irregular routes to the South Dakota-Minnesota State line, thence over U.S. Highway 212 to St. Paul, Minn., thence over city streets and connecting highways to South St. Paul, with no transportation for compensation on return except as otherwise authorized, over the regular and irregular routes specified. *Emmigrant movables*, between Milbank, S. Dak., and points in South Dakota within 25 miles of Milbank, on the one hand, and, on the other, points in Minnesota. *Dry fertilizer compounds*, in bulk, from Pine Bend, Minn., to points in Brown, Codington, Day, Deuel, Grant, Roberts, and Marshall Counties, S. Dak., with no transportation for compensation on return except as otherwise authorized. *Dry fertilizer compounds*, from Valley Park, Minn., to points in Brown, Codington, Day, Duel, Grant, Roberts, and Marshall Counties, S. Dak., with no transportation for compensation on return except as otherwise authorized. *Dry fertilizer compounds*, in bags, from Pine Bend, Minn., to points in Codington, Day, Deuel, Grant, Roberts, and Marshall Counties, S. Dak., with no transportation for compensation on return except as otherwise authorized. *Feed, livestock, agricultural commodities, lumber, household goods* as defined by the Commission, *emigrant movables, twine*, and *farm machinery and parts thereof*, between Nassau, Minn., and points in Minnesota within 35 miles of Nassau, on the one hand, and, on the other, points in Roberts, Grant, Deuel, and Codington Counties, S. Dak. Between points in South Dakota within 35 miles of Nassau, on the one hand, and, on the other, Minneapolis, St. Paul, and Newport, Minn. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

No. MC-FC-77286, filed September 2, 1977. Transferee: Robert L. Wiley, doing business as WILLEY FREIGHTWAYS, 14836 LaSalle St., Dolton, Ill. 60419. Transferor: Fischbach Trucking Co., 921 Sherman St., Akron, Ohio, 44311. Applicant's representative: David A. Turano, Suite 1800, 100 East Broad St., Columbus, Ohio 43215. Authority sought for the purchase by transferee of that portion of the operating rights of transferor as set forth in Certificate No. MC 111398 (Sub-No. 1), issued January 25, 1968, as follows: various specified commodities from Chicago Heights, Ill., to points in Ohio. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a (b).

No. MC-FC-77293, filed September 1, 1977. Transferee: UNDERWOOD COACH, INC., Route No. 1, Atchison, Kans. 660002. Transferor: MILLER SUPER SERVICE, INC., 4th & Utah Sts., Atchison, Kans. 66002. Applicant's representative: Layton Underwood, Jr., (same address as transferee), Robert J. Bednar, 817 Santa Fe On The Professional Plaza, P.O. Box 349, Atchison, Kans. 66002. Authority sought for purchase by transferee of the operating rights of transferor, as set forth in Certificate No. MC 124870, issued November 4, 1970, as follows: Wrecked and disabled motor vehicles and replacement vehicles, in truckaway service, requiring the use of wrecker equipment, between points in Atchison County, Kans., on the one hand, and, on the other, points in Nebraska, and that part of Missouri on, west, and north of a line beginning at the Missouri-Iowa State line and extending along U.S. Highway 63 to junction U.S. Highway 36, thence along U.S. Highway 36 to Chillicothe, Mo., and thence along U.S. Highway 65 to the Missouri-Arkansas State line. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under Section 210a(b).

H. G. Homme, Jr.,
Acting Secretary.

[FR Doc.77-27719 Filed 9-21-77;8:45 am]

[Volume No. 32]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

Correction

In FR Doc. 77-25320 appearing at page 44079 in the issue of Thursday, September 1, 1977, and corrected on page 46458 in the issue of Thursday, September 15, 1977, on page 46458 in the issue of Thursday, September 15, 1977, paragraph 3. should read as follows:

3. In the third column on page 44093, the first number reading "No. MC 11955" should read "No. MC 119555".

[Volume No. 34]

PETITIONS FOR MODIFICATION, INTERPRETATION, OR REINSTATEMENT OF OPERATING RIGHTS AUTHORITY

Correction

In FR Doc. 77-26691 appearing at page 46458 in the issue of Thursday, September 15, 1977, in the first column on page 46475, in the first complete paragraph, in the first line, the number reading "No. MC 14362" should read "No. MC 143562".

[Volume No. 33]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

Correction

In FR Doc. 77-26152 appearing at page 45071 in the issue of Thursday, September 8, 1977, on page 45087, in the first column, in the first line of the last paragraph, "No. MC 335874 (Sub-No. 91)" should read "No. MC 135874 (Sub-No. 91)".

[Volume No. 35]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES), RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

September 16, 1977.

No. MC 59206 M1 (notice of filing of petition to eliminate restrictions), filed July 6, 1977. Petitioner: HOLLAND MOTOR EXPRESS, INC., 750 East 40th Street, Holland, Mich. 49423. Petitioner's representative: Robert G. Bouman (same address as applicant). Petitioner holds a motor *common carrier* Certificate in No. MC 59206, issued February 25, 1954, as revised (Sheet No. 8) issued September 7, 1973, authorizing transportation, as pertinent, over regular routes, of (1) *Pulpboard boxes, pulpboard cartons, and pulpboard fillers* for boxes and cartons, from junction U.S. Highways 31 and 16 (about two miles south of Muskegon Heights, Mich.), to Fruitport, Mich., serving no intermediate points: from junction U.S. Highways 31 and 16 over U.S. Highway 16 to Fruitport, with no transportation for compensation on return except as otherwise authorized; (2) *general commodities*, except those of unusual value, and except Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, from South Bend, Ind., to Michigan City, Ind., serving no intermediate points; from South Bend over U.S. Highway 20 to Michigan City, with no transportation for compensation on return except as otherwise authorized. Restriction: Service authorized above is restricted to westbound movements of empty vehicles and of vehicles transporting freight originating in Michigan; (3)

between Grand Haven, Mich., and Indianapolis, Ind., serving all intermediate points and the off-route points of Logansport, Ind., and the site of Upjohn Co. plant located approximately four and one-half miles south-east of Kalamazoo, Mich., those within two miles of Kalamazoo, Mich., and those in Marion County, Ind.; (4) between South Bend, Ind., and Indianapolis, Ind., serving all intermediate points and the off-route points of Gas City, Ind., all points within five miles of Fort Wayne, and those in Marion County, Ind.; between Grand Rapids, Mich., and Plainwell, Mich., serving all intermediate points, and all off-route points within five miles of Grand Rapids; (5) (a) between Lafayette, Ind., and Rochester, Ind., serving the intermediate point of Logansport, Ind. from Lafayette, over Indiana Highway 25 to Rochester and return over the same route; and (b) between Logansport, Ind., and Huntington, Ind., serving the intermediate point of Peru, Ind.; from Logansport over U.S. Highway 24 to Huntington and return over the same route.

Restriction: No operation is authorized over these points in the transportation of shipments moving between points in Indiana and points in States west thereof, on the one hand, and, on the other, points in Ohio and points in States east thereof; (6) between Marion, Ind., and Anderson, Ind., serving no intermediate points; from Marion over Indiana Highway 9 to Anderson and return over same route; and (7) (a) between junction U.S. Highways 30 and 41 near Schereville, Ind., and Plymouth, Ind., serving no intermediate points; from junction U.S. Highways 30 and 41 over U.S. Highway 30 to Plymouth, and return over same routes; (b) between Plymouth and junction U.S. Highways 30 and 33 near Fort Wayne, Ind., serving no intermediate points; from Plymouth over U.S. Highway 30 to junction U.S. Highway 33 and return over same routes. Restriction: No operation is authorized over these routes in the transportation of shipments moving between Chicago, Ill., and other points on or west of U.S. Highway 41, on the one hand, and, on the other, Plymouth, Ind. By the instant petition, petitioner seeks to eliminate certain restrictions in (1) by changing the commodity and territorial description to *General commodities*, except those of unusual value and class A and B explosives, household goods, commodities in bulk and those requiring special equipment, between junction of U.S. Highway 31 and 16 (about two miles south of Muskegon Heights, Mich.), and Fruitport, Mich., serving no intermediate points; from junction U.S. Highways 31 and 16 over U.S. Highway 16 to Fruitport, Mich., and return over the same routes; (2) should read: Between South Bend, Ind., and Michigan City, Ind., serving all intermediate points; from South Bend over U.S. Highway 20 to Michigan City and return over the same route; (3) between Grand Haven, Mich., and Indianapolis, Ind., serving all intermediate points and the off-route points of Logansport, Ind., and those in Marion County, Ind. (no change in remaining portion of authority); (4) delete "and all off-route points within five miles of Grand Rapids" (no change in remaining portion of authority); (5) (a) and (b) delete the restriction; (6) change authority to read: Between Marion, Ind., and Anderson, Ind., serving the intermediate point of Alexandria, Ind.; from Marion over Indiana Highway 9 to Anderson and return over same route; and (7) (a) and (b) delete the restriction.

Petitions for Modification, Interpretation, or Reinstatement of Operating Rights Authority

The following petitions seek modification or interpretation of existing operating rights authority, or reinstatement of terminated operating rights authority.

The Commission has recently provided for easier indentification of substantive petition matters and all documents should clearly specify the "docket," "sub," and "suffix" (e.g., M1, M2) numbers identified by the Federal Register notice.

An original and one copy of protests to the granting of the requested authority must be filed with the Commission within 30 days after the date of this Federal Register notice. Such protest shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247)[1] and shall include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon petitioner's representative, or petitioner if no representative is named.

No. MC 128988 (Sub-Nos. 3 and 28) M1 (correction) (notice of filing petition for modification of permits), filed July 12, 1977, published in the Federal Register issue of August 25, 1977, and republished as corrected this issue. Petitioner: JO/KEL, INC., P.O. Box 1249, City of Industry, Calif. 91749. Petitioner's representative: Patrick E. Quinn, P.O. Box 82028, Lincoln, Nebr. 68501. Petitioner holds motor *contract carrier* permits in No. MC 128988 (Sub-Nos. 3 and 28), issued October 16, 1975, and March 3, 1975, respectively, authorizing transportation (1) in MC 128988 (Sub-No. 3) over irregular routes, of: (a) *Upholstery or carpet tacking rims or strips, nails, adhesive cement, mechanic hand tools, and advertising materials, racks, and stands* therefor, from City of Industry, Calif., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, Delaware, Maryland, Virginia, West Virginia, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, Iowa, Minnesota, Missouri, Arkansas, Louisiana, and the District of Columbia; and (b) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities described above, from points in the above-named destination states, to City of Industry, Calif., restricted against the transportation of commodities in bulk, under a continuing contract or contracts with Taylor Industries, a Division of Consolidated Foods Corp.; (2) in MC 128988 (Sub-No. 28) over irregular routes, of: (a) *upholstery and carpet tacking rims and strips, nails, adhesive cement, mechanic hand tools, and advertising materials, racks, and stands* therefor, from City of Industry, Calif., to points in Oregon, Washington, Idaho, Nevada, Arizona, New Mexico, Utah, Colorado, Wyoming, and Montana; and (b) *materials, equipment and supplies* used in the manufacture and distribution of the commodities described in (2) (a) above, from points in the above named destination states to City of Industry, Calif., restricted against the transportation of commodities in bulk, under a continuing contract or contracts with Taylor Industries, Division of Consolidated Foods Corp.

Note.—The purpose of this republication is to delete in MC 128988 (pending Sub-No. 27) from the Notice of filing of Petition for Modification of Permit. By the instant petition, petitioner seeks (A) to modify all its above permits by deleting City of Industry, Calif., wherever it appears in the above authority and substituting in lieu thereof, Santa Fe Springs, Calif., and (B) to change the name of the shipper in MC 128988 (Sub-Nos. 3 and 28), from Taylor Industries, Inc., a Division of Consolidated Foods Corp., to Taylor Manufacturing, Inc., d.b.a. Taylor Industries.)

No. MC 133095 (Sub-No. 52) (M1) (notice of filing of petition to modify certificate by changing a facility), filed August 11, 1977. Petitioner: TEXAS CONTINENTAL EXPRESS, INC., P.O. Box 434, 2603 West Euless Blvd., Euless, Tex. 76039. Petitioner's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 30301. Petitioner holds a motor *common carrier* certificate in No. MC 133095 (Sub-No. 52), issued December 2, 1976, authorizing transportation, over irregular routes, of: *Such merchandise* as is dealt in by retail discount stores (except foodstuffs, and commodities in bulk), from points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut (except Stamford and points in its commercial zone as defined by the Commission), Rhode Island, New York, Pennsylvania, Delaware, and New Jersey, to the facilities utilized by Howard Discount Centers, Inc., in Arkansas (except Little Rock and its commercial zone as defined by the Commission), Oklahoma (except Oklahoma City and Tulsa, and their respective commercial zones as defined by the Commission), and Texas (except Dallas, Fort Worth, San Antonio, and Houston, and their respective com-

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

mercial zones as defined by the Commission). Restriction: The operations authorized herein are subject to the following conditions: The authority granted herein are restricted (1) to the transportation of shipments originating at the named origins and destined to the indicated destinations, and (2) subject to the condition that the transportation of drugs, toilet preparations, paper, paper products, new furniture, plumbing fixtures, materials, equipment and supplies and/or entertainment products, is limited to the transportation of such commodities in mixed loads with other merchandise dealt in by retail discount stores. By the instant petition, petitioner seeks to modify the above authority, by substituting Wal-Mart Stores, Inc., as the facility, in lieu of Howard Discount Centers.

No. MC 141426 and (Sub-Nos. 1, 2 and 3) M1 (Notice of filing of petition to add an additional contracting shipper), filed August 11, 1977. Petitioner: WHEATON CARTAGE CO., Millville, N.J. 08332. Petitioner's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 Eleventh St., NW., Washington, D.C. 20001. Petitioner holds motor *contract carrier* Permits in No. MC 141426 and (Sub-Nos. 1, 2 and 3), issued May 2, 1977, June 7, 1977, June 3, 1977 and June 15, 1977, respectively, authorizing transportation (1) in No. MC 141426 over irregular routes, of: *Glass, metal, plastic, paper, wax, clay, feldspar*, and *wood products, foodstuffs, anti-pollution and biochemical apparatus, products* used in radiological research, *organic chemistry kits, talc, candles, pottery, chinaware, ceramics, gift items materials and supplies* used in the repair and maintenance of boats, machinery, parts and accessories for all of the above-described commodities, and *materials, equipment and supplies* used or useful in the production, sale, and distribution, of the above-named commodities, between the facilities utilized by Wheaton Industries, Dorchester Industries, Inc., and Decora, Inc., located in Cumberland, Ocean, Atlantic, Gloucester, Mercer, Salem, Camden, and Cape May Counties, N.J., on the one hand, and, on the other, points in New York, New Jersey, Ohio, Michigan, Indiana, Kentucky, West Virginia, Illinois, Wisconsin, Missouri, Minnesota, Kansas, Iowa, Nebraska, North Dakota, South Dakota, and Wyoming, restricted against the transportation of commodities in bulk, in tank vehicles, under a continuing contract or contracts with Wheaton Industries, of Millville, N.J., and Decora, Inc., of Williamstown, N.J.; (2) in No. MC 141426 (Sub-No. 1) over irregular routes, of: *Glass, metal, plastic, paper, wax, clay, feldspar*, and *wood products, foodstuffs, anti-pollution and biochemical apparatus, products* used in radiological research, *organic chemistry kits, talc, candles, pottery, chinaware, ceramics, gift items, materials and supplies* used in the repair and maintenance of boats, *machinery, parts and accessories* for all of the above-described commodities, between the facilities utilized by Wheaton Industries, Dorchester Industries, Inc., and Decora, Inc., located in Atlantic, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem Counties, N.J., on the one hand, and, on the other, points in Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Montana, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Washington, restricted against the transportation of commodities in bulk, tank vehicles, under a continuing contract or contracts with Wheaton Industries and Dorchester Industries, Inc., of Millville, N.J., and Decora, Inc., of Williamstown, N.J.; (3) in No. MC 141426 (Sub-No. 2) over irregular routes, of:

Glass, metal, plastic, paper, wax, clay, feldspar, and wood products, foodstuffs, anti-pollution and *biochemical apparatus, products* used in radiological research, *organic chemistry kits, talc, feldspar, candles, pottery, chinaware, ceramics, gift items, materials and supplies* used in the repair and maintenance of boats, machinery, parts and accessories for the above-described commodities, and *materials, equipment and supplies* used in the production, sale, or distribution of the above named commodities (except in bulk, in tank vehicles), between the facilities of Wheaton Industries, Dorchester Industries, Inc., and Decora, Inc., located in Cumberland, Ocean, Atlantic, Gloucester, Mercer, Salem, Camden and Cape May Counties, N.J., on the one hand, and, on the other, points in Alabama, Georgia, Florida, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and the District of Columbia, under a continuing contract or contracts with Wheaton Industries and Dorchester Industries, Inc., of Millville, N.J., and Decora, Inc., of Williamstown, N.J.; and (4) in No. MC 141426 (Sub-No. 3) over irregular routes, of: (a) *Glass products, metal products, plastic products, paper products, wax products, wood products, foodstuffs, anti-pollution and biochemical apparatus, products* used in radiological research; *organic chemistry kits, clay, clay products, feldspar, feldspar products, talc, candles, pottery, chinaware, ceramics, gift items, materials and supplies* used in the repair and maintenance of boats, and *machinery*, (b) *parts* and accessories for all of the above-described commodities in (4) (a) above; and (c) *materials, equipment, and supplies* used in the production, fabrication, sale, and distribution of the above-named commodities, between the facilities of Wheaton Industries, Dorchester Industries, Inc., and Decora, Inc., located in Atlantic, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean and Salem Counties, N.J., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, Pennsylvania, Rhode Island, and Vermont, restricted against the transportation of commodities in bulk, in tank vehicles, under a continuing contract or contracts with Wheaton Industries and Dorchester Industries, Inc., of Millville, N.J., and Decora, Inc., of Williamstown, N.J. By the instant petition, petitioner seeks to add Decora, Inc., as an additional contracting shipper.

REPUBLICATIONS OF GRANTS OF OPERATING RIGHTS AUTHORITY PRIOR TO CERTIFICATION

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the FEDERAL REGISTER.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such pleading shall comply with Special Rule 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

No. MC 94350 (Sub-No. 381) (Republication), filed March 10, 1977, published in the FEDERAL REGISTER issue of May 5, 1977, and republished this issue. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). An Order of the Commission, Review Board Number 3, dated August 10, 1977, and served August 26, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, transporting (1) *Trailers* designed to be drawn by passenger automobiles, in initial movements, and (2) *buildings* in sections mounted on wheeled undercarriages, from points in Kearney County, Nebr., to points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, including Alaska, but excluding Hawaii and Nebraska. Applicant is fit, willing, and able properly to perform the described service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate the modifications made in applicant's commodity description in its grant of authority.

No. MC 114868 (Sub-No. 6) (Republication), filed February 18, 1977, published in the FEDERAL REGISTER issue of April 14, 1977, and republished this issue. Applicant: Harry Earl Newlon, Jr., d.b.a. NEWLON'S TRANSFER, 1511 North Nelson St., Arlington, Va. 22201. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200 Washington, D.C. 20036. An Order of the Commission, Review Board Number 3, dated August 30, 1977, and served September 9, 1977, finds the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: *Empty household goods shipping containers* not made of paper or paper products, between points in the United States in and east of Minnesota, Iowa, Missouri, Oklahoma, and Texas; that applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate the inclusion all of Minnesota in the territorial description.

No. MC 117765 (Sub-No. 218) (Republication), filed November 8, 1976, published in the FEDERAL REGISTER issue of December 9, 1976, and republished this issue. Applicant: HAHN TRUCK LINE, INC., 5315 NW., 5th Street, P.O. Box 75218, Oklahoma City, Okla. 73107. Applicant's representative: R. E. Hagen (same address as applicant). An Order of the Commission, Review Board No. 3, dated August 25, 1977, and served September 12, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry dog food*, in bags or bales, from Hutchinson, Kans., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and Wisconsin; applicant is fit, willing and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate the additional grant of Minnesota as a destination.

No. MC 128384 (Sub-No. 5) (Republication), filed February 4, 1977, published in the FEDERAL REGISTER issue of March 31, 1977, and republished this issue. Applicant: Junior Everett De Priest, d.b.a. JUNIOR DE PRIEST TRUCKING CO., Birchtree, Mo. 65438. Applicant's representative: B. W. La Tourette, Jr., 11 S. Meramac, Suite 1400, Clayton, Mo. 63105. A Supplemental Order of the Commission, Review Board No. 2, dated August 19, 1977, and served September 12, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *contract carrier* by motor vehicle, over irregular routes, transporting: *Oak flooring*, from Birchtree, Mo., to points in Pennsylvania, Colorado, Connecticut, Massachusetts, New Hampsire, New Jersey, New York, Rhode Island, and Vermont, under a continuing contract, or contracts with Missouri Hardwood Floorings Co.; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to indicate the additional grant of Pennsylvania as a destination.

No. MC 142289 (Sub-No. 4) (Republication), filed December 10, 1976, published in the FEDERAL REGISTER issue of January 27, 1977, and republished this issue. Applicant: HECHT BROTHERS, INC., 2075 Lakewood Rd., Toms River, N.J. 08753. Applicant's representative: Jean R. Hecht (same address as applicant). An Order on further proceedings of the Commission, Review Board Number 3, dated August 22, 1977, and served September 7, 1977, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: *Uncrated doors*, and *materials and supplies* used in the construction and installation of doors, between Sunbury and Ormrod, Pa., on the one hand, and, on the other, Lakewood, N.J., restricted to the transportation of shipments originating at and destined to the facilities of The Level Line, Inc.; that applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations. The purpose of this republication is to indicate a two-way radial movement, in lieu of a one-way radial movement.

MOTOR CARRIER, WATER CARRIER AND FREIGHT FORWARDER OPERATING RIGHTS APPLICATIONS

The following applications are governed by Special Rule 247 of the Commission's *General Rules of Practice* (49 CFR § 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the FEDERAL REGISTER. Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with Section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) further provides, in part, that an applicant who does not intend timely to prosecute its application shall promptly request dismissal thereof, and that failure to prosecute an application under procedures ordered by the Commission will result in dismissal of the application.

Further processing steps will be by Commission order which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the Federal Register of a notice that the proceeding has been assigned for oral hearing.*

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 130 (Sub-No. 7), filed August 11, 1977. Applicant: DALLAS L. CORBET, d.b.a. CORBET TRUCK LINE, Route 2, Hiawatha, Kans. 66532. Applicant's representative: Jules V. Doty, 106 East 2nd St., Ottawa, Kans. 66067. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal buildings*, prefabricated, knocked down, and component parts, from the plant site or facilities of Pascoe Steel Corporation located at or near Wathena, Kans., to points in Arizona, California, Colorado, New Mexico, North Dakota, Nevada, Oklahoma, Oregon, Idaho, Iowa, Minnesota, Montana, Missouri, Washington, Wyoming, South Dakota, Texas, Utah, Nebraska, Arkansas, Georgia, Ohio, Illinois, Indiana, Kentucky, Michigan, Mississippi, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Kansas City, Kansas.

No. MC 2368 (Sub-No. 66), filed August 15, 1977. Applicant: BRALLEY-WILLETT TANK LINES, INC., 2212 Deepwater Terminal Rd., P.O. Box 495, Richmond, Va. 23204. Applicant's representative: William T. Marshburn (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle over irregular routes transport-

ing: *Vegetable oils* in bulk, in tank vehicles, from Norfolk, Va., to Dover, Ohio.

NOTE.—If hearing is deemed necessary, the applicant requests it be held in either Washington, D.C. or Richmond, Va.

No. MC 5428 (Sub-No. 7), filed July 28, 1977. Applicant: LYON MOVING & STORAGE CO., 3416 South La Cienega Blvd., Los Angeles, Calif. 90016. Applicant's representative: Warren N. Grossman, 1800 United California Bank Bldg., 707 Wilshire Blvd., Los Angeles, Calif. 90017. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, in the transportation of *empty household goods shipping containers, set up or knocked down*, between points in the United States, including Alaska and Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 19157 (Sub-No. 44), filed August 12, 1977. Applicant: McCORMACK's HIGHWAY TRANSPORTATION, INC., R.D. 3, Box 4, Campbell Rd., Schenectady, N.Y. 12306. Applicant's representative: Paul Montarello (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Such merchandise as is sold and used by wholesale, retail and discount stores (except foodstuffs, commodities in bulk and those which because of size or weight require the use of special equipment) between points in Ohio and Carson, Maine.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the Applicant requests it be held at Columbus, Ohio or Washington, D.C.

MC 20992 (Sub-No. 41), filed August 12, 1977. Applicant: DOTSETH TRUCK LINE, INC., Knapp, Wis. 54749. Applicant's representative: Steven K. Kuhlmann, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural implements and farm machinery (except tractors) mountable spreaders, forage boxes, show display equipment and parts thereof*, from the plantsite of Fox Tractor Division of Koehring Co., at Appleton, Wisconsin, to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, North Carolina, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia. Restricted to the transportation of shipments originating at the plantsite of Fox Tractor Division of Koehring Co., at Appleton, Wisconsin; and (2) *Returned shipments of agricultural implements and farm machinery (except tractors), mountable spreaders, and forage boxes*, from points in the above-named destination states, to the above-named plantsite at Appleton, Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at St. Paul, Minnesota.

No. MC 22509 (Sub-No. 3), filed August 11, 1977. Applicant: MISSOURI-NEBRASKA EXPRESS, INC., 5310 St. Joseph Ave., St. Joseph, Mo. 64505. Applicant's representative: Harry Ross, 58 South Main St., Winchester, Ky. 40391. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials; mineral wool and mineral wool products and materials; insulated air ducts; insulating products and materials; glass fibre rovings, yarn and strand; and glass fibre mats and matting*, from plantsites and storage facilities of CertainTeed Corporation, at or near Kansas City and Pauline, Kans., to points in Nebraska, Wisconsin, Minnesota, and those points in Iowa on or west of U.S. Highway 63.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Washington, D.C.

No. MC 26396 (Sub-No. 154), filed August 1, 1977. Applicant: POPELKA TRUCKING CO., d.b.a. The Waggoners, Box 990, Livington, Mont. 59047. Applicant's representative: Beth Waggoner (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrought steel pipe, tubing, and related fabricated products and structures* built from these articles, from the plantsites of Tubular Steel, Inc. at Hazelwood, Mo. and Staunton, Ill., to points in Iowa, Minnesota, Nebraska, South Dakota, and North Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Washington, D.C. or Billings, Montana.

No. MC 29130 (Sub-No. 108), filed August 17, 1977. Applicant: THE ROCK ISLAND MOTOR TRANSIT COMPANY, a corporation, 2744 S.E. Market St., P.O. Box 1355, Des Moines, Iowa 50305. Applicant's representative: B. C. Spitzer, 332 S. Michigan Ave., Chicago, Ill. 60604. Authority sought to operate as a *common carrier* by motor vehicle, over regular routes, transporting: *General Commodities*, (except those of unusual value, livestock, nitroglycerine, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment), Between junction of U.S. Highway 69 and U.S. Highway 36 at or near Cameron, Missouri and St. Joseph, Missouri U.S. Highway, From junction of U.S. Highway 69 and 36, thence over U.S. Highway 36 to St. Joseph, Missouri and return over the same route, serving no intermediate points as an alternate route for operating convenience only in connection with applicant's regular-route operations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Des Moines, Iowa or Kansas City, Missouri. Common control may be involved.

No. MC 29130 (Sub-No. 109), filed August 17, 1977. Applicant: THE ROCK ISLAND MOTOR TRANSIT CO., a corporation, 2744 Southeast Market Street, P.O. Box 1355, Des Moines, Iowa 50305. Applicant's representative: B. C. Spitzer, 332 S. Michigan Avenue, Chicago, Ill. 60604. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, mineral wool, mineral wool products and materials, insulated air ducts, insulating products and materials; glass fibre rovings, yarn and strand and glass fibre mats and matting* from the plantsite and/or facilities of CertainTeed Corp., Kansas City, Kans., to points in Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Des Moines, Iowa, or Kansas City, Mo. Common control may be involved.

No. MC 35334 (Sub-No. 80) (correction), filed June 29, 1977, published in the FEDERAL REGISTER issue of August 18, 1977, and republished as corrected this issue. Applicant: COPPER-JARRETT, INC., Hanover Plaza, Morristown, N.J. 07960. Applicant's representative: Irving Klein, 371 Seventh Avenue, New York, N.Y. 10001. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment).

Route 1. Between Cincinnati, Ohio, and Lexington, Ky.: From Cincinnati, Ohio, via Interstate Highways 71/75 to junction Interstate Highways 71 and 75, thence via Interstate Highway 75 to Lexington, Ky., and return over the same route.

Route 2. Between Cincinnati, Ohio, and Louisville, Ky.: From Cincinnati, Ohio, via Interstate Highways 71/75 to junction Interstate Highways 71 and 75, thence via Interstate Highway 71 to Louisville, Ky., and return over the same route.

Route 3. Between Louisville, Ky., and Lexington, Ky.: From Louisville, Ky., via Interstate Highway 64 to junction Interstate Highways 64 and 75, thence via Interstate Highway 75 to Lexington, Ky., and return over the same route.

Route 4. Between Lexington, Ky., and Catlettsburg, Ky.: From Lexington, Ky., via Interstate Highway 75 to junction Interstate Highways 64 and 75, thence via Interstate Highway 64 to junction Interstate Highway 64 and U.S. Highway 23, thence via U.S. Highway 23 to Catlettsburg, Ky., and return over the same route.

Route 5. Between Catlettsburg, Ky., and South Portsmouth, Ky.: From Catlettsburg, Ky., via U.S. Highway 23 to South Portsmouth, Ky., and return over the same route.

Route 6. Between Lexington, Ky., and Jellico, Ky.: From Lexington, Ky., via Interstate Highway 75 to junction Interstate Highway 75 and U.S. Highway 25W, thence via U.S. Highway 25W to Jellico, Ky., and return over the same route.

Route 7. Between Lexington, Ky., and Elizabethtown, Ky.: From Lexington, Ky., via U.S. Highway 60 to junction U.S. Highways 60 and 62, thence via U.S. Highway 62 to Elizabethtown, Ky., and return over the same route.

Route 8. Between Louisville, Ky., and Henderson, Ky.: From Louisville, Ky., via U.S. Highway 31W/60 to junction U.S. Highway 60, thence via U.S. Highway 60 to Henderson, Ky., and return over the same route.

Route 9. Between Louisville, Ky., and Bowling Green, Ky.: From Louisville, Ky., via U.S. Highways 31W/60 to junction U.S. Highway 31W and U.S. Highway 60, thence via U.S. Highway 31W to Bowling Green, Ky., and return over the same route.

Route 10. Between Louisville, Ky., and Paducah, Ky.: From Louisville, Ky., via U.S. Highways 31W/60 to junction U.S. Highway 31W and U.S. Highway 60, thence via U.S. Highway 31W to Elizabethtown, Ky., thence via U.S. Highway 62 to Paducah, Ky., and return over the same route.

Route 11. Between Bowling Green, Ky., and Owensboro, Ky.: From Bowling Green, Ky., via U.S. Highway 231 to Owensboro, Ky., and return over the same route.

Route 12. Between Bowling Green, Ky., and the junction of Interstate Highway 65 and U.S. Highway 31W: From Bowling Green, Ky., via U.S. Highway 231 to junction Interstate Highway 65, thence via Interstate Highway 65 to junction Interstate Highway 65 and U.S. Highway 31W and return over the same route.

Route 13. Between Bowling Green, Ky., and the junction of U.S. Highway 41 and U.S. Highway 62 at or near Nortonville, Ky.: From Bowling Green, Ky., via U.S. Highway 68 to Hopkinsville, Ky., thence via U.S. Highway 41 to junction U.S. Highway 41 and U.S. Highway 62 at or near Nortonville, Ky., and return over the same route.

Route 14. Between Henderson, Ky., and the junction of U.S. Highways 41 and 62 at or near Nortonville, Ky.: From Henderson, Ky., via U.S. Highway 41 to junction U.S. Highways 41 and 62 at or near Nortonville, Ky., and return over the same route.

Route 15. Between Paducah, Ky., and Fulton, Ky.: From Paducah, Ky., via U.S. Highway 45 to Fulton, Ky., and return over the same route.

Route 16. Between Cincinnati, Ohio, and Maysville, Ky.: From Cincinnati, Ohio, via Interstate Highways 71/75 to junction Kentucky State Highway 8, thence via Kentucky State Highway 8 to Maysville and return over the same route.

Route 17. Between Lexington, Ky., and Maysville, Ky.: From Lexington, Ky., via U.S. Highway 27/68 to junction U.S. Highways 27 and 68, thence via U.S. Highway 68 to Maysville, Ky., and return over the same route.

Route 18. Between Bowling Green, Ky., and Somerset, Ky.: From Bowling Green, Ky., via U.S. Highway 31W to junction U.S. Highway 68/Kentucky State Highway 80, thence via U.S. Highway 68/Kentucky State Highway 80 to junction U.S. Highway 68, thence via Kentucky State Highway 80 to Somerset, Ky., and return over the same route.

Route 19. Between Lexington, Ky., and the junction of U.S. Highway 27 and the Kentucky-Tennessee State line at or near Strunk, Ky.: From Lexington, Ky., via U.S. Highway 27 to junction U.S. Highway 27 and the Kentucky-Tennessee State line at or near Strunk, Ky., and return over the same route.

Route 20. Between Henderson, Ky., and Paducah, Ky.: From Henderson, Ky., via U.S. Highway 60 to junction U.S. Highway 62, thence via U.S. Highway 62 to Paducah, Ky., and return over the same route. Serving all intermediate points in Kentucky in connection with Routes 1 through 20 above, and serving all off-route points in Kentucky. Restriction: The operations requested on all of the above routes are subject to the following conditions: Said operations are restricted against the transportation of traffic originating at, destined to, or received from or delivered to connecting carriers at Cincinnati, Ohio, and points in its commercial zone as defined by the Commission. Said operations are restricted to the transportation of traffic moving from, to, or through junction Interstate Highway 79 and Interstate Highway 80 at or near Mercer, Pa. No authority herein is requested to serve any points in the commercial zones of any city in Kentucky located outside the State of Kentucky.

NOTE.—The purpose of this application is to convert irregular route authority to regular routes. The purpose of this correction is to clarify the authority sought, and to indicate the purpose of this application.

No. MC 43867 (Sub-No. 34), filed August 8, 1977. Applicant: A. LEANDER McALISTER TRUCKING CO., a corporation, P.O. Box 2214, Wichita Falls, Tex. 76307. Applicant's representative: Brian E. Brewton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air pollution, heating and cooling equipment, and parts and accessories* for such commodities, from the plantsite and facilities of the Fuller Co. located at Houston, Tex., to points in Alabama, Colorado, Idaho, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Montana, Nevada, North Dakota, Ohio, Oregon, South Dakota, Tennessee, Utah, Washington, West Virginia, Wisconsin, and Wyoming; and (2) *shipments of refused or rejected items on return*, from the destination points named in (1) above, to Houston, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 57697 (Sub-No. 10), filed August 4, 1977. Applicant: LESTER SMITH TRUCKING, INC., P.O. Box 16424, Denver, Colo. 80216. Applicant's representative: Michael J. Norton, P.O. Box 2135, Suite 404, Boston Bldg., Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum pipe, and pipe fittings*, from Hastings, Nebr., to points in Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Denver, Colo., Omaha, Nebr., or Salt Lake City, Utah.

No. MC 59640 (Sub-No. 54), filed August 5, 1977. Applicant: PAULS TRUCKING CORP., Three Commerce Drive, Cranford, N.J. 07106. Applicant's representative: Charles J. Williams, 1815 Front Street, Scotch Plains, N.J. 07076. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Health care products and materials* used in the manufacture thereof (except commodities in bulk), (1) (between Mountain Top, Pa., on the one hand, and, on the other, Murray Hill, N.J., and Fitzwilliam, N.H., (2) between Marietta, Ga., on the one hand, and, on the other, Murray Hill, N.J., and Los Angeles, Calif.; and (3) between Kennebunk, Maine, and Murray Hill, N.J., under a continuing contract or contracts with C. R. Bard, Inc., located at Murray Hill, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Newark, N.J. or New York, N.Y.

No. MC 59640 (Sub-No. 55), filed August 5, 1977. Applicant: PAULS TRUCKING CORP., 301 Blair Road, Woodbridge, N.J. 07095. Applicant's representative: Charles J. Williams, 1815 Front Street, Scotch Plains, N.J. 07076. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities* as are sold or distributed by retail stores; and (2) *materials, supplies, and equipment* used in the conduct of such businesses (except commodities in bulk), between Secaucus, N.J., on the one hand, and, on the other, Virginia Beach, Va., Washington, D.C., and points in Connecticut, Massachusetts, Maryland, New York, and Pennsylvania, under a continuing contract or contracts with Greenwich Mills Co., located at Secaucus, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at New York, N.Y.

No. MC 61592 (Sub-No. 405), filed August 12, 1977. Applicant: JENKINS TRUCK LINE, INC., P.O. Box 697, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, 101 First Avenue, P.O. Box 737, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Electrical appliances, equipment, and supplies* (except commodities in bulk), from Searcy, Ark., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Memphis, Tenn.

MC 62388 (Sub-No. 7), filed August 11, 1977. Applicant: HASTON POORE, Route 1, Box 262, Hanceville, Ala. 35077. Applicant's representative: Maurice F.

Bishop, 601-09 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, over irregular routes, transporting: *Lumber, including laminated beams*, from points in Barbour, Bibb, Fayette, Marshall, and Monroe Counties, Ala., to points in Indiana, Kentucky, Ohio, Mississippi, Georgia, and Illinois.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

No. MC 69833 (Sub-No. 122), filed August 15, 1977. Applicant: ASSOCIATED TRUCK LINES, INC., Vandenberg Center, 200 Monroe Avenue, NW., 6th Floor, Grand Rapids, Mich. 49503. Applicant's representative: Harry Pohlad (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing and building materials, and materials used in the installation and application of such commodities* (except commodities in bulk) from Franklin, Ohio, to points in the States of Indiana, Illinois, Michigan, Wisconsin, and points in Pennsylvania on and west of U.S. Highway 219; (2) *material, equipment, and supplies used in the manufacture and installation of roofing or building materials* from points in the States of Michigan, Indiana, Illinois, Wisconsin, and points in Pennsylvania on and west of U.S. Highway 219 to Franklin, Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Indianapolis, Ind., Chicago, Ill., or Washington, D.C.

No. MC 70172 (Sub-No. 7), filed August 12, 1977. Applicant: B. J. KIRK TRANSPORTATION CO., (a corporation), 672 Roosevelt Avenue, Pawtucket, R.I. 02860. Applicant's representative: Thomas W. Murrett, 342 North Main Street, West Hartford, Conn. 06117. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores, and, in connection therewith, materials, supplies, fixtures, and equipment used in the operation of such stores, between East Providence and Cumberland, R.I., on the one hand, and, on the other, Somerville, Mass., restricted against the transportation of commodities in bulk.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Providence, R.I.

No. MC 73165 (Sub-No. 413), filed August 4, 1977. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. 35202. Applicant's representative: John W. Cooper, Suite 200, Woodward Building, 1927 1st Avenue North, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel articles;* and *building and construction materials*, from the plantsites of the Penn-Dixie Steel Corp., located at Kokomo, and Fort Wayne, Ind.; Joliet and Blue Island, Ill.; Lansing and Grand Rapids, Mich.; and Toledo and Columbus, Ohio, to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Kansas, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia; and (2) *materials, equipment and supplies* used in the manufacture and distribution of iron and steel articles and building and construction materials, from points in Alabama, Arkansas, Florida, Georgia, Kentucky, Kansas, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia, to the plantsites of the Penn-Dixie Steel Corp., located at Kokomo and Fort Wayne, Ind.; Joliet and Blue Island, Ill.; Lansing and Grand Rapids, Mich.; and Toledo and Columbus, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Birmingham, Ala., or Kokomo, Ind.

No. MC 73165 (Sub-No. 416), filed August 17, 1977. Applicant: EAGLE MOTOR LINES, INC., 830 North 33d Street, Birmingham, Ala. 35202. Applicant's representative: John W. Cooper, Suite 200, Woodward Building, 1927 1st Avenue North, Birmingham, Ala. 35203. Authority is sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Trailer converter dollies, packers, refuse compactors, cargo containers, refuse containers, storage containers, material handling equipment and parts.* From the facilities of Marathon Equipment Co., Inc., at or near Vernon, Ala., to points in United States excluding Alaska and Hawaii; and (2) *Materials, supplies and parts* (except commodities in bulk), used in manufacture, assembly, and servicing of commodities named in (1) above, from the above named destination, to the facilities of Marathon Equipment Co. Inc., at or near Vernon, Ala.

NOTE.—If a hearing is deemed necessary, applicant requests it to be held at either Birmingham, Ala. or Atlanta, Ga.

No. MC 74416 (Sub-No. 15), filed August 17, 1977. Applicant: LESTER M. PRANGE, INC., Box 1, Kirkwood Pa. 17536. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fabricated sheet metal products, heating and air conditioning systems*, and *equipment, materials* and *supplies* used in the installation of sheet metal products and heating and air conditioning systems, from the plantsite and storage facilities of Acme Manufacturing Co. and Airlanta Manufacturing Co., Inc., located at or near Atlanta, Ga., to points in Florida, Alabama, Louisiana, Mississippi, South Carolina, North Carolina, Virginia, Tennessee, Kentucky, and Arkansas, restricted to traffic originating at the above named origins and destined to points in the destination states named.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 82492 (Sub-No. 163), filed August 12, 1977. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by lawn and garden care centers* (except commodities in bulk), (1) from the facilities of O.M. Scott & Sons Co., located at or near Marysville, Ohio to points in Nebraska and Illinois and (2) from the facilities of O.M. Scott & Sons Co., located at or near Columbus, Ohio to points in Illinois, Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 82841 (Sub-No. 213) (Correction), filed July 8, 1977, published in the FEDERAL REGISTER issue of August 25, 1977, and republished as corrected, this issue. Applicant: HUNT TRANSPORTATION, INC., 10770 "I" Street, Omaha, Nebr. 68127. Applicant's representative: Donald L. Stern, 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in the transportation of such commodities as are dealt in, or used by, *agricultural equipment, industrial equipment and lawn and leisure products manufacturers and dealers* (except commodities in bulk), (1) between the facilities of, or used by, International Harvester Company at East Moline and Moline, Ill., on the one hand, and, on the other, points in Colorado, Indiana, Iowa, Kansas, Kentucky, Michigan, Missouri, Nebraska, Ohio, West Virginia, and Wyoming; (2) between the facilities of, or used by, International Harvester Co. at Canton and Rock Island, Ill., on the one hand, and, on the other, points in Colorado, Iowa, Kansas, Missouri, Nebraska, and Wyoming. Restrictions: The above authorities are restricted to the transportation of traffic (a) originating at the facilities of, or used by, International Harvester Co. at the points named in each of the respective paragraphs above and destined to points in the States named in said paragraphs, or (b) originating at points in the States named in each of the respective paragraphs above and destined to the facilities of, or used by, International Harvester Co. at the points named in said paragraphs, except that the restrictions in (a) and (b) above shall not apply to traffic moving in foreign commerce.

NOTE.—Applicant seeks authority to serve Ports of Entry on the international boundary line between the United States and Canada located in the United States and Canada located in the involved States bordering on

Canada and to participate in traffic moving from and to Canadian Provinces which can be served in connection therewith. The purpose of this republication is to correct the restriction. If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C., or Chicago, Ill.

No. MC 89697 (Sub-No. 33), filed August 12, 1977. Applicant: KRAJACK TANK LINES, INC., 480 E. Westfield Avenue, Roselle Park, N.J. 07204. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes transporting: *Liquid adhesives*, in bulk, in tank vehicles, from Millhall, Pa. to Painesville, Ohio, and Peach Tree City, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 93840 (Sub-No. 31), filed August 12, 1977. Applicant: W. W. GLESS, d.b.a. GLESS BROS., P.O. Box 216, Blue Grass, Iowa 52726. Applicant's representative: Larry D. Knox, 600 Hubbell Building, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and dry fertilizer materials*, in bulk, in dump vehicles, from Pekin, Ill., to points in Iowa, Minnesota, Missouri, and Wisconsin, restricted to traffic originating at the named origin and destined to points in the destination States.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at either Des Moines, Iowa, or Minneapolis, Minn.

No. MC 94350 (Sub-No. 400), filed August 8, 1977. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles (except travel trailers and camping trailers), in initial movements, and buildings, in sections, mounted on wheeled undercarriages, from points in Webster County, Miss., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Jackson, Miss.

No. MC 94350 (Sub-No. 401), filed August 15, 1977. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr., (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles (except travel trailers and camper trailers), in initial movements, and buildings, in sections, mounted on wheeled undercarriages, from points in Ohio, to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio.

No. MC 94350 (Sub-No. 402), filed August 15, 1977. Applicant: TRANSIT HOMES, INC., P.O. Box 1628, Greenville, S.C. 29602. Applicant's representative: Mitchell King, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles (except travel trailers and camper trailers), in initial movements, and buildings, in sections, mounted on wheeled undercarriages, from points in North Carolina to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If hearing is deemed necessary, applicant requests that it be held at Raleigh, N.C.

No. MC 95376 (Sub-No. 16), filed August 15, 1977. Applicant: McVEY TRUCKING, INC., Rt. No. 1, Oakwood, Ill. 61858. Applicant's representative: Robert T. Lawley, 300 Reisch Building, Springfield, Ill. 62701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed*, from Danville, Ill., to points in Tennessee.

NOTE.—Applicant holds motor contract carrier authority in No. MC 128990 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held in Chicago, Ill., or Springfield, Ill.

No. MC 96992 (Sub-No. 4), filed July 19, 1977. Applicant: HIGHWAY PIPELINE TRUCKING CO., a corporation, P.O. Box 1517, Edinburg, Tex. 78539. Applicant's representative: Kenneth R. Hoffman, 1100 Milam Building, Suite 3300, Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: (1) *Frozen vegetables, frozen fruits, frozen berries, frozen juices and citrus concentrate*, except in bulk; and (2) *Commodities* which are otherwise exempt from regulation under section 203(b)(6) of the Interstate Commerce Act, when moving in the same vehicle at the same time with commodities in paragraph (1) above; from points in Cameron, Hidalgo, Webb, and El Paso Counties, Tex., to points in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, North Carolina, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, New Hampshire, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin. Restricted in parts (1) and (2) above to the use of vehicles equipped with mechanical refrigeration.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either McAllen or Harlingen, Tex.

No. MC 102616 (Sub-No. 933), filed August 5, 1977. Applicant: COASTAL TANK LINES, INC., 250 N. Cleveland-Massillon Road, Akron, Ohio 44313. Applicant's representative: David F. McAllister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Expanded plastic products*, from the plant site of Dow Chemical Co., located in Channahon Township (Will County), Ill., to points in the United States on and east of U.S. Highway 85.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 102616 (Sub-No. 934), filed August 10, 1977. Applicant: COASTAL TANK LINES, INC., 250 N. Cleveland-Massillon Road, Akron, Ohio 44313. Applicant's representative: David F. McAllister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, from Lowell and Alto, Mich., to points in Indiana.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio, or Chicago, Ill.

No. MC 106644 (Sub-No. 240), filed August 11, 1977. Applicant: SUPERIOR TRUCKING CO., INC., Post Office Box 916, Atlanta, Ga. 30301. Applicant's representative: Frank Hall, Suite 713, 3384 Peachtree Street NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, over irregular routes, by motor vehicle, transporting: *Fabrications, linings, coatings, fiberglass tanks, hoods, and piping duct work*, from Barnwell, S.C., to points in the United States (including Alaska, but excluding Hawaii).

NOTE.—If a hearing is deemed necessary, we request it be held at either Columbia, S.C., or Washington, D.C.

No. MC 106644 (Sub-No. 241), filed August 11, 1977. Applicant: SUPERIOR TRUCKING CO., a corporation, Post Office Box 916, Atlanta, Ga. 30301. Applicant's representative: Frank Hall, Suite 713, 3384 Peachtree Street NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, over irregular routes, by motor vehicle, transporting: *Air compressors and earth drilling machinery and equipment*, between Claremont, N.H., on the one hand, and, on the other, points in the United States (including Alaska, but excluding Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Philadelphia, Pa., or Washington, D.C.

No. MC 106644 (Sub-No. 242), filed August 11, 1977. Applicant: SUPERIOR TRUCKING CO., INC., Post Office Box 916, Atlanta, Ga. 30301. Applicant's representative: Frank Hall, Suite 713, 3384 Peachtree Road NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, over irregular routes, by motor vehicle, transporting: (1) *Mining equipment*; (2) *attachments and parts* of mining equipment; and (3) *equipment, materials, and supplies*, between facilities of

Reading, U.S., Inc., located at or near Orange Park, Fla., on the one hand, and on the other, points in the United States (including Alaska, but excluding Hawaii).

NOTE.—If a hearing is deemed necessary, we request it be held at either Jacksonville, Fla., or Washington, D.C.

No. MC 107515 (Sub-No. 1040) (amendment), filed November 10, 1976, published in the FEDERAL REGISTER issue of December 16, 1976, and republished as amended this issue. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, 3901 Jonesboro Road SE., Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen foodstuffs and bone chews* (except cheese, meats, meat products, and meat by-products, and commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from the plantsite and storage facilities utilized by Sanna Division of Beatrice Foods Co., at Menominee, Vesper, Cameron, Wisconsin Rapids, and Eau Claire, Wis., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, Ohio, South Carolina, Tennessee, and Virginia, restricted to traffic originating at and destined to the named points.

NOTE.—The purpose of this amendment is to broaden the scope of the commodity description. Applicant controls Refrigerated Transport, Inc., which has contract carrier authority in MC 126436 and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Madison, Wis., or Chicago, Ill.

No. MC 107515 (Sub-No. 1099), filed August 10, 1977. Applicant: REFRIGERATED TRANSPORT CO., INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: Alan E. Serby, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in the transportation of: *Frozen foods*, from the warehouse and storage facilities utilized by Winter Garden, Inc., at Memphis, Tenn., to Chariton, Iowa, and Schenectady, N.Y.

NOTE.—Applicant holds motor contract carrier authority in No. MC 126436 (Sub-No. 2) and other subs, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, applicant requests that it be held at Memphis, Tenn.

No. MC 108676 (Sub-No. 109), filed August 15, 1977. Applicant: A. J. METLER HAULING & RIGGING, INC., 117 Chicamauga Avenue, Knoxville, Tenn. 37917. Applicant's representative: Louis J. Amato, P.O. Box E, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refuse containers and refuse container systems* (except in tow-away), *and parts, attachments, and accessories* therefor, from the plantsite of Dempster Dumpster Systems, Inc., located in Northumberland County, Pa., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Knoxville, Tenn., or Atlanta, Ga.

MC 109124 (Sub-No. 33), filed August 12, 1977. Applicant: SENTLE TRUCKING CORP., P.O. Box 7850, Toledo, Ohio 43619. Applicant's representative: James M. Burtch, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing and building materials*, and materials used in the installation and application of such commodities (except commodities in bulk) from Franklin, Ohio, to points in Illinois, Indiana, Michigan, New York, Pennsylvania, and West Virginia, and (2) *materials, equipment, and supplies* used in the manufacture, installation, or application of roofing or building materials (except commodities in bulk) from points in Illinois, Indiana, Michigan, New York, Pennsylvania, and West Virginia to Franklin, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 110563 (Sub-No. 206), filed August 17, 1977. Applicant: COLDWAY FOOD EXPRESS, INC., P.O. Box 747, State Route 29 North, Sidney, Ohio 45365. Applicant's representative: Joseph M. Scanlan, 111 West Washington Street, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* (a) from Allentown and Chambersburg, Pa., to points in Ohio, Michigan, Indiana, Kentucky, Illinois, Missouri, and Wisconsin; (b) from Frankfort, Mich., to points in Pennsylvania, Maryland, New York, and Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo.

No. MC 110988 (Sub-No. 346), filed August 16, 1977. Applicant: SCHNEIDER TANK LINES, INC., 4321 W. College Avenue, Appleton, Wis. 54911. Applicant's representative: Paul C. Schneider (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Chemicals*, in bulk, from Union, Ill. to points in Arkansas, Georgia, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, Ohio, Tennessee, Texas, West Virginia, and Wisconsin; and (2) *spent chemicals*, in bulk, from points in Arkansas, Georgia, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, Ohio, Tennessee, Texas, West Virginia, and Wisconsin, to Union, Ill.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill.

No. MC 111729 (Sub-No. 714), filed August 11, 1977. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as Applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Proofs, cuts, copy, art work, printed material, and related items*, between Coldwater, Mich., on the one hand, and, on the other, points in Kentucky, Maryland, Missouri, New Jersey, New York, Pennsylvania, Tennessee, and West Virginia.

NOTE.—Applicant holds motor contract carrier authority in MC 112750 and Sub numbers thereunder and, therefore, dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, Applicant requests that it be held at Washington, D.C.

No. MC 112713 (Sub-No. 203), filed July 28, 1977. Applicant: YELLOW FREIGHT SYSTEM, INC., P.O. Box 7270, 10990 Roe Avenue, Shawnee Mission, Kans. 66207. Applicant's representative: John M. Records (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the plantsite of Huntington Alloys, Inc., at Burnaugh, Ky., as an off-route point in connection with carrier's otherwise authorized operations

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Charleston, W. Va., or Cincinnati, Ohio.

No. MC 112962 (Sub-No. 9), filed August 1, 1977. Applicant: CRUPPER TRANSPORT CO., INC., 25 South 3rd Street, Kansas City, Kans. 66118. Applicant's representative: Clyde N. Christey, 514 Capitol Federal Bldg., Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fibrous glass products and materials, mineral wool, mineral wool products and materials, insulated air ducts, insulating products and materials, glass fibre rovings, yarn, and strand, and glass fibre mats and matting*, from the plantsite and storage facilities of CertainTeed Corp., at Kansas City, Kans., and the storage facilities of CertainTeed Corp., at Pauline, Kans., to points in Nebraska.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 112963 (Sub-No. 68), filed July 28, 1977. Applicant: ROY BROS., INC., 764 Boston Road, Pinehurst, Mass. 01866. Applicant's representative: Leonard E. Murphy (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry sugar*, in bulk, in specially designed dump vehicles from ports of entry on the international boundary line between the

United States and Canada located at points in New York, Vermont, and New Hampshire to points in New Hampshire, Massachusetts, and Rhode Island. Restricted to traffic originating in the Province of Quebec, Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Boston, Mass.

No. MC 113325 (Sub-No. 151), filed August 15, 1977. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, from Baltimore, Md., to points in Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C., or St. Louis, Mo.

No. MC 113843 (Sub-No. 245), filed August 11, 1977. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Sheils (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food and food products* (except commodities in bulk, in tank vehicles), from Guilderland Center, N.Y., and points in New York on and west of a line beginning at the New York-Pennsylvania State line and extending along New York Highway 7 to Binghamton, thence along New York Highway 12 to the St. Lawrence River, to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held in Rochester or Syracuse, N.Y.

MC 113855 (Sub-No. 385), filed August 12, 1977. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Thomas J. Van Osdel, 502 First National Bank Bldg, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in interstate or foreign commerce, transportation: *Agricultural machinery and agricultural implements, and parts and attachments* for agricultural machinery and agricultural implements, from New Albany, Miss., to points in the United States (including Alaska but excluding Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Birmingham, Ala.

No. MC 114211 (Sub-No. 312), filed August 4, 1977. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Daniel C. Sullivan, Suite 1600, 10 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, lumber mill products, forest and wood products*, from the International Boundary Line between the United States and Canada located at Noyes, Minn., to points in the United States (including Alaska but excluding Hawaii). Restriction: Restricted to movements from the facilities of Manitoba Forestry Resources, Ltd., located in the provinces of Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Fargo or Grand Fork, N. Dak.

No. MC 114211 (Sub-No. 314), filed August 10, 1977. Applicant: WARREN TRANSPORT, INC., P.O. 420, 324 Manhard Street, Waterloo, Iowa 50704. Applicant's Representative: Mr. Daniel Sullivan, Suite 1600, 10 South La Salle, Chicago, Ill. 60603. Authority sought to operate as a *common carrier* over irregular routes, by motor vehicle, transporting: *Iron and steel articles*, (1) between El Paso, Tex., on the one hand, and, on the other, points in Arizona, California, Colorado, New Mexico, Nevada, Oregon, Idaho, Montana, Washington, Wyoming, Utah, Nebraska, and Texas, and (2) between Fort Worth and Dallas, Tex., on the one hand, and, on the other, points in Arizona, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Illinois, and Texas.

NOTE.—If a hearing is deemed necessary, we request it be held at either Dallas, Tex., or Fort Worth, Tex.

No. MC 114211 (Sub-No. 315), filed August 12, 1977. Applicant: WARREN TRANSPORT, INC., 324 Manhard Street, P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Mr. Charles W. Singer, 2440 East Commercial Boulevard, Fort Lauderdale, Fla. 33308. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *such commodities* as are dealt in, or used by, agricultural equipment, industrial equipment and lawn and leisure product dealers (except commodities in bulk), from Portland, Oreg., and Longview, Wash., to points in Washington, Oregon, California, Nevada, Idaho, Montana, Utah, and Wyoming.

NOTE.—If a hearing is deemed necessary, we request it be held at Portland, Oreg., or Seattle, Wash., on a consolidated record with similar application of International Transport, Inc.

No. MC 114761 (Sub-No. 11), filed August 12, 1977. Applicant: GETTER TRUCKING, INC., P.O. Box 368, Cut Bank, Mont. 59427. Applicant's representative: John R. Davidson, Suite 805, Midland Bank Building, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of manufactured and natural gas and petroleum and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, (2) earth drilling machinery and equipment, and machinery, equipment, materials, supplies, and pipe incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled (c) the production, storage, and transmission of commodities resulting from drilling operations at well or hole sites, and (d) the injection or removal of commodities into or from holes or wells, between points in Maine, Maryland, Massachusetts, Connecticut, Pennsylvania, Delaware, Florida, Georgia, Virginia, South Carolina, Rhode Island, North Carolina, New York, New Jersey, New Hampshire, on the one hand, and, on the other, points in Alaska, Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, New Mexico, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Billings, Mont., or Casper, Wyo., or Denver, Colo.

No. MC 114896 (Sub-No. 56), filed August 15, 1977. Applicant: PUROLATOR SECURITY, INC., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Credit Cards*, from Baltimore, Md., to the District of Columbia, under a continuing contract or contracts with Service Center, Inc.

NOTE.—Applicant holds common carrier authority in No. MC 140345 (Sub-No. 1), therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 114969 (Sub-No. 64), filed August 11, 1977. Applicant: PROPANE TRANSPORT, INC., P.O. Box 232, Milford, Ohio 45150. Applicant's representative: Alki E. Scopelitis, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry feed and dry feed ingredients*, in bulk, from Indianapolis, Ind., to points in Illinois, Michigan, and Ohio.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at either Indianapolis, Ind., or Cincinnati, Ohio.

No. MC 115162 (Sub-No. 382), filed August 15, 1977. Applicant: POOLE TRUCK LINE, INC., P.O. Box Drawer 500, Evergreen, Ala. 36401. Applicant's representative: Robert E. Tate (same address as applicant). Authority sought

to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Paper and Paper products*, from the plantsite of International Paper Co., located at or near Mobile, Ala., and Moss Point, Miss., to points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas; and (2) *materials and supplies* used in the manufacture of paper and paper products (except commodities in bulk, in tank vehicle), from points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas, to the plantsites of International Paper Co., located at or near Mobile, Ala., and Moss Point, Miss.

NOTE.—If a hearing is deemed necessary the applicant requests that it be held at either Mobile, Ala., or New Orleans, La.

No. MC 115311 (Sub-No. 236), filed August 15, 1977. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, Ga. 31061. Applicant's representative: K. Edward Wolcott, P.O. Box 872, Atlanta, Ga. 303031. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Gypsum, gypsum products and building materials* (except in bulk) and such materials and supplies as are used in the manufacture, installation and distribution of the aforementioned commodities (except commodities in bulk), between the facilities of the United States Gypsum Co., located at Southard, Okla., on the one hand, and, on the other, Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carloina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill., or Washington, D.C.

No. MC 115496 (Sub-No. 60), filed August 15, 1977. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, Suite 12, 1587 Phoenix Boulevard, Atlanta, Ga. 30349. Authority to operate as a *common carrier*, by motor vehicle, over irregular routes, in the transportation of, (1) *Roofing and building materials*, and materials used in the installation and application of such commodities (except commodities in bulk), from Franklin, Ohio, to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia, and (2) *materials, equipment, and supplies* used in the manufacture, installation or application of roofing or building materials (except commodities in bulk), from points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, to Franklin, Ohio.

NOTE.—If a hearing is deemed necessary the applicant requests that it be held at Atlanta, Ga.

No. MC 115651 (Sub-No. 30), filed August 15, 1977. Applicant: KANEY TRANSPORTATION, INC., 7222 Cunningham Road, Rockford, Ill. 61102. Applicant's representative: E. Stephen Heisley, Suite 805, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought by applicant to operate in interstate or foreign commerce as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the plantsite and warehouse facilities of Clark Chemical Co. located at or near Blue Island, Ill., to points in Iowa, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary the applicant requests that it be held at either Chicago, Ill., or Milwaukee, Wis.

No. MC 115841 (Sub-No. 543), filed August 16, 1977. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 9041 Executive Park Drive, Suite 110, Bldg. 100, Knoxville, Tenn. 37919. Applicant's representative: E. Stephen Heisley, 805 McLachlen Bank Building, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), from the plantsite and storage facilities of the Anderson-Clayton Co. located at or near Sherman, Tex., to points in Arkansas and Oklahoma.

NOTE.—Common control may be involved. If a Hearing is deemed necessary, the applicant requests that it be held in Dallas, Tex.

No. MC 115904 (Sub-No. 76) (correction), filed July 6, 1977, published in the FEDERAL REGISTER issue of August 25, 1977, and republished as corrected this issue. Applicant: GROVER TRUCKING CO., a corporation, 1710 West Broadway, Idaho Falls, Idaho 83401. Applicant's representative: Irene Warr, 430 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier* by motor vehicle over irregular routes, transporting (1) *Flat glass*, from the facilities of PPG Industries, Inc., located at or near Wichita Falls, Tex., to points in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; and (2) *equipment, materials, and supplies* used in the manufacture and distribution of flat glass, from points in Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming, to the facilities of PPG Industries, Inc., located at or near Wichita Falls, Tex.

NOTE.—The purpose of this republication is to indicate the correct name of corporation in (2) shown as destination. Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held on a consolidated basis with similar applications at Denver, Colo.

No. MC 116073 (Sub-No. 361), filed July 19, 1977. Applicant: BARRETT MOBILE HOME TRANSPORT, INC., P.O. Box 919, 1825 Main Avenue, Moorhead, Minn. 56560. Applicant's representative: Donald E. Cross, 700 World Center Building, 918—16th Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicles, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles (except travel trailers) and *buildings*, complete or in sections, travelling on their own or removable undercarriage from points in Oregon, California, Texas, Louisiana, Mississippi, Alabama, Kansas, Indiana, Georgia, Florida, South Carolina, North Carolina to points in the United States including Alaska but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests it to be held at either Los Angeles, Calif., or Jacksonville, Fla. Common control may be involved.

No. MC 116110 (Sub-No. 16), filed August 12, 1977. Applicant: P. C. WHITE TRUCK LINE, INC., Post Office Box 1488, Dothan, Ala. 36301. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brass plumbing fixtures*, from, the plantsite and warehouse facilities of Price Pfister (Subsidy of Norris Industries), at or near Pacoima, Calif., to points in Texas, New Mexico, Louisiana, Mississippi, Alabama, Georgia, Florida, Missouri, Kansas, Indiana, Illinois, Ohio, Pennsylvania, New Jersey, and New York.

NOTE.—If a hearing is deemed to be necessary, applicant requests that it be held at Los Angeles, Calif.

No. MC 117119 (Sub-No. 648), filed August 8, 1977. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., P.O. Box 188, Elm Springs, Ark. 72728. Applicant's representative: L. M. McLean (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: Such *merchandise* as is dealt in by wholesale and retail discount, variety, department stores, and super markets, except commodities in bulk and foodstuffs), from points in Connecticut, Massachusetts, New Jersey, Rhode Island, New Hampshire, points in New York on and east of U.S. Highway 15, points in Pennsylvania on and east of U.S. Highway 15, and Wilmington, Del., to Monroe, La., Little Rock, Ark., and Harrison, Ark.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at either Little Rock, Ark., or Memphis, Tenn.

No. MC 117574 (Sub-No. 286), filed August 8, 1977. Applicant: DAILY EXPRESS, INC., P.O. Box 39, 1076 Harrisburg Pike, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr. (same addresss as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting, such *commodities* as are dealt

in, or used by, agricultural equipment, industrial equipment, and lawn and leisure product dealers (except commodities in bulk, (1) between the facilities of, or used by, International Harvester Co. located at East Moline, and Rock Island, Ill., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and the District of Columbia. (2) Between the facilities of, or used by, International Harvester Co. located at Canton, Ill., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. (3) Between the facilities of, or used by International Harvester Co. located at Memphis, Tenn., and Louisville, Ky., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia. (4) From the facilities used by International Harvester Co. located at the Port of New Orleans, La., and points in its commercial zone to points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. (5) From the facilities used by International Harvester Co. at the Port of Savannah, Ga., and points in its commercial zone to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts Michigan, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia; and (6) from the facilities used by International Harvester Co. at the port of Philadelphia, Pa., and points in its commercial zone to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia, restricted in paragraphs (1), (2), and (3) above to the transportation of traffic (a) originating at the facilities of, or used by, International Harvester Co. at the points named in each of said respective paragraphs and destined to points in the States named in said paragraphs and the District of Columbia, and (b) originating at points in States named in each of said respective paragraphs and the District of Columbia and destined to the facilities of, or used by, International Harvester Co. at the points named in said paragraphs (except that the restrictions in (a) and (b) above shall not apply to traffic moving in foreign commerce) and the authorities in paragraphs (4) through (6) above are restricted to the transportation of traffic having a prior movement by water and destined to the facilities or dealers of International Harvester Co.

NOTE.—Applicant seeks authority to serve ports of entry on the international boundary line between the United States and Canada located in the States mentioned above bordering on Canada and to participate in traffic moving from and to Canadian Provinces which can be served in connection therewith. Common control may be involved. Applicant requests that the application be handled on a consoldiated hearing with similar applications at either Washington, D.C. or Chicago, Ill.

No. MC 117851 (Sub-No. 23), filed August 10, 1977. Applicant: JOHN CHEESEMAN TRUCKING, INC., 501 North First Street, Fort Recovery, Ohio 45846. Applicant's representative: Earl N. Merwin, 85 East Gay Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Connecticut, Georgia, Indiana, and South Carolina, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Kansas, Louisiana, Maine, Massachusetts, Maryland, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New York, New Jersey, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, under a continuing contract or contracts with The Torrington Company, of Torrington, Conn.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C., or Columbus, Ohio.

No. MC 117883 (Sub-No. 218), filed August 11, 1977. Applicant: SUBLER TRANSFER, INC., 100 Vista Drive, Versailles, Ohio 45380. Applicant's representative: Neil E. Hannan, P.O. Box 62, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Boston, Mass., to points in Indiana, Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, New York on and west of Interstate Highway 81, Pennsylvania on and west of Interstate Highway 81, West Virginia, and Wisconsin. Restricted to traffic originating at the plantsite or storage facilities of Boston Bonnie, Inc., located at or near Boston, Mass., and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Boston, Mass., or Washington, D.C.

No. MC 118989 (Sub-No. 162), filed August 11, 1977. Applicant: CONTAINER TRANSIT, INC., 5223 South 9th Street, Milwaukee, Wis. 53221. Applicant's representative: Albert A. Andrin, 180 North La Salle Street, Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Drums*, iron, steel, or fibreboard, and *plastic articles*, from Addison, Ill., to Morenci and Romulus, Mich.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 117883 (Sub-No. 219), filed August 15, 1977. Applicant: SUBLER TRANSFER, INC., 100 Vista Drive, Versailles, Ohio 45380. Applicant's representative: Neil E. Hannan, P.O. Box 62, Versailles, Ohio 45380. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, and meats, meat products, and meat by-products, and articles* distributed by meat packinghouses, as described in sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except in bulk and hides, skins, or pieces thereof), from Chicago, Ill. and its commercial zone, to points in the Lower Peninsula of Michigan, restricted to traffic originating at and destined to the named points.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill.

No. MC 119493 (Sub-No. 158), filed August 12, 1977. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: Lawrence F. Kloeppel (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Insulating material, from Joplin, Mo., to points in the United States (except Arizona, California, Nevada, Utah, Alaska, and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Joplin, Springfield, or Kansas City, Mo.

No. MC 119654 (Sub-No. 36), filed August 15, 1977. Applicant: HI-WAY DISPATCH, INC., 1401 West 26th Street, Marion, Ind. 46952. Applicant's representative: Norman R. Garvin, 815 Merchants Bank Building, Indianapolis, Ind. 46024. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers, caps, covers and tops, and cartons*, between Plainfield, Ill. and St. Louis, Mo.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held in Chicago, Ill.

No. MC 119789 (Sub-No. 365), filed August 12, 1977. Applicant: CARAVAN REFRIGERATED CARGO, INC., P.O. Box 6188, Dallas, Tex. 75222. Applicant's representative: James K. Newbold, Jr.

(same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Malt liquor and related packaging supplies and dunnage*, between Fort Worth, Tex., and Milwaukee, Wis., and (2) *Malt liquor* from Fort Worth, Tex., to points in Illinois, Louisiana, and Mississippi.

NOTE.—If an oral hearing is deemed necessary, the applicant requests that it be held at Milwaukee, Wis., or Fort Worth, Tex.

No. MC 120646 (Sub-No. 23), filed August 15, 1977. Applicant: BRADLEY FREIGHT LINES, INC., 35 Garfield St., Asheville, N.C. 28803. Applicant's representative: Henry E. Seaton, 915 Pennsylvania Bldg., Pennsylvania Ave. and 13th St. NW., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, over irregular routes, transporting: *commodities* used in the manufacture of new furniture (except in bulk) and *new furniture*, from points in the United States in and east of Minnesota, Iowa, Missouri, Arkansas, and Louisiana to the facilities of Broyhill Industries located at or near Lenoir, Marion, Newton, Conover, Rutherfordton, Taylorsville, Whitnel, N.C., and Summerville, S.C.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Asheville, N.C.

No. MC 121060 (Sub-No. 48), filed August 15, 1977. Applicant: ARROW TRUCK LINES, INC., P.O. Box 1416, Birmingham, Ala. 35201. Applicant's representative: William P. Jackson, Jr., 3426 North Washington Boulevard, P.O. Box 1267, Arlington, Va. 22210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood and composition board*, from the facilities of Champion International Corp. located at Charleston, S.C., to points in the United States in and east of Wisconsin, Illinois, Kentucky, Tennessee, and Mississippi.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Washington, D.C.

No. MC 121664 (Sub-No. 25), filed August 11, 1977. Applicant: G. A. HORNADY, CECIL M. HORNADY, AND B. C. HORNADY doing business as HORNADY BROTHERS TRUCK LINE, P.O. Box 846, Monroeville, Ala. 36460. Applicant's representative: W. E. Grant, 1702 1st Ave. South, Birmingham, Ala. 35233. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roofing, roofing materials, and panels*, from Meridian, Miss., to points in Alabama, Florida, Georgia, Kentucky, Louisiana, North Carolina, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Jackson, Miss., or Birmingham, Ala.

No. MC 123797 (Sub-No. 5), filed August 8, 1977. Applicant: ATLANTIC INTERSTATE MESSENGERS, INC., 201 Henry Street, Stamford, Conn. 06904. Applicant's representative: A. Doyle Cloud, Jr., 5100 Poplar Avenue, Suite 2008, Memphis, Tenn. 38137. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, restricted to shipments not exceeding 2,000 pounds (in vehicles classified as lightweight vehicles as described in 49 CFR, section 390.17), (A) Between points in Connecticut, Massachusetts, Rhode Island, and New York south of Interstate Highway 84; (B) between points in Delaware, the District of Columbia, Maryland, New Jersey, New York north of Interstate Highway 84, and Pennsylvania, on the one hand, and, on the other, points in Maine, New Hampshire, and Vermont; and (C) between points in Part A, on the one hand, and, on the other, points in Delaware, the District of Columbia, Maryland, Maine, New Hampshire, New Jersey, New York north of Interstate Highway 84, Pennsylvania, and Vermont.

NOTE.—Applicant presently holds duplicating authority in Docket No. MC 123797 (Sub-Nos. 1 and 2) between Fairfield County, Conn., on the one hand, and, on the other, points applied for herein, restricted in Sub-No. 1 to packages or parcels not exceeding 50 pounds each in weight, limited to shipments weighing in aggregate not more than 100 pounds from one consignor at one location to one consignee at one location at any one time, in express service; and in Sub-No. 2 limited to packages and parcels not exceeding 75 pounds each in weight, limited to shipments weighing in the aggregate not more than 500 pounds from one consignor at one location to one consignee at one location at any one time. By tacking these authorities in Fairfield County, Atlantic can presently render a through service on shipments not exceeding 800 miles. If a hearing is deemed necessary, the applicant requests that it be held at New York, N.Y., and Hartford, Conn.

No. MC 123872 (Sub-No. 74), filed August 8, 1977. Applicant: W & L Motor Lines, Inc., P.O. Box 2607, Hickory, N.C. 28601. Applicant's representative: Allen E. Bowman (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Candy and confectionery* (except commodities in bulk), from the plantsites and storage facilities of E. J. Brach & Sons, located at Carol Stream, Ill. and points within the Chicago, Illinois Commercial Zone, to points in Georgia, North Carolina, Oklahoma, South Carolina, Texas and Virginia, restricted to traffic from named origins and destined to named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Charlotte, N.C. or Washington, D.C.

No. MC 124160 (Sub-No. 15), filed August 5, 1977. Applicant: SAVAGE BROTHERS, INCORPORATED, 585 South 500 East, American Fork, Utah 84003. Applicant's representative: Lon Rodney Kump, 333 East Fourth South, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier* by motor vehicle over irregular routes, transporting: *Sodium Sulphate* from Waterflow, New Mexico, to points in New Mexico (for subsequent movement by other carriers to points outside of New Mexico).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Albuquerque, New Mexico, or Salt Lake City, Utah. Common control may be involved.

MC 124211 (Sub-No. 302), filed August 12, 1977. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Agricultural implements, machinery, and parts* for agricultural implements and machinery, from points in Lancaster County, Nebr., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held on a consolidated record with similar applications in Lincoln or Omaha, Nebr.

MC 124211 (Sub-No. 303), filed August 12, 1977. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: Thomas L. Hilt (same address as applicant). Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Additives, anti-freeze, greases, oils, packaging materials, starting fluid, and solvents;* and, (2) *materials, equipment, and supplies* used in the manufacture, production, distribution, sale and installation of commodities described in (1) above (except commodities in bulk), Between points in Pottawattamie County, Iowa, on the one hand, and, on the other, points in Colorado, Kansas, Illinois, Iowa, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.

NOTE.—Common control may be involved. If oral hearing is deemed necessary, applicant requests it be held at Omaha, Nebraska.

No. MC 124813 (Sub-No. 177), filed August 15, 1977. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson St., Eagle Grove, Iowa 50533. Applicant's representative: Thomas E. Leahy, Jr., 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tubular steel*, from Green Bay, Wisc. to Clarion and Kesley, Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests that the hearing be held at Chicago, Ill., Omaha, Nebr., or Minneapolis, Minn. Applicant holds contract carrier authority in No. MC 118468 (Sub-No. 16) and other subs thereunder, therefore, dual operations may be involved.

No. MC 124947 (Sub-No. 64), filed August 4, 1977. Applicant: MACHINERY TRANSPORTS, INC., 116 Allied Rd., Stroud, Okla. 74079. Applicant's representative: Gary Weight, 1945 South Redwood Rd., Salt Lake City, Utah 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm, construction, mining and industrial equipment*

and *parts, attachments, accessories and supplies* therefor, between points in Utah, on the one hand, and, on the other, points in Iowa, Missouri and Kansas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Salt Lake City, Utah or Denver, Colo.

No. MC 125433 (Sub-No. 115), filed August 11, 1977. Applicant: F-B TRUCK LINE COMPANY (a corporation), 1945 South Redwood Rd., Salt Lake City, Utah 84104. Applicant's representative: David J. Lister, 1945 South Redwood Rd., Salt Lake City, Utah 84104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting *off-the-road tires and related accessories, equipment and supplies*, when the transportation thereof is incidental to the transportation of off-the-road tires from Los Angeles County, California; Multnomah County, Oregon; King County, Washington and Harris and Galvaston Counties, Texas to points in the United States, (excluding Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Los Angeles, Calif. or Portland, Oreg.

No. MC 125433 (Sub-No. 155), filed August 12, 1977. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, Utah 84104. Applicant's representative: David J. Lister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting lumber, lumber products and wood products, from points in California to points in the United States in and east of North Dakota, South Dakota, Kansas, Oklahoma, Nebraska and Texas.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif.

No. MC 125433 (Sub-No. 116), filed August 12, 1977. Applicant: F-B TRUCK LINE COMPANY, a corporation, 1945 South Redwood Rd., Salt Lake City, Utah 84104. Applicant's representative: David J. Lister (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Log fuel*, from Chowchilla and Orange, Calif., to points in the United States, excluding Alaska and Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at either San Francisco, Calif., or Denver, Colo.

No. MC 125543 (Sub-No. 12), filed August 12, 1977. Applicant: PERISHABLE SERVICES, INC., 770 North Springdale Rd., Waukesha, Wisconsin 53186. Applicant's representative: David V. Purcell, 1330 Marine Plaza, 111 East Wisconsin Ave., Milwaukee, Wis. 53202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting such merchandise as is dealt in by wholesale and retail food business houses and *restaurant equipment and supplies:* (1) from points in Cook and DuPage Counties, Ill., Milwaukee and Waukesha Counties, Wis., and Appleton, Beaver Dam, Beloit, Bonduel, Columbus, Eau Claire, Germantown, Green Bay, Menasha, Neenah, Watertown, and Whitewater, Wis., to points in the Upper Peninsula of Michigan under a continuing contract or contracts with Portion Control, Inc., of Ishpeming, Mich.; and (2) from Duluth, Minn., to points in Ashland, Barron, Bayfield, Douglas, Florence, Forest, Iron, Langlade, Lincoln, Marinette, Oneida, Price, Sawyer, Taylor, and Vilas Counties, Wis., and the Upper Peninsula of Michigan under a continuing contract or contracts with Bruno's of Duluth, a division of S. J. Casper Co., Inc., of Waukesha, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Milwaukee, Wisconsin, or Madison, Wisconsin. Common control may be involved.

No. MC 125777 (Sub-No. 195), filed August 8, 1977. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Ave., Gary, Ind. 46403. Applicant's representative: Edward G. Bazelon, 39 South La Salle St., Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dolomite limestone*, in dump vehicles, from Portland, Ind., to points in Kentucky, Michigan, Missouri, New York, Ohio, Pennsylvania, West Virginia and Wisconsin; and (2) *sand, stone and crushed rock*, between Dillsboro, N.C., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Chicago, Ill.

No. MC 127042 (Sub-No. 190), filed August 12, 1977. Applicant: HAGEN, INC., P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and except commodities in bulk, in tank vehicles), from plantsite and storage facilities utilized by Spencer Foods, Inc., located at Hartley and Spencer, Iowa to points in Illinois, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Neb.

No. MC 127042 (Sub-No. 192), filed August 16, 1977. Applicant: HAGEN, INC., P.O. Box 98, Leeds Station, Sioux City, Iowa 51108. Applicant's representative: Robert G. Tessar (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, in mixed shipments with meats*, in mechanically refrigerated vehicles, except commodities in bulk, from the facilities of Oscar Mayer & Co., at or near Davenport, Iowa, to Sioux City, Iowa, and points in that part of Nebraska and South Dakota on and east of U.S. Highway 281. Restricted to the transportation of shipments originating at above facility and destined to points in described destination territory.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Milwaukee, Wisconsin. Applicant states it holds authority to transport meats in No. MC 127042 (Sub-No. 42).

No. MC 127283 (Sub-No. 14), filed August 10, 1977. Applicant: SILICA SAND TRANSPORT, INC., Box 212, Routes 47 and 71, Yorkville, Ill. 60560. Applicant's representative: Albert A. Andrin, 180 North La Salle St., Chicago, Ill. 60601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand, in bulk, in tank vehicles*, (1) from Calhoun, Ga. to Ringwood, Ill., and (2) from Greenville, Tenn. to Ringwood, Ill., under a continuing contract or contracts with Morton Chemical Company, Division of Morton Norwich Products, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 128117 (Sub-No. 26), filed August 11, 1977. Applicant: NORTON-RAMSEY MOTOR LINES, INC., P.O. Box 896, Hickory, N.C. 28601. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, except in bulk, from Houma, Louisiana, to points in Georgia, Florida, North Carolina, South Carolina, Virginia and West Virginia.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at New Orleans, Louisiana.

No. MC 128584 (Sub-No. 2), filed August 8, 1977. Applicant: M. PASCUZZO SAND & STONE SUPPLY, INC., Box 2420 Creek Rd., R.D. No. 2, Mt. Holly, N.J. 08060. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Stone*, in bulk, in dump vehicles, from points in Bucks, Chester, Montgomery, and Philadelphia Counties, Pa., to points in Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem Counties, N.J., under a continuing contract or contracts with Lockhart Sand Company located at Vincentown, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Philadelphia, Pa.

MC 129387 (Sub-No. 35), filed August 5, 1977. Applicant: PAYNE TRANSPOR-

TATION, INC., P.O. Box 1271, Huron, S. Dak. 57350. Applicant's representative: Scott E. Daniel, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail and wholesale department and hardware stores* (except commodities in bulk), from points in the Minneapolis-St. Paul, Minnesota Commercial Zone to the facilities of Coast-to-Coast Stores Central Organization, Inc. located at or near Brookings, South Dakota and Springfield, Oregon.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minnesota.

MC 129387 (Sub-No. 36), filed August 5, 1977. Applicant: PAYNE TRANSPORTATION, INC., P.O. Box 1271, Huron, S. Dak. 57350. Applicant's representative: Scott E. Daniel, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by retail and wholesale department and hardware stores* (except commodities in bulk), from Boston, Massachusetts, Charlotte, North Carolina, Dalton, Georgia and points in the New York, New York Commercial Zone to the facilities utilized by Northern Cargo Association located in the Minneapolis-St. Paul, Minnesota Commercial Zone.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 129645 (Sub-No. 64), filed August 17, 1977. Applicant: Basil J. Smeester and Joseph G. Smeester, partnership, d.b.a. SMEESTER BROTHERS TRUCKING, 1330 South Jackson St., Iron Mountain, Mich., 49801. Applicant's representative: John M. Nader, Route 3, Box 4, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood fiberboard* and *accessories* used in the installation thereof (except commodities in bulk), from the plantsite and warehouse facilities of Boise Cascade Corporation located at Phillips, Wisconsin, to points in Colorado, Kansas, Montana, Oklahoma, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Milwaukee, Wisc., Minneapolis, Minn., or Chicago, Ill., in that order of preference.

No. MC 133095 (Sub-No. 169), filed August 11, 1977. Applicant: TEXAS-CONTINENTAL EXPRESS, INC., P.O. Box 434, Euless, Tex. 76039. Applicant's representative: Hugh T. Matthews, 2340 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile Electrical Systems* and *Automobile Electronic Systems* and Parts and Accessories therefor and *Materials, Equipment* and *Supplies* used in the manufacture and distribution thereof, Between Lombard, Illinois, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—Applicant holds motor contract carrier authority in No. MC 136032, and subs thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Dallas, Texas.

No. MC 133119 (Sub-No. 123), filed July 28, 1977. Applicant: HEYL TRUCK LINES, INC., 200 Norka Dr. Akron, Iowa 51001. Applicant's representative: A. J. Swanson, 521 S. 14th St., P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood Pulp*, from the ports of entry on the International Boundary line between the United States and Canada at or near Noyes, Minnesota; Pembina and Portal, North Dakota; and Raymond and Sweetgrass, Montana to points in the United States (except Alaska and Hawaii) restricted to the transporation of traffic having a prior movement in foreign commerce from points in Saskatchewan.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebraska or Chicago, Illinois.

No. MC 133590 (Sub-No. 12), filed August 8, 1977. Applicant: WESTERN CARRIERS, INC., 288 Franklin St., Worcester, Mass. 01604. Applicant's representative: David M. Marshall, 101 State St., Suite 304, Springfield, Mass. 01103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ski boots, foot wear, gloves, skiing apparel and equipment, and materials and supplies*, used in the manufacture and sale of such commodities (except in bulk, in tank vehicles), between Waitsfield, Vt.; Boston and Worcester, Mass.; New York, N.Y.; Houston, Tex.; San Francisco, Calif.; and ports of entry located on the International Boundary Line between the United States and Canada, located in Vermont and New York, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii) under a continuing contract or contracts with Garmont USA Inc.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Montpelier, Vt.; Boston, Mass.; or Washington, D.C.

No. MC 133655 (Sub-No. 102), filed August 15, 1977. Applicant: TRANS-NATIONAL TRUCK, INC., P.O. Box 31300, Amarillo, Tex. 79120. Applicant's representative: James Steffel (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nonferrous metal articles* and *nonferrous scrap metals* between Hazelwood, Mo., and those points on and south of U.S. Highway 24 in Illinois, and those points on and south of U.S. Highway 40 in Indiana, Colorado, and Utah.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 133689 (Sub-No. 140), filed August 17, 1977. Applicant: OVERLAND EXPRESS, INC., 719 First St. SW., New Brighton, Minn. 55112. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *furniture stock panels, wood dimension stock*, and *composition board* (except commodities in bulk), from Charlestown, Mass., to points in North Carolina, South Carolina, Georgia, Tennessee, Kentucky, Ohio, Indiana, Illinois, Missouri, Michigan, Minnesota, Wisconsin, Iowa, Kansas, Nebraska, South Dakota, and North Dakota.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134064 (Sub-No. 7), filed August 12, 1977. Applicant: INTERSTATE TRANSPORT INC., 1820 Atlanta Highway, Gainesville, Ga. 30501. Applicant's representative: Charles M. Williams, 350 Capitol Life Center, 1600 Sherman Street, Denver, Colo. 80203. Authority to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged petroleum products*, except in bulk, from New Kensington Pa., to points in Alabama, Florida, Georgia, South Carolina, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, Applicant requests that it be held at Pittsburgh, Pa.

No. MC 134477 (Sub-No. 185), filed July 28, 1977. Applicant: SCHANNO TRANSPORTATION, INC., 5 West Mendota Road, West St. Paul, Minn. 55118. Applicant's representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a *common carrier* by motor vehicle over irregular routes, transporting (1) *Such merchandise as is dealt in by retail stores*, except foodstuffs and commodities in bulk, and (2) *foodstuffs* in mixed shipments with the commodities in (1) above, from the facilities of Target Stores, Inc., at or near Minneapolis, Minn., to points in Colorado, Texas, and Oklahoma, restricted to traffic originating at facilities of Target Stores, Inc., at named origin point and destined to facilities of Target Stores, Inc., at named destinations.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC 134547 (Sub.-No. 4) (amendment), filed July 18, 1977, published in the FEDERAL REGISTER issue of September 1, 1977, as No. MC 143157 (Sub-No. 1), and republished as amended this issue. Applicant: BILBO TRANSPORTS, INC., 2722 Singleton Blvd., Dallas, Tex. 75212. Applicant's representative: Austin L. Hatchell, 1102 Perry Brooks Bldg., Austin, Tex. 78701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum and gypsum products and materials and supplies* used in the distribution of gypsum and gypsum products (except in bulk), from Acme, Tex.,

to points in Texas, restricted to shipments moving in foreign commerce, and under a continuing contract or contracts with Georgia Pacific Corp., Gypsum Division.

NOTE.—The purpose of this republication is (1) to indicate the substitution of Bilbo Transports, Inc., as applicant in this proceeding in lieu of Bilbo Freight Lines, Inc., and (2) to indicate the new docket number assigned as No. MC 134547 (Sub-No. 4), in lieu of No. MC 143157 (Sub-No. 1). Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at either Dallas or Fort Worth, Tex.

No. MC 134716 (Sub-No. 9), filed August 15, 1977. Applicant: RUSH TRUCKING, INC., 200 Southwest 19th Street, Fort Lauderdale, Fla. Applicant's representative: John P. Bond, 2766 Douglas Road, Miami, Fla. 33133. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, in the transportation of *General commodities*, restricted against the transportation of commodities in bulk, class A and B explosives, household goods, livestock, and commodities requiring special handling and special equipment, between points in Dade and Broward Counties, Fla., all shipments having a prior or subsequent movement by air, under a continuing contract or contracts with Sensormatic Electronics.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either Fort Lauderdale, or Miami, Fla.

No. MC 134922 (Sub-No. 233), filed August 12, 1977. Applicant, B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tile and such commodities* as are manufactured or distributed by manufacturers or distributors of tile (except commodities in bulk and those which because of size or weight require the use of special equipment), between Jackson, Tenn., on the one hand, and, on the other, points in Washington, Oregon, California, New Mexico, Nevada, Idaho, Utah, Arizona, and Colorado.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the Applicant requests it be held at Little Rock, Ark., or Washington, D.C.

No. MC 135425 (Sub-No. 28), filed August 17, 1977. Applicant: CYCLES LIMITED, a corporation, P.O. Box 5715, Jackson, Miss. 39208. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *contract carrier*, by motor vehicle over irregular routes, transporting *such commodities* as are dealt in by a manufacturer of *power tools*, and *materials, supplies and equipment* (except commodities in bulk) used in the conduct of such business, between Hampstead, and Easton, Md., Tarboro and Fayetteville, N.C., Lancaster, Pa., and ports of entry on the international boundary line, between the United States and Canada, located at points in Michigan and New York, on the one hand, and, on the other points in the United States (except Alaska, Hawaii, Arizona, California, Nevada, Utah, Oregon, Washington and Colorado), under a continuing contract or contracts with The Black & Decker Manufacturing Co.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C. Traffic from or to The United States-Canada border will move from or to shipper's facility at Brockville, Ontario, which applicant is now authorized to serve. Applicant has common carrier authority pending in No. MC 143215 and (Sub-No. 2) thereunder, therefore, dual operations may be involved.

No. MC 135457 (Sub-No. 6), filed August 12, 1977. Applicant: COMMERCIAL CARTAGE CO., 343 Axminster Drive, Fenton (St. Louis County), Mo. 63026. Applicant's representative: R. A. Wilson, P.O. Box 777, Bridgeton, Mo. 63044. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Canton, Missouri, to points in Illinois.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at either St. Louis, Mo., Springfield, Ill., or Jefferson City, Mo. Common control may be involved.

No. MC 135797 (Sub-No. 81), filed August 12, 1977. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: Paul A. Maestri (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nonbleached flour* (except in bulk), from Clovis, N. Mex., to the plantsite of Arrowhead Mills, Inc., Hereford, Tex., and points in Florida and Pennsylvania; (2) *machinery, materials, equipment and supplies* (except in bulk) used in or in connection with the manufacture, distribution, application or use of diet, health, nutritional or natural foods, *drugs and toilet preparations* (except in bulk) from points in the United States (except Alaska and Hawaii) to the plantsite and facilities of or used by Arrowhead Mills, Inc., at or near Clovis, N. Mex., and Hereford, Tex.; (3) *commodities* otherwise exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act when moving in mixed shipments with the commodities named, from points in the United States (except Alaska and Hawaii), to the plantsite and facilities of or used by Arrowhead Mills, Inc., located at or near Clovis, N. Mex., and Hereford, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Washington, D. C.

No. MC 135811 (Sub-No. 10), filed August 15, 1977. Applicant: Gardner Trucking Co., Inc., 320 Woodlawn (Box 567), Walterboro, S.C. 29488. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *copper rod*, from the plantsites and shipping facilities of Essex Group, Inc., located at or near Fort Wayne, Vincennes, and Marion, Ind., to Lithonia, Ga., and Chester, S.C., under a continuing contract or contracts with Essex Group, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Washington, D.C.

No. MC 136010 (Sub-No. 2), filed August 16, 1977. Applicant: RONALD SCHNEIDER AND DONALD SCHNEIDER a partnership, doing business as SCHNEIDER'S IRON AND METAL COMPANY, Route 1, Box 113, Iron Mountain, Mich. 49801. Applicant's representative: William J. Bolognesi, 116 East Brown Street, P.O. Box 705, Iron Mountain, Mich. 49801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron and scrap metals*, in bulk, in dump vehicles, from the plantsite and storage facilities of Betten Processing Co., located at Howard (Brown County), Wis., to Kingsford (Dickinson County), Mich.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Milwaukee, Wis.

No. MC 136168 (Sub-No. 16), filed August 5, 1977. Applicant: Wilson Certified Express, Inc., P.O. Box 717, Marshall, Mo. 65340. Applicant's representative: Donald L. Stern, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat byproducts and articles* distributed by meat packinghouses, as described in sections A and C of Appendix I to the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and warehouse facilities utilized by Wilson Foods Corp. at Logansport, Ind., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia. (2) *Returned shipments, and materials, supplies and equipment* (except commodities in bulk and those shipments requiring special equipment) utilized in the manufacture, sale and distribution of the commodities specified in (1) above, from points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and Virginia, to the facilities specified as origins in (1) above. Restriction: All service hereunder limited to a transportation

service to be performed under a continuing contract with Wilson Foods Corp.

NOTE.—Applicant holds common carrier authority in MC 141641 (Sub-No. 1) and other subs, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary the applicant requests it be held at either Dallas, Tex., or Kansas City, Mo.

No. MC 136168 (Sub-No. 17), filed August 12, 1977. Applicant: WILSON CERTIFIED EXPRESS, INC., P.O. BOX 717, Marshall, Mo. 65340. Applicant's representative: DONALD L. STERN, Suite 530, Univac Building, 7100 West Center Road, Omaha, Neb. 68106. Authority sought to operate as *contract carrier*, by motor vehicle, over irregular routes, transporting: *Boots, shoes and material and supplies* (except commodities in bulk) used by boot and shoe manufacturers in conduct of such business, from Gowanda and New York City, N.Y.; Baltimore, Md.; Newark, N.J.; and Winchester, Va.; to the facilities of or utilized by Brown Shoe Co. at Charleston, Piedmont, and St. Louis, Mo., and Trenton, Tenn.; restricted to the transportation of shipments originating at the above named origins and destined to the above named destinations, under a continuing contract or contracts with Brown Shoe Co.

NOTE.—Applicant has common carrier authority pending in MC 141641 (Sub-No. 1), and other subs. Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at either Dallas, Tex., or Kansas City, Mo.

No. MC 136371 (Sub-No. 24), filed August 10, 1977. Applicant: CONCORD TRUCKING CO., INC., 1 Scout Avenue, South Kearny, N.J. 07032. Applicant's representative: Steven J. Kalish, Suite 1105, 1750 Pennsylvania Ave. NW., Washington, D.C. 20006. Authority sought: To operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting *such commodities as are dealt in or used by discount department stores* (except foodstuffs and commodities in bulk), between the facilities of Gaylords National Corp., located at points in the New York, N.Y., commercial zone, as defined by the Commission, on the one hand, and, on the other hand, points in Alabama, Florida, Georgia, and North Carolina, under a continuing contract or contracts with Gaylords National Corp., of Secaucus, N.J.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Newark, N.J., or Washington, D.C.

No. MC 136786 (Sub-No. 117), filed July 28, 1977. Applicant: ROBCO TRANSPORTATION, INC., 309 5th Avenue NW., New Brighton, Minn. 55112. Applicant's representative: Stanley C. Olsen, Jr., 7525 Mitchell Road, Eden Prairie, Minn. 55343. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Printed matter*, between Corinth, Miss., on the one hand, and, on the other, Chicago, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 136786 (Sub-No. 119), filed August 25, 1977. Applicant: ROBCO TRANSPORTATION, INC., 4333 Park Avenue, Des Moines, Iowa 50321. Applicant's representative: Stanley C. Olsen, Jr., 7525 Mitchell Road, Eden Prairie, Minn. 55343. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *frozen foods* from Kansas City, Kans., and Kansas City, Mo., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 138104 (Sub-No. 44), filed August 11, 1977. Applicant: MOORE TRANSPORTATION CO., INC., 3509 North Grove, Fort Worth, Tex. 76106. Applicant's representative: Mr. James W. Hightower, 136 Wynnewood Professional Building, Dallas, Tex. 75224. Authority sought to operate as a *common carrier*, motor vehicle, over irregular routes, transporting: (1) *Trailers and trailer chassis* (except those designed to be drawn by passenger automobiles), *trailer converter dollies, containers, and tank and truck chassis, in initial* truckaway service, from the plantsite of Fruehauf Corp., located at or near Fresno, Calif., to points in the United States including Alaska, but excluding Hawaii; and (2) *trailers, and trailer chassis* (except those designed to be drawn by passenger automobiles), *trailer converter dollies, containers, and tank and truck chassis*, in secondary truckaway service, between the plants, agencies, dealerships, and branches of Fruehauf Corp. and Hobbs Trailer Co., located at points in the United States (except Hawaii), on the one hand, and, on the other, points in California.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dallas, Tex.

No. MC 138126 (Sub-No. 19), filed August 10, 1977. Applicant: WILLIAMS REFRIGERATED EXPRESS, INC., Old Denton Road, Federalsburg, Md. 21632. Applicant's representative: Chester A. Zyblut, 366 Executive Building, 1030 Fifteenth Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen waffles* from Decatur, Ind., to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Maryland, Delaware, Virginia and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held in Washington, D.C.

No. MC 138144 (Sub-No. 24), filed August 4, 1977. Applicant: FRED OLSON CO., INC., 6022 West State Street, Milwaukee, Wis. Applicant's representative: Paul R. Bergant, 10 South LaSalle Street, Suite 1600, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are manufactured or distributed by manufacturers of (1) buildings, complete, knockdown, or in sections; (2) building sections and panels, (3) component parts, materials, and supplies for (1) and (2); and (4) parts, accessories, and equipment used in the installation of (1), (2), and (3) (except commodities in bulk), from the facilities of Sonoco Buildings, a Division of Sonoco Products Co., located at or near the town of Brookfield, Wis., and Milton, Pa., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill. Common control may be involved.

Docket No. MC 138676 (Sub-No. 5), filed August 5, 1977. Applicant: O-J TRANSPORT CO., a corporation, 2739 Sturtevant, Detroit, Mich. 48206. Applicant's representative: Robert E. McFarland, 999 West Big Beaver Road, Suite 1002, Troy, Mich. 48084. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* from Detroit, Mich., to Hammond, Ind., and Lansing, Berwyn, and Geneva, Ill., with empty containers on return.

NOTE.—If oral hearing is deemed necessary, applicant requests that it be held in Detroit, Mich., or Chicago, Ill.

No. MC 139206 (Sub-No. 2), filed August 11, 1977. Applicant: F.M.S. TRANSPORTATION, INC., Box 1597, 2564 Harley Drive, Maryland Heights, Mo. 64043. Applicant's representative: E. Stephen Heisley, Suite 805, 666 Eleventh Street NW., Washington, D.C. 20001. Authority sought by applicant to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Textiles and textile products, chemicals, and materials, equipment, and supplies* used in the sale, manufacture, processing, production, and distribution of textiles and textile products and chemicals (except commodities in bulk), from Graniteville, S.C., to points in the United States (except Alaska and Hawaii). Restriction: The authority granted herein is limited to a transportation service to be performed under a continuing contract or contracts with Chromalloy American Corp.

NOTE.—(1) Applicant states that it already holds contract carrier authority in No. MC 139206 to transport the identical commodities between Laredo, Brenham, Houston, and Arlington, Tex., Wellsville, Mo., and Johnson City, Tenn., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii). Applicant states that it is a commonly controlled contract carrier for and on behalf of Chromalloy American Corp. and that the purpose of this application is to extend its operations for its commonly controlled contracting shipper; (2) Common control and dual operations may be involved.

Such dual operations and common control were approved in Docket No. MC-F-12514. If a hearing is deemed necessary it is requested at St. Louis, Mo.

No. MC 139482 (Sub-No. 18), filed August 10, 1977. Applicant: NEW ULM FREIGHT LINES, INC., P.O. Box 347,

New Ulm, Minn. 56073. Applicant's representative: James E. Ballenthin, 630 Osborn Building, St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Redwood furniture, furniture components, and accessories, and parts*, intended for use therewith, between Eureka, Calif., and Denver, Colo.; (2) *upholstered furniture cushions*, between Spring City, Tenn., and Denver, Colo.; and (3) commodities described in ((1) and (2) above, from Denver, Colo., to points in the United States, including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Minneapolis, Minn.

No. MC 139520 (Sub-No. 3), filed August 12, 1977. Applicant: DEAN McCARY, d.b.a. Flying "S" Feed Express, 1120 Hull Street, Clovis, N. Mex. 88101. Applicant's representative: James E. Snead, 215 Lincoln Avenue, P.O. Box 2228, Santa Fe, N. Mex. 87501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (a) *Livestock feed* between points in California, on the one hand, and on the other, points in Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, and California; and (b) *livestock feed ingredients* between points in Arizona, Colorado, Kansas, New Mexico, Oklahoma, Texas, and California, under a continuing contract or contracts with Wilbur-Ellis Co., of Clovis, N. Mex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Clovis, N. Mex., or Sante Fe, N. Mex.

No. MC 140024 (Sub-No. 74), filed August 11, 1977. Applicant: J. B. MONTGOMERY, INC., 5565 East 52nd Avenue, Commerce City, Colo. 80022. Applicant's representative: John F. DeCock (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular irregular routes, transporting: *Baking powder* (except in bulk), from Terre Haute, Ind., to Phoenix, Ariz., Fresno, Los Angeles, Sacramento, and San Francisco, Calif., Denver and Grand Junction, Colo., Boise and Pocatello, Idaho, Wichita, Kans., Joplin, Kansas City, and St. Louis, Mo., Billings, Mont., Grand Island and Omaha, Nebr., Albuquerque, N. Mex., Oklahoma City and Tulsa, Okla., Portland, Oreg., Salt Lake City, Utah, Seattle and Spokane, Wash., restricted to traffic originating at the plantsite and storage facilities of Hulman & Co. at Terre Haute, Ind., and destined to named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Indianapolis, Ind., St. Louis, Mo., or Washington, D.C.

No. MC 140033 Sub-No. 27), filed August 11, 1977. Applicant: COX REFRIGERATED EXPRESS, INC., 10606 Goodnight Lane, Dallas, Tex. 75220. Applicant's representative: D. Paul Stafford, Suite 1125 Exchange Park, P.O. Box 45538, Dallas, Tex. 75245. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods* (unfrozen), from Belledeau and St. Francisville, La., to points in the states of Arizona, California, Colorado, Idaho, Illinois, Montana, New Mexico, Oregon, Utah, Washington, Wyoming, and Wisconsin.

NOTE.—Applicant has motor contract carrier authority pending in No. MC 142296, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Dallas, Tex., or Peoria, Ill.

No. MC 140363 (Sub-No. 12), filed August 4, 1977. Applicant: CHAMP'S TRUCK SERVICE, INC., P.O. Box 1233, Meraux, La. 70075. Applicant's representative: Edward A. Winter, 235 Rosewood Drive, Metaire, La. 70005. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Sand and gravel, and lime and limestone*, in bulk, in dump vehicles, between points in Louisiana, on the one hand, and, on the other, points in Mississippi.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Baton Rouge or New Orleans, La.

No. MC 140498 (Sub-No. 1), filed August 4, 1977. Applicant: BECHEM TRANSPORT, INC., 46 River Street, New Haven, Conn. 06513. Applicant's representative: Elliott Bunce, Suite 1301, 1600 Wilson Boulevard, Arlington, Va. 22209. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Colloidal silica, sulfuric acid, and methanol*, in bulk, in tank vehicles, from New Haven, Conn., to points in Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont, under a continuing contract or contracts with E. I. DuPont de Nemours & Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New Haven, Conn., or Washington, D.C. Common control may be involved.

No. MC 140690 (Sub-No. 3), filed August 12, 1977. Applicant: SIMMONS TRUCKING, INC., P.O. Box 71, Glenwood, Mo. 63541. Applicant's representative: Frank W. Taylor, Jr., Suite 600, 1221 Baltimore Avenue, Kansas City, Mo. 64105. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and fly ash*, between points in Missouri, Iowa, and Illinois.

NOTE.—Applicant holds motor contract carrier authority in No. MC 140690 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo.

No. MC 140788 (Sub-No. 4) (correction), filed May 26, 1977, published in the FEDERAL REGISTER issue of August 11, 1977, and republished as corrected this issue. Applicant: AMERICAN TRANSFREIGHT, INC., P.O. Box 796, Manville, N.J. 08835. Applicant's representative: Eugene M. Malkin, Suite 6193, 5 World Trade Center, New York, N.Y. 10040. Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Used, damaged, and defective automobile batteries and parts thereof*, (1) from points in Massachusetts, Connecticut, Rhode Island, New York, Pennsylvania, New Jersey, and Maryland to Richmond, Va., (2) from Richmond, Va., to points in Georgia and North Carolina. Restricted against transportation to or from the premises of any person who has entered into a contract with American Trans-Freight, Inc., and/or any person who is served by it pursuant to any permit issued by this Commission.

NOTE.—The purpose of this republication is to correct applicant's commodity description. Applicant holds motor contract carrier authority in MC 134404 and Subs thereunder and, therefore, dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at Richmond, Va., or Washington, D.C.

No. MC 141033 (Sub-No. 29), filed August 1, 1977. Applicant: CONTINENTAL CONTRACT CARRIER CORP., P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Automotive parts and accessories, automotive jacks, cranes* (not self-propelled), *hand, electric, and pneumatic tools, advertising matter, premiums, racks, and display cases, signs*, and (2) *returned shipments and materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of the commodities specified in (1) above, from Racine, Wis., Jackson, Mich., Arden, N.C., and Greenville, Tex., to Newark Industrial Park at or near Newark, Ohio; (1) restricted against the transportation of commodities in bulk and those which by reason of size or weight, require the use of special equipment; and (2) restricted to the transportation of traffic originating at and destined to the facilities of Walker Manufacturing Co., Division of Tenneco, Inc.

NOTE.—Applicant holds contract carrier authority in No. MC 124796 (Sub-No. 11) and Sub numbers thereunder, therefore dual operations may be involved. Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Columbus, Ohio, or Washington, D.C.

No. MC 141046 (Sub-No. 6), filed August 12, 1977. Applicant: MASON O. MITCHELL, doing business as M. MITCHELL TRUCKING, 1911 I Street, LaPorte, Ind. 46350. Applicant's representative: Norman R. Garvin, 815 Merchants Bank Building, Indianapolis, Ind. 46204. Authority sought to operate as a *contract carrier*, over irregular routes, transporting: *Wood products*, from the plantsite or warehouse facilities of Solon Manufacturing at or near Skowhegan, Maine to points in Alaska, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, under a continuing contract or contracts with Solon Manufacturing, of Solon, Maine.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at either Portland, Maine, or Chicago, Ill.

No. MC 141124 (Sub-No. 7), filed August 11, 1977. Applicant: EVANGELIST COMMERCIAL CORP., P.O. Box 1709, Wilmington, Del. 19899. Applicant's representative: Boyd B. Ferris, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood furniture stock, wood dimension stock and wood fiber board, and materials, equipment and supplies* used in the manufacturing or distribution of the above, between the facilities of Allied International, Inc., located at or near Hanover, South Boston, and Westfield, Mass., and Norwich and Windsor Locks, Conn., on the one hand, and, on the other, points in Arkansas, Missouri, Iowa, Louisiana, Mississippi, Alabama, Georgia, Florida, Minnesota, Wisconsin, Illinois, Indiana, Tennessee, Kentucky, South Carolina, North Carolina, Michigan, West Virginia, Virginia, Maryland, Delaware, Ohio, Pennsylvania, New Jersey, New York, Vermont, New Hampshire, and Maine.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio.

No. MC 141274 (Sub-No. 4), filed August 17, 1977. Applicant: C. C. ANKENEY, INC., P.O. Box 1034, Whittier, Calif. 90609. Applicant's representative: Michael F. Morrone, 1150 17th Street NW., Suite 1000, Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Milk by-products, packaged, refrigerated or frozen*, from Los Angeles, City of Commerce, Fresno, and Modesto, Calif., to Portland, Oreg., Seattle and Spokane, Wash., San Francisco, Calif., Denver, Colo., Las Vegas, Nev., and Salt Lake City, Utah, Albuquerque, N. Mex., Dallas, El Paso, and Fort Worth, Tex., Omaha, Nebr., Chicago, Ill., Detroit, Mich., Phoenix and Tucson, Ariz., and Milwaukee, Wisc., under a continuing contract or contracts with Knudsen Corp.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Washington, D.C., or Whittier, Calif.

No. MC 141443 (Sub-No. 4), filed August 12, 1977. Applicant: JOHN LONG TRUCKING, INC., 1030 Denton Street, Sapulpa, Okla. 74066. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Building, 3535 Northwest 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wooden boxes*, from Jonesboro, Ark., to points in Montana, New Mexico, Oregon, and Texas.

NOTE.—Applicant holds motor contract carrier authority in No. MC 124656 and Sub numbers thereunder, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at either Oklahoma City, Okla., or Kansas City, Mo.

No. MC 141774 (Sub-No. 9), filed August 11, 1977. Applicant: R & L TRUCKING CO., INC., 105 Rocket Avenue, Opelika, Ala. 36801. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic bags, plastic can liners, plastic containers and plastic articles* from the facilities utilized by Bes-Pak & Co., Inc., located in Montgomery County, Ala., to points in Arkansas, Georgia, Illinois, Kansas, Kentucky, Mississippi, Missouri, and Tennessee; and (2) *materials and supplies* used in the manufacture of plastic bags, plastic can liners, plastic containers and plastic articles from points in Arkansas, Georgia, Illinois, Kansas, Kentucky, Mississippi, Missouri, and Tennessee to the facilities utilized by Bes-Pak & Co., Inc., located in Montgomery County, Ala.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Montgomery, Ala., or Atlanta, Ga. Applicant holds contract carrier authority in MC 136378 and Subs thereunder, therefore dual operations may be involved.

No. MC 142505 (Sub-No. 1), filed July 25, 1977. Applicant: GILBERT BOYER, R.D. No. 1, Box 140-M, Absecon, N.J. 98201. Applicant's representative: L. Anthony Gibson, P.O. Box 296, Shore Road and Poplar Avenue, Linwood, N.J. 08221. Authority is hereby sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Plastic flower pots* (A) from Somerdale, N.J., to St. Louis, Mo., and return, (B) from Somerdale, N.J., to Mobile, Ala., points in Mississippi and Louisiana, Port Arthur, Tex., and return; and (C) from Somerdale, N.J., to Miami, Fla., and return; and (2) material utilized in the construction of plastic flower pots, from St. Louis, Mo., Miami, Fla., and Port Arthur, Tex., to Somerdale, N.J., under a continuing contract or contracts with Plastics, Inc.

NOTE.—If a hearing is deemed necessary, the applicant requests that it be held at Trenton, N.J.

No. MC 142632 (Sub-No. 1), filed August 4, 1977. Applicant: DOLAN CAMPBELL, 302 High Street, Duncan, Ariz. 85534. Applicant's representative: Irval L. Mortensen, 516 Main Street, P.O. Box 247, Safford, Ariz. 85546. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes in the transportation of: *Ore* from Center Mine and East Camp Mine in Grant County, N. Mex., to Fox Siding of the Southern Pacific Railroad at or near Duncan, Ariz., under a continuing contract, or contracts, with Dresser Minerals, a division of Dresser Industries, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Stafford, Tuscon, or Phoenix, Ariz.

No. MC 142683 (Sub-No. 2), filed August 12, 1977. Applicant: K.N.K. TRANSCO, INC. P.O. Box 1433, Spencer, Iowa 51301. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Building, 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Meats, meat products, meat byproducts, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and storage facilities of, or utilized by Hygrade Food Products Corp., located at or near Storm Lake and Cherokee, Iowa, to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia. Restricted to transportation of shipments originating at the named origin points and destined to points within the named destination States.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Omaha, Nebr.

No. MC 142742 (Sub-No. 2), filed August 11, 1977. Applicant: RICHARD OLOFFSON, d/b/a RICH'S AG SERVICE, P.O. Box 147, Manlius, Ill. 61338. Applicant's representative: Samuel G. Harrod, Eureka Professional Building, 107 East Eureka Avenue, Eureka, Ill. 61530. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: 1. *Dry Yeast*, in bags, from the facilities of Miller Brewing Co., Juneau, Wis. to the facilities of Cargill, Inc., Princeton, Ill.; 2. *Animal Feed*, dry, in bags, from the facilities of Thiel Milling Co., Slinger, Wis. to the facilities of Cargill, Inc., Princeton, Ill.; 3. *Animal Feed*, dry in bulk or in bags, from the facilities of Cargill, Inc., Janesville, Wis. to the facilities of Cargill, Inc., Princeton, Ill.; 4. *Vitamin and Drug Premixes*, dry, in bags, from the facilities of Cadco, Inc., Des Moines, Iowa to the facilities of Cargill, Inc., Princeton, Ill.; 5. *Vitamin Supplements*, dry, in bags, from the facilities of Hoffman-LaRoche, Ames, Iowa to the facilities of Cargill, Inc., Princeton, Ill.; 6. *Minerals*, dry, in bulk from the facilities of International Mineral, Corp., Montpelier, Ia. to the facilities of Cargill, Inc., Princeton, Ill.; 7. *Animal feed*, dry, in bags, from the facilities of Cargill, Inc., located at West Branch, Iowa, to the facilities of Cargill, Inc., located at Princeton, Ill.; and 8. *Minerals*, dry, in bags, from the facilities of Kings Castle, Marion, Iowa, to the facilities of Cargill, Inc., located at Princeton, Ill., under a continuing contract or contracts with Cargill, Inc. of Minneapolis, Minn.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Chicago, Ill.

No. MC 142947 (Sub-No. 1), filed: August 12, 1977. Applicant: SCOTT D. WILLIAMS TRUCKING, INC., N1 W25824 Northview Road, Waukesha, Wis. 53186. Applicant's representative: Richard C. Alexander, Suite 412 Empire Building, 710 North Plankinton Avenue,

Milwaukee ,Wis. 53202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Concrete blocks, and mortar, mortar coloring and cement* in mixed loads with concrete blocks, from the facilities of Best Block Co., located at Butler, Wis., Best Block South, Inc., located at Milwaukee, Wis., and Best Block Racine, Inc., located at Racine, Wis., to points in Illinois, Indiana and Michigan; and (2) *brick and brick products*, from the facilities of American Brick Co., at Chicago, Ill. and Munster Ind., to the facilities of Best Block Co., located at Butler, Wis., Best Block South, Inc., located at Milwaukee, Wis., and Best Block Racine, Inc., located at Racine, Wis., under continuing contract, or contracts with Best Block Co., located at Butler, Wis., Best Block South, Inc., located at Milwaukee, Wis., or Best Block Racine, Inc., located at Racine, Wis.

NOTE.—If a hearing is deemed necessary, applicant requests it to be held at Milwaukee, Wis.

No. MC 143013 (Amendment), filed March 2, 1977, published in the FEDERAL REGISTER issue of April 14, 1977, and republished as amended this issue. Applicant: ROGER CHILTON, doing business as, CHILTON TRUCKING CO., 405 11th Street, P.O. Box 841, Beaumont, Tex. 77704. Applicant's representative: John W. Carlisle, 4141 N. Braeswood, Suite 22, Houston, Tex. 77025. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Engine and motor parts, and equipment and parts thereof*, used on ships and ocean going vessels for the operation, maintenance and safety of such ships and vessels when such shipments originate at or are destined to ships or vessels docked at points named in (1), (2), and (4) below and when such shipments are moving in U.S. Custom Bond under U.S. Custom regulations and have a prior or subsequent movement in Interstate or foreign commerce, except shipments because of size or weight require special equipment.

(1) Between Houston, Barber's Cut, Galveston, Corpus Christi, Port Lavaca, Orange, Brownsville, Port Arthur, Beaumont, Freeport, Port Neches and Texas City, Tex.

(2) Between Texas points named in (1) above, on the one hand, and, on the other, Lake Charles, Baton Rouge and New Orleans, La.; Gulfport, Biloxi, Pascagoula, and Greenville, Miss.; Mobile, Ala.; Pensacola, Panama City, St. Petersburg, Tampa, Fort Myers, Fort Lauderdale and Key West, Fla.

(3) Between Albert Whitted Airport, St. Petersburg, Fla., Bates Field, Mobile, Ala., Clearwater Airport, St. Petersburg, Fla., Corpus Christi International Airport, Corpus Christi, Tex., Executive Airport, Fort Lauderdale, Fla., Ferguson Regional Airport, Pensacola, Fla., Greenville Municipal Airport, Greenville, Miss., Gulfport-Biloxi Municipal Airport, Gulfport-Biloxi, Miss., Hollywood International Airport, Ft. Lauderdale, Fla., Houston Intercontinental Airport, Houston, Tex., Jefferson County Municipal Airport, Beaumont, Tex., Key West International Airport, Key West, Fla., Lake Charles Municipal Airport, Lake Charles, La., Moisant Airport, Metairie, La., Page Field, Fort Myers, Fla., Peter O. Knight Airport, Tampa, Fla., Rio Grande Valley Airport, Brownsville, Tex., Ryan Airport, Baton Rouge, La., Scholes Field, Galveston, Tex., Tampa International Airport, Tampa, Fla., Vandenberg Airport, Tampa, Fla., on the one hand, and, on the other, points named in (1) and (2) above.

(4) Between points named in (1) and (2) above on the one hand, and, on the other, Miami, West Palm Beach, Fort Pierce, Daytona Beach, St. Augustine, Fla.; Brunswick and Savannah, Ga.; Charleston, S.C.; Wilmington and New Bern, N.C.; Norfolk, Hampton, Cape Charles, Va.; Wilmington, Dela.; Atlantic City, N.J.; New York, N.Y.; New London, Conn.; New Bedford and Boston, Mass.; Portsmouth, N.H. and Portland, Maine.

(5) Between points named in (3) above and additional points, namely: Miami International Airport, Miami, Fla.; Palm Beach International Airport, West Palm Beach, Fla.; Harry W. Nelson Airport, Fort Pierce, Fla.; Daytona Beach Regional Airport, Daytona Beach, Fla.; St. Augustine Municipal Airport, St. Augustine, Fla.; Golden Isles Municipal Airport and Malcolm McKinnon Airport, Brunswick, Ga.; Savannah Municipal Airport, Savannah, Ga.; Charleston Municipal Airport and Johns Island Airport, Charleston, S.C.; New Hanover County Airport, Wilmington, N.C.; Simmons Nott Airport, New Bern, N.C.; Norfolk International Airport, Norfolk, Va.; Hampton Municipal Airport, Hampton, Va.; Cape Charles Municipal Airport, Cape Charles, Va.; Greater Wilmington Airport, Wilmington, Del.; Bader Field, Atlantic City, N.J.; John F. Kennedy and La Guardia Airports, New York, N.Y.; Trumbull Airport, New London, Conn.; Waterford Municipal Airport, New London, Conn.; Theodore Francis Green State Airport, Providence, R.I.; New Bedford Municipal Airport, New Bedford, Mass.; General Edward Lawrence Airport and Logan International Airport, Boston, Mass.; Portsmouth Municipal Airport, Portsmouth, N.H.; Portland International Jetport, Portland, Maine, on the one hand, and on the other, points in Texas, Louisiana, and Mississippi named in (1) and (2) above.

NOTE.—The purpose of this republication is to indicate applicant's amended request for authority. If a hearing is deemed necessary, the applicant requests that it be held at Houston, Tex.

No. MC 143268 (Sub-No. 2), filed: August 12, 1977. Applicant: TROCHU TRUCKING SERVICES, LTD., 915 48th Avenue SE., Calgary, Alberta, Canada, T2G 2A7. Applicant's representative: Charles E. Johnson, P.O. Box 1982, Bismarck, N. Dak. 58501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural and Ranching Equipment and Supplies* (except feed and feed ingredients, fertilizer, tractors, and commodities, the transportation of which, because of their size or weight, require the use of special equipment); *and Building Materials;* (1) from the ports of entry located on the international boundary line between the United States and Canada located in North Dakota and Montana, to points in the United States in and west of Alabama, Tennessee, Kentucky, Ohio, and Michigan. (Except Alaska and Hawaii). Restriction: Restricted to the transportation of traffic originating at points in Alberta. (2) From points in the United States in and west of Alabama, Tennessee, Kentucky, Ohio, and Michigan (except Alaska and Hawaii), to the ports of entry located on the International boundary line between the United States and Canada located in Minnesota, North Dakota, Montana, Idaho, and Washington. Restriction: Restricted to the transportation of traffic destined to points in Alberta, British Columbia, Saskatchewan, and Manitoba, Restriction: Parts (1) and (2) above restricted to a transportation service to be performed under a continuing contract or contracts with Thornhill Ranching Products, Ltd., Vulcan, Alberta, Canada.

NOTE.—Applicant holds motor common carrier authority in No. MC 140656 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests that it be held at either Billings, Mont. or St. Paul, Minn.

No. MC 143274 (Sub-No. 1), filed August 12, 1977. Applicant: Billy P. Ruppe, doing business as RUPPE MOTOR LINES, 309 Kraft Street, Gaffney, S.C. 29340. Applicant's representative: George W. Clapp, 109 Hartsville Street, P.O. Box 836, Taylors, S.C. 29687. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Disposable dental and hospital supplies*, such as, but not limited to, sponges, hospital gowns, nurses and surgeons caps and hoods, operating room shoe covers, surgical drapes, sheets and towels, wash cloths, covers for operating room stands and tables, and outerwraps, (a) between Columbus, Miss., and points in its Commercial Zone, on the one hand, and, on the other, Tucson, Ariz., and points in its Commercial Zone; and (b) between Jackson, Miss., and points in its Commercial Zone, on the one hand, and, on the other, Tucson, Ariz.; Los Angeles, Calif.; Denver, Colo.; Houston, Tex.; and Seattle Wash.; and points in their Commercial Zones; and (c) between Spartanburg, S.C., and points in its Commercial Zone, on the one hand, and, on the other, Phoenix and Tucson, Ariz.; Los Angeles and San Francisco, Calif.; Denver, Colo.; Columbus and Jackson, Miss.; Houston, Tex.; and Seattle, Wash.; and points in their Commercial Zones; and (2) *Bedspreads, sheets and pillow cases, and thermal and napped blankets*, between Augusta, Ga., on the one hand, and, on the other, Los Angeles, Calif., and points in its Commercial Zone, under a continuing contract or contracts, with Spartan Mills (South

Carolina corporation), and Spartan Healthcare Products Division.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held at Spartanburg, S.C., or Washington, D.C.

No. MC 143324 (Sub-No. 1), filed August 15, 1977. Applicant: RENN F. LAMASTER, 10405 Bunsen Way, Louisville, Ky. 40299. Applicant's representative: J. G. Dail, Jr., P.O. Box 567, McLean, Va. 22101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household dishwashing machines, waste compactors, and parts for household dishwashing machines and waste compactors*, from the plantsite of Hobart Corp. at or near Mount Sterling, Ky., to Jeffersonville, Ind., Danville, Lexington, and Louisville, Ky., and Cincinnati, Ohio, restricted to traffic having a subsequent movement by rail.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests that it be held at Louisville, Ky.

No. MC 143353 (Sub-No. 2), filed August 11, 1977. Applicant: Bill Gilbert, doing business as Idaho Salvage Pool, 3515 Cleveland Boulevard, Caldwell, Idaho 83605. Applicant's representative: Timothy R. Stivers, P.O. Box 162, Boise, Idaho 83701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Wrecked or disabled vehicles, vessels, trailers and camper units and parts thereof (except scrap automobile bodies compressed) in tow away service, between points in Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming, on the one hand, and, on the other, points in Ada and Canyon Counties, Idaho.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held in Boise, Idaho.

No. MC 143358 (Sub-No. 2), filed August 10, 1977. Applicant: STATE EXPRESS, INC., Post Office Box 279, Mountain View, Ga. 30070. Applicant's representative: Bruce E. Mitchell, 3379 Peachtree Road NE., Suite 375, Atlanta, Ga. 30326. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting, such merchandise as is dealt in by retail discount and department stores, except commodities in bulk and foodstuffs, between points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia. Service to be provided under a contract or continuing contract with K Mart Corp.

NOTE.—If a hearing is deemed to be necessary, applicant requests that it be held at Atlanta, Ga., or Birmingham, Ala.

No. MC 143492 (Correction), filed July 11, 1977, published in the FEDERAL REGISTER issue of August 25, 1977 as NO. MC 143942, and republished as corrected this issue. Applicant: RALPH TUNE, doing business as, TUNE LUMBER CO., Mountain View, Mo. 65548. Applicant's representative: Tom B. Kretsinger, 910 Brookfield Building, 101 West Eleventh Street, Kansas City, Mo. 64105. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes transporting: *Wooden pallets and mill lumber*, from Mountain View, Mo., to points to Arkansas, Illinois, Iowa, Kansas, and Nebraska, under a continuing contract, or contracts, with Clinton Pallet Co.

NOTE.—The purpose of this republication is to indicate the correct docket number as NO. MC 143492 in lieu of No. MC 143942 which was previously published in error. If a hearing is deemed necessary, applicant requests it be held at either Kansas City, or St. Louis, Mo.

No. MC 143539, filed July 28, 1977. Applicant: REPUBLIC DELIVERY SERVICE, 2325 Fourth Street NE., Washington, D.C. 20002. Applicant's representative: Richard L. Jones (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicles, over regular routes, transporting: *General commodities* (except commodities in bulk, household goods as defined by the Commission, Classes A and B explosives, those of unusual value, commodities which because of size and weight require the use of special equipment), between the District of Columbia and Baltimore, Md., serving no intermediate points, from the District of Columbia over U.S. Highway 50 to junction Interstate Highway 495, thence over Interstate Highway 495 to junction Interstate Highway 95, thence over Interstate Highway 95 to Baltimore, and return over the same route.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 143541, filed July 28, 1977. Applicant: RICHARD A. AND BARBARA SWAIM, doing business as R & B TRUCK LINE CO., 2608 South 37th Avenue, Yakima, Wash. 98903. Applicant's representative: Earle V. White, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Long Beach and Wilmington, Calif., to Portland, Oreg., Kent and Seattle, Wash.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC 143545 (Sub-No. 1), filed August 12, 1977. Applicant: BLACK ANGUS, INC., P.O. Box 8789, Jackson, Miss. 39204. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in or used by a manufacturer or distributor of chemicals (except in bulk), from Chicago and Waukegan, Ill., Memphis, Tenn., Gretna, La., Gulfport, Miss., Pittsburgh, Pa., Buffalo, N.Y., Spruce Pine N.C., Aiken, S.C., and Mobile, Ala., to Torrance, Calif.

NOTE.—Applicant holds motor contract carrier authority in No. MC 141410 (Sub-No. 1), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif.

No. MC 143546, filed August 1, 1977. Applicant: ATLANTIC MARKETING COOPERATIVE ASSOCIATION, 39494 Clarkson Drive, Kingsburg, Calif. 93631. Applicant's representative: John E. Fishel (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, from the plantsite and storage facility of Schaeffer Manufacturing Co., located at St. Louis, Mo., and points in its commercial zone to points in California, Washington, and Oregon, under a continuing contract or contracts with Schaeffer Manufacturing Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Los Angeles, Calif., or Washington, D.C.

No. MC 143551 (Sub-No. 2), filed August 15, 1977. Applicant: ROBERT AND DOROTHY MUCKENHIRN, doing business as TRIANGLE TRUCKING, Delano, Minn. 55403. Applicant's representative: Samuel Rubenstein, 301 North Fifth Street, Minneapolis, Minn. 55043. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Floor coverings, stair treads, wall tile, counter top coverings, and mouldings and materials and supplies used in the installation, maintenance, and repair of the commodities described above, and (2) china bath accessories, from Baltimore, Md., Newark, Salem, Trenton, East Brunswick, Roselle Park, and Keyport, N.J., Newburgh, N.Y., and Elmsford, N.Y., Minerva and Dalton, Ohio, and Gettysburg and Philadelphia, Pa., to points in Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin, under a continuing contract or contracts with Minnesota Tile Supply, Minneapolis, Minn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 143589, filed August 11, 1977. Applicant: RANDLEMAN'S PICK-UP AND DELIVERY SERVICE, INC., 1800 East Bessemer Avenue, Greensboro, N.C. 27405. Applicant's representative: F. Kent Burns, P.O. Box 1406, Raleigh, N.C. 27602. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) Liquid glue and materials used in the manufacture of glue and adhesives in bulk and drums, between points in Virginia, North Carolina, South Carolina, and Georgia, under a continuing contract or contracts with H. B. Fuller Co., Greensboro, N.C., and (2) paints, stains, varnishes, and related products for use in the manufacture of furniture, between points in Virginia, North Carolina, South Carolina, and Georgia, under a continuing contract or contracts with Mobil Chemical Co., High Point, N.C.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Greensboro, N.C., or Raleigh, N.C.

No. MC 143593, filed August 15, 1977. Applicant: ROTA-CONE OILFIELD OPERATING CO., a corporation, 529 N. 14th St., Muskogee, Okla. 74401. Applicant's representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, Okla. 73106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products, and materials, supplies and equipment* used in the manufacture, sale and distribution of such commodities (except in bulk), between Hoerner Waldorf-Champion International Corporation plantsites, located at Sand Springs and Oklahoma City, Okla., and points in Arkansas, Kansas, Missouri, and Texas, in non-radial movement, under a continuing contract, or contracts, with Hoerner Waldorf-Champion International Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 143605, filed August 15, 1977. Applicant: B & M EXPRESS, INC., 500 South Western, P.O. Box 25852, Oklahoma City, Okla. 73125. Applicant's representative: Charles D. Dudley, 280 National Foundation Life Building, 3535 N.W. 58th St., Oklahoma City, Okla. 73112. Authority sought to operate as a *contract carrier* by motor vehicle, over irregular routes, transporting: (1) *Folded, non corrugated boxes and cartons*, from the plantsite and storage facilities of Rock-Tenn Company at or near Oklahoma City, Oklahoma, to points in Arkansas, Kansas, Nebraska, Oklahoma and Texas, and (2) *equipment, materials and supplies*, used in the manufacture and distribution of the commodities described in (1) above (except commodities in bulk, and commodities which because of size or weight require the use of special equipment), from points in Arkansas, Kansas, Nebraska, Oklahoma, and Texas, to the plantsite and storage facilities of Rock-Tenn Company, at or near Oklahoma City, Oklahoma, under a continuing contract, or contracts with Rock-Tenn Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla.

No. MC 143606, filed August 12, 1977. Applicant: BOB AIKINS LINES, INC., P.O. Box 264, Lawrenceburg, Ind. 47025. Applicant's representative: L. Agnew Myers, Jr., 734 Fifteenth St. NW., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Crushers, Breakers, Grinders and Elevators*, used in or by coal, fertilizing, metal, ore or stone industries; also Material Handling Equipment including parts or accessories for all the abovenamed commodities, from Aurora, Indiana to points in the United States (except Alaska, Hawaii and Indiana) and restricted against service to Cincinnati and Shandon, Ohio, under a continuing contract or contracts with Continental M.D.M. Inc., and Stedman Foundry and Machine Company, Inc.

NOTE.—Applicant holds common carrier authority in MC 29753 and Subs thereunder, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at either Cincinnati, Ohio, or Louisville, Ky.

No. MC 143607, filed August 15, 1977. Applicant: BAYWOOD TRANSPORT, INC., P.O. Box 8155, Waco, Tex. 76710. Applicant's representative: E. Stephen Heisley, Suite 805, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier* by motor vehicle, in interstate or foreign commerce; over irregular routes transporting: (1) *Clothing*, including *cotton and synthetic clothing;* and *piecegoods*, including *finished and unfinished piecegoods*, and (2) *materials, equipment* and *supplies*, used in the *manufacture, production, finishing, distribution, cutting, coloring* and *sale* of the commodities in (1) above; (1) Between Waco, Texas; Greeley, Colorado; Visalia and Sanger, California; Yakima, Washington; Pleasant Grove, Utah; and Shelbyville, Tennessee; (2) from points in (1) above to Wauwatosa, Wisconsin; Columbus, Ohio; Atlanta, Georgia; Lenexa, Kansas; Houston, Texas; and Miami, Florida; and (3) from points in South Carolina, Georgia, Alabama, North Carolina, Virginia, Tennessee, Pennsylvania, Mississippi, Kentucky and Arkansas to points in (1) above. Restrictions: The above authority is restricted (1) against the transportation of commodities in bulk, and tank vehicles; and (2) to the transportation of traffic moving under a continuing contract or contracts with Bayly Corp., of Waco, Tex.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Houston, Tex., or Washington, D.C.

No. MC 11316 (Sub-No. 1) (Correction), filed July 3, 1977, published in the FEDERAL REGISTER issue of August 25, 1977 and republished, as corrected this issue. Applicant: THE GALION & MANSFIELD TRANSIT COMPANY, a corporation, 1271 Bowman St., Mansfield, Ohio 44903. Applicant's representative: A. Charles Tell, 100 East Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in the transportation of *passengers and their baggage* in the same vehicles with passengers in round-trip special and charter operations beginning and ending at points in Ashland, Crawford, Holmes, Huron, Knox, Licking, Marion, Morrow, Seneca, Richland and Wyandot Counties, Ohio, and extending to points in the United States including Alaska, but excluding Hawaii.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio. The purpose of this republication is to add points in Knox County, Ohio which was inadvertently omitted in the previous publication.

No. MC 84728 (Sub-No. 64), filed August 8, 1977. Applicant: SAFEWAY TRAILS, INC., 1200 Eye St. NW., Washington, D.C. 20005. Applicant's representative: Gayla L. Campbell, 1500 Jackson St., Suite 422, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage and express and newspapers* in the same vehicle with passengers, between the junction of U.S. Highway 40 and New Jersey Highway 55, and the junction of New Jersey Highway 54 and U.S. Highway 40 at Buena, N.J.: From junction U.S. Highway 40 and New Jersey Highway 55 near Malaga, N.J., over New Jersey Highway 55 to Vineland, N.J., thence over City Streets to New Jersey Highway 54 and U.S. Highway 40 at Buena, N.J., and return over the same route, serving all intermediate points.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Vineland or Atlantic City, N.J.

No. MC 126203 (Sub-No. 6) (Amendment), filed April 22, 1977, published in the FEDERAL REGISTER issue of May 19, 1977, and republished, as amended, this issue. Applicant: EVERETT CHARTER SYSTEM, INC., 3131 Cedar St., Everett, Wash. 98201. Applicant's representative: Michael D. Duppenthaler, 607 Third Ave., Seattle, Wash. 98104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Passengers, their baggage and personal effects* when transported in the same vehicle with passengers, in charter or special operations, between Everett, Washington on the one hand, and, on the other, Anacortes, Wash., restricted to traffic moving to and from Victoria, British Columbia, Canada; and (2) *Passengers and their baggage*, in charter and special operations in sightseeing and pleasure tours beginning and ending at points in Snohomish, Skagit, Island and San Juan Counties, Wash. and extending to points in Washington, Oregon, California, Alaska, Arizona, Colorado, Idaho, Montana, Nevada, Utah, and Wyoming. The purpose of this republication is to amend the requested authority in (1) above to "in charter or special operations" and to delete the requested authority in (2) above.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Everett or Seattle, Wash.

No. MC 135354 (Sub-No. 3), filed August 11, 1977. Applicant: Statesville Motor Coach Co., Inc., 109 Winston Ave., Statesville, N.C. 28677. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave., NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, in special and charter operations*, Beginning and ending at points in Alexander, Catawba, Davie, and Iredell Counties, North Carolina, and extending to points

in the United States in and east of the States of Wisconsin, Illinois, Missouri, Arkansas, and Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests that it be held in Statesville, N.C.

FREIGHT FORWARDER

No. FF-329 (Sub-No. 7), filed August 4, 1977. Applicant: TnT, INC., 2818 South Eastern Ave., Los Angeles, Calif. 90040. Applicant's representative: Charles Pieroni, 714 Riverside Court, South Bend, Ind. 46616. Authority sought to engage in operation, in interstate commerce, as a freight forwarder, through use of the facilities of *common carriers* by rail, motor, and water carriers, in the transportation of *motor vehicles*, between points in the United States, including Alaska and Hawaii.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Chicago, Ill., or Los Angeles, Calif.

FINANCE APPLICATIONS

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, or rail carriers or motor carriers pursuant to Sections 5(2) or 210a(b) of the Interstate Commerce Act.

An original and two copies of protests against the granting of the requested authority must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rules 240(c) or 240(d) of the Commission's General Rules of Practice (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

No. MC-F-13322. Authority sought for purchase by CROUSE CARTAGE COMPANY, P.O. Box 586, Carroll, Iowa 51401, of a portion of the operating rights of JACK LINK TRUCK LINE, INC., Dyersville, Iowa 52040, and for acquisition by Paul Crouse, also of Carroll, Iowa 51401, of control of such rights through the purchase. Applicants' attorney: Scott E. Daniel, P.O. Box 82028, Lincoln, Nebr. 68501. Operating rights sought to be purchased: *Meats, meat products, and meat by-products*, and *articles distributed by meat packinghouses* (except hides and commodities in bulk) as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, as a *common carrier* over irregular routes from the facilities of Wilson & Co. at or near Cherokee, Iowa to points in Indiana, Michigan, Ohio and Wisconsin; restricted to the transportation of shipments originating at the above-named origin and destined to the named destinations. Vendee is authorized to operate as a *common carrier* in Indiana, Michigan, Ohio, Wisconsin, Illinois, and Iowa. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-13325. Authority sought for purchase by TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue, S.E., Atlanta, Ga. 30316 of a portion of the operating rights of MIDWEST COAST TRANSPORT, INC., P.O. Box 1233, Sioux Falls, S. Dak. 57101, and for acquisition by TEXAS GAS TRANSMISSION CORP., P.O. Box 1160, Owensboro, Ky. 42301, AMERICAN COMMERCIAL LINES, 2919 Allen Parkway, Houston, Tex. 77109 and AMERICAN FREIGHT SYSTEM, 51 Corporate Woods, Overland Park, Kans. 66210, of control of such rights through the purchase. Applicants' attorneys: Harold H. Clokey, P.O. Box 1918, Atlanta, Ga. 30301 and Ralph H. Jinks, P.O. Box 1233, Sioux Falls, S. Dak. 57101. Operating rights sought to be purchased: *General commodities*, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading, as a *common carrier* over regular routes between Springfield, Mass, and Hartford, Conn., serving all intermediate points; and the off-route points of Granby, Tariffville and Simsbury, Conn.; *General commodities*, with the same exceptions as described above over irregular routes between Springfield, Mass., and points in Massachusetts within 15 miles of Springfield, on the one hand, and, on the other, Putnam and Jewett City, Conn., and points in that part of Connecticut east of a line beginning at the Massachusetts-Connecticut State line and extending along Connecticut Highway 8 to Shelton, Conn., and thence along Connecticut Highway 110 to Stratford, Conn., and west of a line beginning at the Massachusetts-Connecticut State line and extending along Connecticut Highway 169 (formerly Connecticut Highway 93) to Norwich, Conn., thence along Connecticut Highway 12 to Groton, Conn., including points on the indicated portion of the highways specified. Vendee is authorized to operate as a common carrier in Alabama, Connecticut, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky and South Dakota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-13327. Authority sought for purchase by TRI-STATE MOTOR TRANSIT CO., P.O. Box 113 (Business I-44), Joplin, Mo. 64801, of a portion of the operating rights of DEALERS TRANSIT, INC., Enterprise Building, 522 South Boston Ave., Tulsa, Okla. 74102. Applicants' attorneys: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801; Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102 and Max G. Morgan, 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Operating rights sought to be purchased: *Such commodities* as require special equipment and handling by reason of their unusual weight, bulk, or length; and in connection therewith *materials* and *supplies* not of unusual weight, bulk, or length, used or to be used in construction, road building, mining, well drilling (oil, gas or water), and military or demolition projects, in shipments of not less than 10,000 pounds, as a *common carrier* between points in that part of New Mexico south of Interstate Highway 40 and west of Interstate Highway 25, on the one hand, and, on the other, points in Clark County, Nevada; *Self-propelled articles*, each weighing 15,000 pounds or more, and *related machinery, tools, parts* and *supplies* moving in connection therewith, between points in that part of New Mexico south of Interstate Highway 40 and west of Interstate Highway 25, on the one hand, and, on the other, points in Clark County, Nevada. Vendee is authorized to operate as a *common carrier* in all States. Application has not been filed for temporary authority under Section 210a(b).

NOTE.—MC 109397 (Sub-No. 367) is a directly related matter.

No. MC-F-13328. Authority sought for purchase by LARAMIE, INC., 14800 Castleton, Detroit, Mich. 48227, of a portion of the operating rights of Barney Kosofsky, an individual, d.b.a. BARNEY'S CARTAGE CO., 16225 Lamplighter Court, Southfield, Mich. 48075, and for acquisition by Gordon F. Laramie and Donald F. Laramie, 14800 Castleton, Detroit, Mich. 48227, of control of such rights through the purchase. Applicants' attorney: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Operating rights sought to be purchased: *Heavy machinery* and *boilers*, and the following dismantled commodities; *machinery, electrical equipment, contractors equipment*, and *store, office, factory, hospital, art gallery* and *museum fixtures*, and *equipment*, as a *common carrier* over irregular routes between points and places in the Lower Peninsula of Michigan, on the one hand, and, on the other, points and places in Indiana, Illinois, Ohio, Kentucky, New York, and Connecticut, traversing Pennsylvania for operating convenience only. Vendee is authorized to operate as a *common carrier* in Michigan, Indiana, Illinois, Ohio, Kentucky, New York, Connecticut, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

NOTE.—No. MC 98184 (Sub-No. 6) is a directly related matter.

No. MC-F-13332. Authority sought for purchase by SMITH'S TRANSFER CORPORATION, P.O. Box 1000, Staunton, Va. 24401, of a portion of the operating rights of AKERS MOTOR LINES, INC., P.O. Box 10303, Charlotte, N.C. 28237, and for acquisition by R. R. Smith, P.O. Box 1000, Staunton, Va. 24401, of control of such rights through the transaction. Applicants' attorneys: David G. Macdonald, 1000 Sixteenth Street, NW., Washington, D.C. 20036 and Leonard Jaskiewicz, 1730 M Street, NW., Wash-

ington, D.C. 20036. Operating rights sought to be purchased: *General commodities*, except those of unusual value, Classes A and B explosives, tobacco, liquor, commodities in bulk, commodities requiring special equipment, household goods as defined by the Commission, and commodities requiring special equipment, as a *common carrier* over regular routes between Atlanta, Ga., and Thomasville, Ga., serving all intermediate points; Between Greenville, S.C. and Atlanta, Ga., serving all intermediate points; Between Greenville, S.C., and Calhoun Falls, S.C., serving all intermediate points Between Winder, Ga., and Monroe, Ga., serving all intermediate points; Between Atlanta, Ga., and Augusta, Ga., serving all intermediate points; Between Atlanta, Ga., and Jesup, Ga., serving all intermediate points; Between Madison, Ga., and Woodbury, Ga., serving all intermediate points; Between Macon, Ga., and Eastman, Ga., serving all intermediate points; Between Athens, Ga., and Albany, Ga., serving all intermediate points; Between Rock Hill, S.C., and Columbia, S.C., serving the intermediate point of Chester, S.C., for joinder only; Between Columbia, S.C., and Savannah, Ga., serving the intermediate point of Orangeburg, S.C., for joinder only; Between Savannah, Ga., and Albany, Ga., serving all intermediate points; Between Newberry, S.C., and Augusta, Ga., serving all intermediate points; Between Chester, S.C., and Whitmire, S.C., serving all intermediate points; Between Spartanburg, S.C., and Laurens, S.C., serving all intermediate points; Between Greenville, S.C., and Newberry, S.C., serving all intermediate points; Between Whitmire, S.C., and Athens, Ga., serving all intermediate points; Between Echeconnee, Ga., and Albany, Ga., serving all intermediate points; Between Cordele, Ga., and Valdosta, Ga., serving all intermediate points; Between Zebulon, Ga., and Barnesville, Ga., serving all intermediate points; Between Fort Valley, Ga., and Eastman, Ga., serving all intermediate points; Between Camilla, Ga., and Moultrie, Ga., serving all intermediate points; Between Gray, Ga., and Warrenton, Ga., serving all intermediate points; Serving intermediate and the following off-route points: Bainbridge, Clarksville, Clayton, Clyatteville, Claxton, Culthbert, Douglas, Gordon, Habersham, Hawkinsville, Juliette, Plantsite of Deering-Milliken, Inc. in Macon County, McIntyre, Millen, Milstead, Nashville, Porterdale, Potterville, Warm Springs, Warner Robins, and the Plantsite of Thiokol Chemical Corporation about 13 miles from Woodbine. Also serving Percale, Ga. as an off-route point in connection with the carrier's presently authorized regular-route authority between Greenville, S.C. and Thomasville, Ga.

Alternate routes between Augusta, Ga., and Dublin, Ga., serving no intermediate points; Between Macon, Ga., and Milledgeville, Ga., serving no intermediate points; Between Experiment, Ga., and McDonough, Ga., serving no intermediate points; Between Hampton, Ga., and McDonough, Ga., serving no intermediate points; Between Newberry, S.C., and Columbia, S.C., serving no intermediate points; Between Senoia, Ga., and junction Georgia Highway 16 and U.S. Highway 29 near Newnan, Ga., serving no intermediate points; Between Americus, Ga., and Cordele, Ga., serving no intermediate points; Between Iva, S.C., and Elberton, Ga., serving no intermediate points; Between Johnston, S.C., and Thomson, Ga., serving no intermediate points; Between Commerce, Ga., and Athens, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points but serving Commerce and Athens for purpose of joinder only; Between Baldwin, Ga., and Commerce, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points but serving Baldwin, Homer, and Commerce for purposes of joinder only; Between McRae, Ga., and junction Georgia Highway 117 and U.S. Highway 441 approximately 4 miles northeast of Rentz, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Hawkinsville, Ga., and Cochran, Ga., in connection with carrier's presently authorized regular-route operations serving no intermediate points; Between Cochran, Ga., and junction Georgia Highway 26 and U.S. Highway 80, in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Cordele, Ga., and Hawkinsville, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Moultrie, Ga., and Tifton, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Moultrie, Ga., and Valdosta, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Columbus, Ga., and Macon, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Eatonton, Ga., and Greensboro, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points; Between Monticello, Ga., and Eatonton, Ga., in connection with carrier's authorized regular-route operations, serving no intermediate points, with restrictions. *General commodities*, with exceptions over irregular routes between Columbus, Ga., on the one hand, and, on the other, points in Russell County, Ala., and between McRae, Ga., and Orangeburg, S.C. Vendee is authorized to operate as a *common carrier* in Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin. Application has been filed for temporary authority under section 210a(b).

OPERATING RIGHTS APPLICATION(S) DIRECTLY RELATED TO FINANCE PROCEEDINGS

The following operating rights application(s) are filed in connection with pending finance applications under Section 5(2) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 212(b) of the Interstate Commerce Act.

An original and two copies of protests to the granting of the authorities must be filed with the Commission within 30 days after the date of this FEDERAL REGISTER notice. Such protests shall comply with Special Rules 247(d) of the Commission's General Rules of Practice (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities. Verified statements in opposition should not be tendered at this time. A copy of the protest shall be served concurrently upon applicant's representative, or applicant if no representative is named.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

No. MC 59583 (Sub-No. 159), filed September 8, 1977. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Ave., Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *general commodities* (except those of unsual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment): (1) Between Charlotte and Wilmington, N.C.: From Charlotte over U.S. Highway 74 to Wilmington, and return over the same route; (2) Between Greensboro and Rockingham, N.C.: From Greensboro over U.S. Highway 220 to Rockingham, and return over the same route; (3) Between Greensboro and Lumberton, N.C.: From Greensboro over U.S. Highway 421 to Lillington, N.C., thence over U.S. Highway 401 to Fayetteville, N.C., and thence over Interstate Highway 95 to Lumberton, and return over the same routes; (4) Between Greensboro and Roanoke Rapids, N.C.: From Greensboro over Interstate Highway 85 to Henderson, N.C., thence over U.S. Highway 1 to Norlina, N.C., and thence over U.S. Highway 158 to Roanoke Rapids, and return over the same routes; (5) Between Durham and Rocky Mount, N.C.: From Durham over North Carolina Highway 98 to junction U.S. Highway 64, and thence over U.S. Highway 64 to Rocky Mount, and return over the same routes; (6) Between Durham and New Bern, N.C.: From Durham over U.S. Highway 70 to New Bern, and return over the same route; (7) Between Wilming-

ton and Rocky Mount, N.C.: From Wilmington over U.S. Highway 117 to junction U.S. Highway 301, and thence over U.S. Highway 301 to Rocky Mount, and return over the same routes; and (8) Between Fayetteville and Roanoke Rapids, N.C.: From Fayetteville, over Interstate Highway 95 to Roanoke Rapids, and return over the same route, serving, in connection with each of the routes above, all intermediate points in North Carolina and all other points in North Carolina as off-route points.

NOTE.—The purpose of this application is to convert to regular routes the irregular-route authority issued to General Motor Lines, Inc. as a certificate of registration in MC 120766 (Sub-No. 1), which authority applicant (1) seeks to acquire as part of a merger pending in MC-F-13220, published in the FEDERAL REGISTER issue of June 3, 1977, and (2) seeks to convert to a Certificate of Public Convenience and Necessity in No. MC 59583 (Sub-No. 162), published in the FEDERAL REGISTER issue of June 30, 1977. All three applications are directly related, and applicant requests that they be heard on a consolidated record. Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Charlotte, N.C., or Washington, D.C.

No. MC 59583 (Sub-No. 164), filed September 8, 1977. Applicant: THE MASON AND DIXON LINES, INCORPORATED, Eastman Road, P.O. Box 969, Kingsport, Tenn. 37662. Applicant's representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, D.C. 20014. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; (1) Between Rock Hill and Anderson, S.C.; from Rock Hill over South Carolina Highway 5 to Blacksburg, S.C., and thence over U.S. Highway 29 to Anderson, and return over the same routes; (2) between Rock Hill and North Augusta, S.C.: from Rock Hill over U.S. Highway 21 to Columbia, S.C., and thence over Interstate Highway 20 to North Augusta, and return over the same routes; (3) between Greenville and North Augusta, S.C.: from Greenville over U.S. Highway 25 to North Augusta, and return over the same route; (4) between Columbia and Hardeeville, S.C.: from Columbia over U.S. Highway 321 to Hardeeville, and return over the same route; (5) between North Augusta and Fairfax, S.C.: from North Augusta over U.S. Highway 278 to Fairfax, and return over the same route; (6) between Rock Hill and Darlington, S.C.: from Rock Hill over U.S. Highway 21 to junction South Carolina Highway 9, thence over South Carolina Highway 9 to Cheraw, and thence over U.S. Highway 52 to Darlington, and return over the same routes; (7) between Columbia and Charleston, S.C.: from Columbia over Interstate Highway 26 to Charleston, and return over the same route; (8) between Florence and Hardeeville, S.C.: from Florence over Interstate Highway 95 to Hardeeville, and return over the same route; (9) between Rock Hill and Myrtle Beach, S.C.: from Rock Hill over South Carolina Highway 5 to junction U.S. Highway 521, thence over U.S. Highway 521 to Lancaster, S.C., thence over South Carolina Highway 903 to junction South Carolina Highway 151, thence over South Carolina Highway 151 to Darlington, S.C., thence over U.S. Highway 52 to Florence, thence over U.S. Highway 301 to junction South Carolina Highway 576, thence over South Carolina Highway 576 to junction U.S. Highway 501, and thence over U.S. Highway 501 to Myrtle Beach, and return over the same routes; (10) between Myrtle Beach and Hardeeville, S.C.: from Myrtle Beach over U.S. Highway 17 to Hardeeville, and return over the same route, serving, in connection with each of the routes above, all intermediate points in South Carolina and all other points in South Carolina as off-route points, restricted to the transportation of shipments moving from, to, or through points in York County, South Carolina.

NOTE.—The purpose of this application is to convert to regular routes the irregular-route authority issued to J. W. Craig d.b.a. City Transfer & Storage Co. as a certificate of registration in MC 120165 (Sub-No. 1), which authority applicant (1) seeks to acquire in pending docket No. MC-F-13266, published in the FEDERAL REGISTER issue of July 8, 1977; and (2) seeks to convert to a Certificate of Public Convenience and Necessity in No. MC 59583 (Sub-No. 163), published in the FEDERAL REGISTER issue of July 8, 1977. All three applications are directly related and applicant requests that they be heard on a consolidated record. Common control may be involved. If a hearing is deemed necessary, applicant requests that it be held at Columbia, S.C., or Washington, D.C.

No. MC 109397 (Sub-No. 367), filed August 25, 1977. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, P.O. Box 113, (Business—I-44), Joplin, Mo. 64801. Applicant's representative: A. N. Jacobs, P.O. Box 113, Joplin, Mo. 64801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities* (except boats), the transportation of which because of size or weight requires the use of special equipment, and *related machinery parts* and *related contractors' materials and supplies* when their transportation is incidental to the transportation by carrier of commodities which by reason of size or weight require special equipment, *Self-propelled articles*, each weighing 15,000 pounds or more and *related machinery, equipment, tools, parts and supplies* moving in connection therewith (restricted to self-propelled articles which are transported on trailers), between points in California, on the one hand, and, on the other, points and places in New Mexico, south of Interstate Highway 40 and west of Interstate Highway 25.

NOTE.—The purpose of this application is to eliminate the gateway of Clark County, Nev. This is a matter directly related to a section 5(2) proceeding in MC-F-13327, Tri-State Motor Transit Co.—Purchase (Portion)—Dealers Transit, Inc., published in a previous section of this issue. If a hearing is deemed necessary, applicant requests that it be held at Las Vegas, Nev., or Phoenix, Ariz.

No. MC 109533 (Sub-No. 93) (partial correction), filed July 19, 1977, published in the FEDERAL REGISTER issue of September 8, 1977, and republished this issue. Applicant: OVERNITE TRANSPORTATION COMPANY, a corporation, 1000 Semmes Avenue, Richmond, Va. 23224. Applicant's representative: E. T. Lilpfert, Suite 1000, 1660 L Street NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between Elkton, Md., and Reading, Pa., serving all intermediate points in Delaware and Pennsylvania, from Elkton over Maryland Highway 7 to junction U.S. Highway 40, thence over U.S. Highway 40 to Wilmington, Del., thence over U.S. Highway 202 to West Chester, Pa., thence over Pennsylvania Highway 100 to Pottstown, Pa., thence over U.S. Highway 422 to Reading, Pa., and return over the same route; (8) In connection with service routes (1) through (7) in Delaware, New Jersey, and Pennsylvania, or other regular routes of carrier, the carrier may serve the following off-route points: (a) Delaware—all points on and north of the Chesapeake-Delaware Canal; (b) New Jersey—Camden; (c) Pennsylvania: (i) Berks County—points on and south of U.S. Highway 22 from Berks-Lehigh County Line to Berks-Lebanon County Line; also the points of Grimes and Schubert; (ii) Bucks County—Argus, Chalfont, Eureka, Geryville, Hatboro, Line Lexington, Mt. Pleasant, Milford Square, Neshaminy, Perkasie, Silverdale, Sellersville, Souderton, Spinners Town, Tradesville, Trumbauersville, Telford, Warrington and Warminister; (iii) Chester County—Points on and north of Pennsylvania Highway 896; (iv) Cumberland County—points on and east of Pennsylvania Highway 34 from Perry-Cumberland County Lines, thence along Pennsylvania Highway 34 to Carlisle, thence along Interstate Highway 76 to junction Pennsylvania Highway 233, thence along Pennsylvania Highway 233 to the Cumberland-Adams County Line, also the points of Greason, Hackersville and Plainfield; (v) Delaware County; (vi) Lebanon County; (vii) Lehigh County—Alburtis, Breinigsville, Hosensack, Old Zionsville, Shimerville, Wellersville and Zettlemoyer; (viii) Montgomery County; (ix) Perry County—Cove, Duncannon, Keystone, Kenkora Heights, Marysville, Perdix and Sterretts Gap; (x) Philadelphia County—points on and south of Pennsylvania Highway 63; (xi) Schuylkill County—Auburn, Brommerstown, Camp, Deturksville, Friedensburg, Lincoln, Lorberry, June, Martown, Orwin, Paradise, Pine Grove, Port Clinton, Ravine, Rock, Roedersville, Suedberg, and Summit Station; (xii) York County.

NOTE.—Common control may be involved. This application is a matter directly related to a finance application in MC-F-12715 which appeared in the FEDERAL REGISTER issue of December 31, 1975, and which is presently pending on exceptions to the initial decision dated June 8, 1977, and served June 15, 1977. The purpose of this partial correction is to (A) indicate route over U.S. Highway 422 in lieu of U.S. Highway 42 in part (1) of the application; (B) indicate the highway in part (8)(c)(iv) is Interstate Highway 76 and (C) remove the parenthesis before "Ravine" in part (8)(c)(xi). If a hearing is deemed necessary, applicant requests that it be held at Washington, D.C.

ABANDONMENT APPLICATIONS; NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act that orders have been entered in the following abandonment applications which are administratively final and which found that subject to conditions the present and future public convenience and necessity permit abandonment.

A Certificate of Abandonment will be issued to the applicant carriers 30 days after this FEDERAL REGISTER publication unless the instructions set forth in the notices are followed.

[Docket No. AB-1 (Sub-No. 46)]

CHICAGO AND NORTH WESTERN TRANSPORTATION CO. ABANDONMENT—BETWEEN JEWELL, HAMILTON COUNTY, AND HARCOURT, WEBSTER COUNTY, IOWA

NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on January 28, 1977, and the order of the Commission, Division 3, acting as an Appellate Division, served September 7, 1977, a finding, which is administratively final, was made stating that, subject to the conditions for protection of employees enacted in and developed pursuant to Section 405 of the Rail Passenger Service Act (45 U.S.C. 565), as stated in *Oregon Short Line R. Co. Abandonment, Goshen*, 354 ICC 76 (1977), and for public use as set forth in said order, the present and future public convenience and necessity permit the abandonment by the Chicago and North Western Transportation Co. of that portion of its line of railroad between the towns of Stratford and Dayton, in Webster County, Iowa. A certificate of abandonment will be issued to the Chicago and North Western Transportation Co. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

Docket No. AB-18 (Sub-No. 10)

CHESAPEAKE AND OHIO RAILWAY COMPANY, ABANDONMENT OF THE POMEROY BRANCH BETWEEN OLDTOWN AND POMEROY, OHIO

NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on June 18, 1976, and the decision and order of the Commission, Division 3, served April 12, 1977, except as modified, affirmed and adopted the initial decision of the Administrative Law Judge entered on June 18, 1976, a finding, which is administratively final, was made stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 ICC 700, and for public use as set forth in said order, the present and future public convenience and necessity permit the abandonment by the Chesapeake and Ohio Railway Company of its line of railroad extending between milepost 51.21 near Oldtown and milepost 69.36 near Creola, Ohio, and its line of railroad extending between milepost 78.02 near Dundas and milepost 119 near Kerrs, Ohio, and operations over its line of railroad between milepost 110 near Kerrs and milepost 135.05 at the end of the line, conditioned upon service being provided by and all private sidings on the segment being opened to ConRail. A certificate of abandonment will be issued to the Chesapeake and Ohio Railway Co. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of all services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-33 (Sub-No. 13)]

UNION PACIFIC RAILROAD COMPANY ABANDONMENT OF ITS "SEARS BRANCH" BETWEEN SEARS AND JANISE IN SCOTTS BLUFF COUNTY, NEBR.

NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on May 25, 1977, and the order of the Commission, Division 3, acting as an Appellate Division, served September 7, 1977, a finding, which is administratively final, was made stating that, subject to the conditions for protection of employees enacted in and developed pursuant to Section 405 of the Rail Passenger Service 945 U.S.C. 565, as stated in *Oregon Short Line R. Co.—Abandonment Goshen, supra*, the present and future public convenience and necessity permit the abandonment by the Union Pacific Railroad Co. of its "Sears Branch" extending from railroad milepost 0.0 at Sears, Nebr., in a southwesterly direction to railroad milepost 2.59 near Janise, Nebr., a distance of 2.59

miles in Scotts Bluff County, Nebr. A certificate of abandonement will be issued to the Union Pacific Railroad Co. based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-45]

ALBANY PORT DISTRICT COMMISSION—ABANDONMENT OF OPERATIONS—PORT OF ALBANY, N.Y.

NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on April 6, 1977, a finding, which is administratively final, was made by the Commission, Review Board Number 5, stating that, the present and future public convenience and necessity permit abandonment of operations by the Albany Port District Commission Railroad of its entire line of railroad in the Port of Albany, Albany and Rensselaer Counties, N.Y. A certificate of abandonment will be issued to the Albany Port District Commission Railroad based on the above-described finding of abandonment, 30 days after publication of this notice, unless within 30 days from the date of publication the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time, not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

[Docket No. AB-102]

MISSOURI-KANSAS-TEXAS RAILROAD COMPANY ABANDONMENT BETWEEN BARTLESVILLE AND OKLAHOMA CITY, IN OSAGE, PAWNEE, PAYNE, LINCOLN, LOGAN, AND OKLAHOMA COUNTIES, OKLA.

NOTICE OF FINDINGS

Notice is hereby given pursuant to section 1a(6)(a) of the Interstate Commerce Act (49 U.S.C. 1a(6)(a)) that by an order entered on July 22, 1977, a finding, which is administratively final, was made by the Administrative Law Judge, stating that, subject to the conditions for the protection of railway employees prescribed by the Commission in *Chicago, B. & Q. R. Co., Abandonment*, 257 ICC 700, and further providing, that applicant maintains in a proper state of repair all grade crossings on the abandonment trackage, and to maintain bridges and culverts on the line reasonably free of debris during the intervening period between the effective date of approval of abandonment and the subsequent removal of track and structures along the railroad right of way, the present and future public convenience and necessity permit the abandonment by the Missouri-Kansas-Texas Railroad Co. of its branch line extending from milepost A-200 at Bartlesville, Okla., to milepost A-336 at Oklahoma City, Okla., a distance of 136 miles. A certificate of abandonment will be issued to the Missouri-Kansas-Texas Railroad Co. based on the above-described finding of abandonment 30 days after publication of this notice unless within 30 days from the date of publication, the Commission further finds that:

(1) A financially responsible person (including a government entity) has offered financial assistance (in the form of a rail service continuation payment) to enable the rail service involved to be continued; and

(2) It is likely that such proffered assistance would:

(a) Cover the difference between the revenues which are attributable to such line of railroad and the avoidable cost of providing rail freight service on such line, together with a reasonable return on the value of such line, or

(b) Cover the acquisition cost of all or any portion of such line of railroad.

If the Commission so finds, the issuance of a certificate of abandonment will be postponed for such reasonable time not to exceed 6 months, as is necessary to enable such person or entity to enter into a binding agreement, with the carrier seeking such abandonment, to provide such assistance or to purchase such line and to provide for the continued operation of rail services over such line. Upon notification to the Commission of the execution of such an assistance or acquisition and operating agreement, the Commission shall postpone the issuance of such a certificate for such period of time as such an agreement (including any extensions or modifications) is in effect. Information and procedures regarding the financial assistance for continued rail service or the acquisition of the involved rail line are contained in the Notice of the Commission entitled "Procedures for Pending Rail Abandonment Cases" published in the FEDERAL REGISTER on March 31, 1976, at 41 FR 13691. All interested persons are advised to follow the instructions contained therein as well as the instructions contained in the above-referenced order.

MOTOR CARRIER ALTERNATIVE ROUTES DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042 4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this FEDERAL REGISTER notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PROPERTY

No. MC 2754 (Deviation No. 3), NEUENDORF TRANSPORTATION CO., 121 S. Stoughton Rd., Madison, Wis. 53701, filed September 6, 1977. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Belvidere, Ill., over Illinois Highway 76 to junction Wisconsin Highway 140, thence over Wisconsin Highway 140 to junction U.S. Highway 14, thence over U.S. Highway 14 to junction U.S. Highway 51, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Belvidere, Ill., over U.S. Highway 20 to Rockford, Ill., thence over U.S. Highway 51 to junction U.S. Highway 14, and return over the same route.

No. MC 30504 (Deviation No. 28), TUCKER FREIGHT LINES, INC., P.O. Box 3144, South Bend, Ind. 46619, filed September 13, 1977. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Michigan City, Ind., over U.S. Highway 421 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction Interstate Highway 74, thence over Interstate Highway 74 to junction Interstate Highway 80, thence over Interstate Highway 80 to junction U.S. Highway 63, thence over U.S. Highway 63 to junction U.S. Highway 30 near Tama, Iowa, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Michigan City, Ind., over U.S. Highway 20 to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Illinois Highway 53, thence over Illinois Highway 53 (formerly Alternate U.S. Highway 66) to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 61, thence over U.S. Highway 61 to junction U.S. Highway 218, thence over U.S. Highway 218 to junction U.S. Highway 30, thence over U.S. Highway 30 to junction Iowa Highway 14, thence over Iowa Highway 14 to Marshalltown, Iowa, and return over the same route.

MOTOR CARRIER ALTERNATE ROUTE DEVIATIONS

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Passengers (49 CFR 1042.(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of this Federal Register notice.

Each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its request.

MOTOR CARRIERS OF PASSENGERS

No. MC 94742 (Deviation No. 1), MICHAUD BUS LINES, INC., 63 Jefferson Ave., Salem, Mass. 01970, filed August 30, 1977. Carrier's representative: Robert G. Parks, 20 Walnut St., Wellesley Hills, Mass. 02181. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Lowell, Mass., over Interstate Highway 495 to Amesbury, Mass., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property over a pertinent service route as follows: From Lowell, Mass., over Massachusetts Highway 110 to Amesbury, Mass., and return over the same route. The above authority is restricted to the season extending from the 1st day of May to the 1st day of October, inclusive, of each year.

MOTOR CARRIER INTRASTATE APPLICATION(S)

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 206(a)(6) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Docket No. 9,073 M, Route No. 217, filed September 7, 1977. Applicant: PAUL E. REED, d.b.a. PUNCHES TRUCK LINE, 200 West 1st, Topeka, Kans. 66605. Applicant's representative: E. Richard Brewster, P.O. Box 5186, Topeka, Kans. 66605. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of: *General commodities:* From Topeka, Kans., over U.S. Highway 75 to an unnumbered county road approximately 8 miles south of Topeka, Kans.; thence east via said unnumbered county road approximately 10 miles to Richland, Kans.; thence south via an unnumbered county road to Overbrook, thence south via an unnumbered county road approximately 4 miles, thence east via said unnumbered county road 1 mile, thence south via said unnumbered county road 2 miles, thence east via said unnumbered county road ¾ mile, thence south via said unnumbered county road to Michigan Valley, Kans.; and return over the same route, serving the intermediate points of Overbrook and Richland, Kans.; also, from Topeka, Kans.; to an intersection with an unnumbered county road approximately 2 miles north of Lyndon, thence west on said unnumbered county road approximately 3½ miles to Vassar, Kans.; and return to said intersection of said unnumbered county road and U.S. Highway 75, thence south of U.S. Highway 75 to Lyndon, thence south on U.S. Highway 75 to an intersection with Kansas Highway 68, thence south and east via Kansas Highway 68 thence south and east via Kansas Highway 68 to Quenemo, Kans.; thence west 6 miles on Kansas Highway 68 to an intersection with an unnumbered county road, thence south 5 miles on said unnumbered county road to Melvern, thence west on an unnumbered county road 3 miles to U.S. Highway 75, thence south on U.S. Highway 75 approximately 2 miles to an intersection with an unnumbered county road, thence west on said unnumbered county road approximately 3 miles to Olivet and return, thence north on U.S. Highway 75 to Lyndon and return to Topeka, serving the points of Topeka, Pauline, Carbondale, Vassar and Lyndon.

Also to include the communities of Berryton and Clinton via following route: East from Highway 75 in Topeka, on 45th St., a distance of approximately 2 miles to an unnumbered county road, commonly known as Berryton Road, south on said Berryton Road to the City of Berryton; thence south on the same unnumbered county road a distance of approximately 3 miles to an unnumbered county road which is presently authorized on Route 217. From the Community of Richland, which is presently authorized under Route 217, to the east a distance of approximately 1 mile on an unnumbered county road, then north a distance of approximately three-quarters of a mile on an unnumbered county road then east a distance of approximately 5 miles on an nunnumbered county road to the city of Clinton, from there, east on an unnumbered county road a distance of approximately 9 miles to U.S. Highway 59, also to include the city of Centropolis via the following route: From Michigan Valley, which is presently authorized under Route 217, east on an unnumbered county road a distance of approximately 15 miles, then north a distance of approximately 1 mile to the city of Centropolis, from there, east a distance of approximately ½ mile, then north a distance of approximately 6 miles on an unnumbered county road to U.S. Highway 56, or from Centropolis, a distance of approximately 5 miles on an unnumbered county road to U.S. Highway 59, also to include the cities of Pomona and Richter, via the following routes: East from Vassar which is presently authorized under Route 217, along

Kansas Highway 268, a distance of approximately 9 miles to the city of Pomona, from there continuing east on Highway 268, a distance of approximately 10 miles to the city of Ottawa, including the point of Richter. Or from Pomona to the west on Kansas Highway 268, a distance of 4 miles then south on an unnumbered county road a distance of approximately 2 miles to the city of Quenemo, which is presently authorized under Route 217, also from Olivet, which is presently authorized under Route 217, to and including all points within 3 miles of the shore line of Melvern Lake by various county roads.

Carrier to return to Olivet via same various county roads in the vicinity of Melvery Lake, also from Malvern, which is presently authorized under Route 217, to Interstate Highway 35, via an unnumbered county road, southeast from Melvern a distance of approximately 5 miles to I-35; thence northeast on I-35 approximately 31 miles to the LeLoup exit, thence north on an unnumbered county road approximately 1 miles to LeLoup; thence west on an unnumbered county road a distance of 1 mile; thence north on an unnumbered county road approximately 6 miles to Baldwin City. All extensions of Route 217 in this application are intended to and do include the right of joinder to all authority presently held in Route 358. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place set for Tuesday 10 A.M. October 11 and Wednesday October 12, 1977, before the State Corporation Commission, State Office Building, 4th Floor, Topeka, Kans. Requests for procedural information should be addressed to the Kansas State Commission, State Office Building, Topeka, Kans. 66612, and should not be directed to the Interstate Commerce Commission.

Docket No. 10,892 M, Route No. 358, filed September 7, 1977. Applicant: Paul E. Reed, d.b.a. PUNCHES TRUCK LINE, 200 West 1st, Topeka, Kans. 66605. Applicant's representative: E. Richard Brewster, P.O. Box 5186, Topeka, Kans. 66605. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of: *General commodities;* Between Topeka and Ottawa, Kans., through Lawrence and Baldwin, Kans.; with no service between Topeka and Lawrence, Kans., also, from Topeka, Kans., south via U.S. Highway 75 to the junction of U.S. Highway 50N thence east via U.S. Highway 50N to the junction of U.S. Highway 59 known as Baldwin Junction thence continuing via U.S. Highway 50N to Baldwin and return over the same route, with service authorized from, to and between Globe, Worden, and Baldwin, Kans.; and between said points on the one hand, and points now authorized to be served under the certificate herein, on the other. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place set for Tuesday 10 a.m. October 11 and Wednesday October 12, 1977, before the State Corporation Commission, State Office Building, 4th Floor, Topeka, Kans. Requests for procedural information should be addressed to the Kansas State Commission, State Office Building, Topeka, Kans. 66612, and should not be directed to the Interstate Commerce Commission.

Docket No. 77-469-T, filed August 1, 1977. Applicant: T. R. Harrell, d.b.a., G.A.C. TRUCKING CO., INC., P.O. Box 727, Clearwater, S.C. 29822. Applicant's representative: John P. Mann, The Daniel Bldg., Greenville, S.C. 29602. Certificate of Public Convenience and Necessity sought to operate a freight service over irregular routes, as follows: Transportation of: (1) *Fertilizer*, from Charleston, S.C., to points and places in South Carolina (except Aiken County), (2) *Cotton in bales*, between points and places in Abbeville, Anderson, Charleston, Cherokee, Chester, Chesterfield, Darlington, Dillon, Edgefield, Fairfield, Greenville, Greenwood, Kershaw, Lancaster, Laurens, Lee, Lexington, McCormick, Marlboro, Newberry, Oconee, Orangeburg, Pickens, Richland, Spartanburg, Union and York Counties, and between points and places in these counties and points and places in South Carolina; and (3) *Commodities in general* (with usual exceptions); and equipment and steel for transportation outside of Aiken County which requires special equipment in handling and which exceeds ten thousand pounds in weight, between points and places in Aiken County, and between points and places in Aiken County and points and places in South Carolina. Conditioned: That any transportation in (1) above, shall be at the published and approved rates.

NOTE.—The purpose of this publication is to amend Class E Certificate of Public Convenience and Necessity No. 934 F by removing the restriction. Intrastate, interstate and foreign commerce authority sought.

Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to the Public Service Commission, State of South Carolina, Department of Transportation, P.O. Drawer 11649, Columbia, S.C. 29211 and should not be directed to the Interstate Commerce Commission.

By the Commission.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-27412 Filed 9-21-77;8:45 am]

[AB 12 (Sub-No. 39)]

SOUTHERN PACIFIC TRANSPORTATION CO.

Abandonment Between Concord and Dougherty, Contra Costa and Alameda Counties, Calif.

SEPTEMBER 14, 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 Environmetal Policy Act of 1969.

The 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.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-27720 Filed 9-21-77;8:45 am]

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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1

FEDERAL DEPOSIT INSURANCE CORPORATION: Agency meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on September 16, 1977, the Federal Deposit Insurance Corporation's Board of Directors met by telephone conference call to consider Case No. 43,221-L, regarding the liquidation of assets acquired by the Corporation from International City Bank and Trust Company, New Orleans, Louisiana. In Liquidation.

In scheduling the meeting, the Board of Directors determined that Corporation business required its consideration of the case on less than seven days' notice to the public and that no earlier notice of the meeting was practicable.

The meeting was closed to public observation pursuant to subsections (c)(9)(B) and (d)(1) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(9)(B) and (d)(1)) on the basis of the Board's determination that the public interest did not require consideration of the case in a meeting open to public observation.

Requests for information concerning the meeting may be directed to Mr. Alan R. Miller, Executive Secretary of the Corporation, at (202) 389-4446.

Dated: September 16, 1977.

FEDERAL DEPOSIT INSURANCE CORPORATION,
ALAN R. MILLER,
Executive Secretary.

[S-1395-77 Filed 9-19-77;2:12 pm]

2

FEDERAL DEPOSIT INSURANCE CORPORTATION: Change in subject matter of agency meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at its open meeting held at 2:30 p.m. on Monday, September 19, 1977, the Federal Deposit Insurance Corporation's Board of Directors determined, on motion of Chairman George A. LeMaistre, seconded by Director John G. Heimann (Comptroller of the Currency), that Corporation business required its addition of the following matters to the agenda for consideration at that meeting: (1) Temporary suspension of penalties for premature withdrawal of time deposits by depositors who have suffered a demonstrable economic loss to property directly related to the flooding throughout the five counties in Missouri formally declared disaster areas by the President on September 14, 1977; and (2) adoption of the revised U.S. Civil Service Commission Nonforeign Area Cost of Living Allowance pay rate schedule of 12.5 percent for Corporation employees with a post of duty within the Commonwealth of Puerto Rico, San Juan area. The Board further determined that no earlier notice of a change in the subject matter of the meeting was practicable.

Dated: September 19, 1977.

FEDERAL DEPOSIT INSURANCE CORPORATION,
ALAN R. MILLER,
Executive Secretary.

[S-1407-77 Filed 9-20-77;11:24 am]

3

FEDERAL POWER COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 42 FR 46986-87.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., September 21, 1977.

CHANGE IN THE MEETING: The following items have been added:

Item No., Docket No., and Company

G-16.—CP77-398, Columbia Gas Transmission Corp.

G-17.—CI77-500, Hunt Oil Company.

G-18.—CI76-597, Producer's Gas Company.

G-19.—CP74-299, Kansas-Nebraska Natural Gas Company, Inc.

G-20.—CP77-368, Lone Star Gas Company (a division of Enserch Corporation).

G-21.—CP77-425, Algonquin Gas Transmission Company.

G-22.—CI76-758 and CI77-15, Getty Oil Company; CI77-616, Cities Service Company.

M-1.—RM76-15, Regulation of Small Producers.

P-15.—ER77-533, Louisiana Power & Light Company.

P-16.—ER76-149 and E-9537, Public Service Company of Indiana, Inc.

P-17.—ER76-533, Central Vermont Public Service Corporation.

KENNETH F. PLUMB,
Secretary.

[S-1403-77 Filed 9-20-77;10:57 am]

4

FEDERAL TRADE COMMISSION.

TIME AND DATE: 10:00 a.m., Tuesday, September 27, 1977.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, NW., Washington, D.C. 20580.

STATUS: Closed.

MATTTERS TO BE CONSIDERED:

Nonadjudicative Matters:

(1) Approval of minutes of nonadjudicative matters considered at meeting of September 20, 1977.

(2) Consideration of proposed consent order in Control Data Corporation, Inc., et al., Docket No. 8940.

(3) Consideration of final approval of a provisionally accepted consent-agreement, Flagg Industries, et al., File No. 752 3157 (See 42 FR 11043).

(4) Consideration of final approval of a provisionally accepted consent-agreement, Roland International Corp. et al., File No. 742 3168 (See FR 17175).

(5) Consideration of issuance of complaint in nonpublic part II matter.

Adjudicative Matters Under Part 3 of the Rules of Practice:

The Commission has not yet scheduled any adjudicative items for discussion at this meeting.

CONTACT PERSON FOR MORE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information, (202-523-3830). Recorded message, (202-523-3806).

[S-1401-77 Filed 9-20-77;10:35 am]

5

FEDERAL TRADE COMMISSION.

TIME AND DATE: 10:00 a.m., Wednesday, September 28, 1977.

PLACE: Room 432, Federal Trade Commission Building, 6th Street and Pennsylvania Avenue, NW., Washington, D.C. 20580.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Commission has not yet scheduled any

matters for discussion at this meeting. If no item is placed on the agenda by 10:00 a.m., on Wednesday, September 28, 1977, the meeting will automatically be cancelled. Any item that is placed on the agenda before that time will be announced in accordance with the Additional Information procedures posted with Commission Meeting Notices outside Room 130 of the Federal Trade Commission Building.

CONTACT PERSON FOR THE INFORMATION:

Leonard J. McEnnis, Jr., Office of Public Information, (202-523-3830). Recorded message, (202-523-3806).

[S-1402-77 Filed 9-20-77;10:53 am]

6

INTERSTATE COMMERCE COMMISSION

SEPTEMBER 19, 1977.

TIME AND DATE: 2:00 p.m., Tuesday, September 20, 1977.

PLACE: Room 4225, Interstate Commerce Commission Building, 12th Street and Constitution Avenue, NW., Washington, D.C.

STATUS: Partially Open and Partially Closed Regular Conference.

MATTERS TO BE CONSIDERED:

OPEN PORTION

The following item will be on the agenda for the open portion of the conference:

1. Petition of the Motor Carrier Lawyers Association Proposing Establishment of an Advisory Committee.

CLOSED PORTION

The following items will be considered in closed session:

1. Commission Division organization. The Commission unanimously (Vice Chairman Clapp absent and not participating) voted to close the conference as to the above item 1 on the grounds that it is likely to relate solely to practices of the agency, within the meaning of 5 U.S.C. 552b(c)(2) and 49 C.F.R. 1012.7(d)(2), and disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy, within the meaning of 5 U.S.C. 552b(c)(6) and 49 C.F.R. 1012.7(d)(6). The Commission's General Counsel has issued his certificate to that effect.

The following persons will be in attendance at this closed portion:

Mark Evans, General Counsel
Pierce Quinlan, Managing Director
George Chandler, Director, Office of Policy Review

2. Investigation and Suspension Docket No. 9164, Trans Alaska Pipeline System:

The Commission unanimously (Commissioners Brown and Christian absent and not participating) voted to close the conference as to item 2 on the grounds it is likely to specifically concern the conduct of a particular case of formal agency adjudication involving a determination on the record after opportunity for a hearing, within the meaning of 5 U.S.C. 552b(c)(10) and 49 C.F.R. 1012.7(d)(12). The Commission's General Counsel has issued his certificate to that effect.

The following persons will be in attendance during consideration of the above item.

Mark Evans, General Counsel
Janice M. Rosenak, Deputy Director, Section of Rates
Thomas L. Gire
Estel C. Hostettler, Jr.

CONTACT PERSON FOR MORE INFORMATION:

Office of Information and Consumer Affairs, Douglas Baldwin, Director, Telephone: (202) 275-7252.

The Commission's professional staff will be available to brief news media representatives on conference issues at the conclusion of the meeting.

[S-1397-77 Filed 9-19-77;4:21 pm]

7

INTERSTATE COMMERCE COMMISSION.

SEPTEMBER 19, 1977.

TIME AND DATE: 2:30 p.m., Monday, September 26, 1977.

PLACE: Room 5124, Interstate Commerce Commission Building, 12th Street and Constitution Avenue, NW., Washington, D.C.

STATUS: Notice of open meeting.

MATTER TO BE CONSIDERED:

Division 3, Division Chairman Brown and Commissioners MacFarland and Christian voted unanimously to hold a meeting to consider the following agenda:

1. Review of present Division workload.

CONTACT PERSON FOR MORE INFORMATION:

Mrs. Hildred Hersman, Confidential Assistant to Commissioner Brown, telephone 202-275-7535.

[S-1396-77 Filed 9-19-77;4:21 pm]

8

NATIONAL TRANSPORTATION SAFETY BOARD.

"FEDERAL REGISTER" CITATION OF ANNOUNCEMENTS: 42 F 46485 and 42 FR 46486, September 15, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: Thursday, September 22, 1977, 9:30 a.m. [NM-77-30].

CHANGE IN THE MEETING: The following item has been added for consideration as the fifth item on the agenda and will be closed to the public:

Discussion.—Staff processing of safety recommendations following a major accident.

CONTACT PERSON FOR MORE INFORMATION:

Sharon Flemming (202-755-4930).

[S-1398-77 Filed 9-19-77; 4:21 pm]

9

NATIONAL TRANSPORTATION SAFETY BOARD.

TIME AND DATE: 9:30 a.m., Thursday, September 29, 1977 (NM-77-31).

PLACE: NTSB Board Room, National Transportation Safety Board, 800 Independence Avenue SW., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. *Railroad accident report.*—Derailment of Burlington Northern freight train extra 5743 east at Belt, Mont., November 26, 1977.

2. *Highway accident report.*—Student Transportation Lines, Inc., charter bus penetration of bridge rail and overturn near Martinez, Calif., May 21, 1976.

CONTACT PERSON FOR MORE INFORMATION:

Sharon Flemming, 202-755-4930.

[S-1399-77 Filed 9-19-77;4:21 pm]

10

SECURITIES AND EXCHANGE COMMISSION.

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of September 26, 1977, in Room 825, 500 North Capitol Street, Washington, D.C.

A closed meeting will be held on Tuesday, September 27, 1977, at 10 a.m. An open meeting will be held on Wednesday, September 28, 1977, at 10 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting my be so considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)A, and (10) and 17 CFR 200.402(a), (8), (9)(i), and (10).

Chairman Williams, Commissioners Loomis, Evans, and Pollack determined to hold the aforesaid meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, September 27, 1977, at 10 a.m. will be: Formal orders of investigation; institution of injunctive actions; institution of administrative proceedings; settlement of injunctive actions; settlement of administrative proceedings; referral of investiga-

tive files to Federal, State, or self-regulatory authorities; advisory memorandum for use in judicial proceeding; chapter X proceeding.

The subject matter of the open meeting scheduled for Wednesday, September 28, 1977, at 10 a.m. will be:

1. Adoption of proposed Rule 264 under the Regulation A exemption of the Securities Act of 1933 which will permit issuance of an order abandoning inactive filings as well as the delegation to the Regional Administrators of authority to issue such orders.

2. Publication for comment of a proposed rule and schedule relating to going private transactions by public companies or their affiliates.

3. Proposed amendments to further defer the effective date of the quarterly reporting requirements for life insurance companies whose shares are not actively traded.

4. Transmittal of comments to the Federal Trade Commission concerning that Commission's Revised Proposed Rules of Form Implementing Section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

5. Response to questions raised by the Subcommittees on Oversight and Investigations and Consumer Protection and Finance regarding the development of a national clearing and settlement system.

FOR FURTHER INFORMATION CONTACT:

Howard B. Scherer at 202–755–1280.

SEPTEMBER 19, 1977.

[S–1400–77 Filed 9–20–77;8:45 am]

11

NUCLEAR REGULATORY COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 42, page 46987.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: Tuesday, September 20, and Wednesday, September 21.

CHANGES IN THE MEETING:

TUESDAY, SEPTEMBER 20

3:30 p.m.—Discussion of intervention petitions—Low enriched uranium exports to Euratom (public meeting).

By unanimous vote on June 24, 1977, the Commission determined, pursuant to 5 U.S.C. 552b(e)(1) and § 9.107(a) of the Commission's Rules, that Commission business requires that the above agenda item be held on less than one week's notice to the public. Immediate scheduling is required because timely consideration of issues requires handling at this time.

4:30 p.m.—Discussion of draft administration bill for nuclear plant licensing reform (closed—Exemption 9). (Postponed from 3 p.m., September 19.)

WEDNESDAY, SEPTEMBER 21

9:30 a.m.—Commission review of Director's denial of petition for revocation of Bailly construction permit is cancelled.

10:30 a.m.—Discussion of TRIGA (Columbia University) reactor is cancelled.

In place of the above is scheduled: 9:30 a.m.—Discussion of draft administration bill for nuclear plant licensing reform (closed—Exemption 9). (Continuation of September 20 meeting.)

CONTACT PERSON FOR MORE INFORMATION:

Walter Magee, 202–634–1410.

Dated: September 19, 1977.

WALTER MAGEE,
Office of the Secretary.

[S–1408–77 Filed 9–20–77;2:07 pm]

federal register

THURSDAY, SEPTEMBER 22, 1977
PART II

DEPARTMENT OF THE TREASURY

Office of Revenue Sharing

■

FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Assurances, Reports, Public Participation and Public Hearings

Title 31—Money and Finance: Treasury

CHAPTER I—MONETARY OFFICES, DEPARTMENT OF THE TREASURY

Part 51—Fiscal Assistance to State and Local Governments

Subpart B—Assurances, Reports, Public Participation and Public Hearings

AGENCY: Office of Revenue Sharing.

ACTION: Final rule.

SUMMARY: This final rule amends the interim regulations prescribing the requirements for publication of reports and holding of public hearings which shall be complied with by States and units of local government which receive revenue sharing funds. The comments received showed a need for clarification of the interim regulations which were issued to effectuate the changes made by the Revenue Sharing Amendments of 1976.

DATE: This final rule is effective October 1, 1977 to cover entitlement periods beginning on or after October 1, 1977.

FOR FURTHER INFORMATION CONTACT:

William H. Sager, Chief Counsel, Office of Revenue Sharing, 2401 E St. NW., Columbia Plaza Highrise, Rm. 1545, Washington, D.C. 20226, Telephone No. (202-634-5182).

SUPPLEMENTARY INFORMATION:

BACKGROUND

On October 10, 1976, the State and Local Fiscal Assistance Amendments of 1976 (Pub. L. 94-488) were enacted. This amended the State and Local Fiscal Assistance Act of 1972 (Pub. L. 92-512) which established the General Revenue Sharing Program. The Amendments to the Revenue Sharing Act necessitated the amendment of the revenue sharing regulations set forth in 31 CFR Part 51.

The first step in the process was the publication of proposed rules in the FEDERAL REGISTER on October 27, 1976, to amend Subpart B entitled Assurances, Reports, Public Participation and Public Hearings (41 FR 47054). The Director received 42 comments on the proposed regulations. Interim regulations on Subpart B were published in the FEDERAL REGISTER on January 10, 1977 (42 FR 2196). On February 11, 1977 a public hearing was held to consider the interim regulations. Thirteen persons representing various citizens and governmental associations presented oral comments at the hearing. A copy of the transcript of the hearing is available for inspection at the Office of Revenue Sharing. As a result of the written comments and the hearing, an additional set of proposed regulations was published in the FEDERAL REGISTER on July 5, 1977 (42 FR 34336). Seventeen comments were received on those proposed regulations and will be discussed below as part of the section-by-section analysis of the revisions to the proposed regulations. The section-by-section analysis combines the significant comments and changes made to the regulations from interim form to proposed form to the present final regulations.

Section 51.10—Definitions

Section 51.10 adds several new definitions. A definition of "budget summary" is added in response to requests for clarification of that term. Certain comments to the proposed regulation suggested that the definition of "budget summary" needed additional clarification. The Director has decided not to amend the definition because clarification should be provided by applicable State or local law or the Bureau of the Census. The definition of "enacted" is amended to provide that enactment is the final action of a unit of local government where the State is involved in the approval of a local government's budget. Comments were received stating that the terms "governmental body" and "governmental authority" were ambigous. Therefore, the final rule replaces those terms with "legislative body" and "executive authority," respectively. The definition of "executive authority" was amended in response to comments to provide that the proposed use hearing is to be held by the government official responsible for preparation of the proposed budget to be submitted to the legislative body. The final rule includes a new definition of "publication" which clarifies that publication need not be solely by notice in a newspaper. Wherever publication in a newspaper is required, it is so specified. The definition of "recipient government" is expanded to include the offices of the separate law enforcement officers of parishes in the State of Louisiana, other than the Parish of Orleans.

A definition of "public hearing" has been added to clarify that the public hearings required under Subpart B need not be conducted in addition to those required under State or local law, but may be held concurrently with such public hearings.

Section 51.11—Reports to Director; Assurances Procedure for Effecting Compliance

Several comments indicated that the regulations should provide for additional assurances to cover the alternative procedures allowed for the public hearing and publication requirements. The assurance form, which recipient governments must submit to the Office of Revenue Sharing in order to receive entitlement funds for the entitlement period beginning October 1, 1977, itself provides for assurances to cover the alternative procedures. A new § 51.11(c) has been added to emphasize that enforcement procedures for the reporting and public participation requirements are contained in § 51.3 of Subpart A of this part.

Section 51.12—Use Reports

§ 51.12(a)

Several comments questioned the elimination of the requirement that the use report be submitted to the Director within 60 days of the close of the recipient government's fiscal year. The requirement was eliminated because the Bureau of Census will now be collecting the information on the use reports for the Office of Revenue Sharing. Several comments suggested that the actual use of entitlement funds should be compared to the enacted budget of a recipient government rather than to the preliminary budget introduced by the executive authority. The Director accepted that comment and § 51.12(a) has been amended accordingly.

§ 51.12(b)

Section 51.12(b) is amended to expand the public inspection requirements for the use report. Several comments suggested that certain smaller governments have neither a principal place of business nor a public library. As a result of these comments § 51.12(b) is amended to require public inspection at other public places within the political boundaries of the recipient government. This change also applies to the public inspection requirements of §§ 51.13 and 51.14. Further, several comments objected that there was no provision for notifying the public of the availability of the use report for public inspection. Section 51.12(b) is amended to require a recipient government to publish a notice of the availability for public inspection of the use report in a newspaper unless publication is impractical and other methods of notification are available. One comment objected strongly to the use of alternative methods of notification other than publication in a newspaper. The Director decided, however, that the emphasis should be placed upon notification to the public rather than upon specific methods of such notification. The provision concerning newspaper publication in § 51.12 (as well as in §§ 51.13 and 51.14) has been amended to provide that publication shall be in at least one newspaper of general circulation serving the recipient government's geographic area rather than within the geographic area. The purpose of the change is to correct the misconception that the newspaper must actually be located within the jurisdiction of the recipient government.

Several comments suggested that strict standards should be added to the provisions for alternative methods of publication (e.g., posting reports and public notices). The Director has decided not to establish specific standards for alternative methods of publication or for alternative publication procedures provided in §§ 51.13 (and 51.14) in order to preserve flexibility and allow requests for alternative procedures to be handled on a case-by-case basis. The Director does agree with the comment which suggests that recipient governments, as part of the notification process, should inform civic associations and federations, such as the P.T.A., senior citizens and other action community-based organizations, through press notices. The provision regarding the use of libraries and other public buildings for public inspection of the use report and of other required information has been amended in response to several comments. While making required information available in libraries and other public buildings is not required in the Revenue Sharing Act, and therefore is not required in the regulations,

the use of libraries for that purpose is expected where feasible. Examples of situations in which the use of libraries would be infeasible are where there is no library in the jurisdiction of the recipient government, or where libraries are not conveniently located for citizens. The assurance form which each recipient government shall submit to the Office of Revenue Sharing prior to receipt of revenue sharing funds will contain provisions for use of alternative publication procedures.

The provision requiring public inspection of the use report (as well as the provision for public inspection of the budget summary under § 51.14(c)(2)) is also amended to provide that material necessary to support data and information in the report shall be made available for public inspection with the report.

§ 51.12(c)

For clarity proposed § 51.12(b) has been divided into two sections. A new § 51.12(c) has been added to the final rule to require publication of notice of availability of use reports for public inspection.

§ 51.12(d)

Section 51.12(c) is redesignated § 51.12(d). Section 51.12(d) is amended to require the Director or a designated agency to provide use reports of local recipient governments to the Governor of that State. Several comments suggested that the language of the interim regulations was ambiguous in that submission of use reports to Governors did not appear mandatory contrary to the requirements of the Revenue Sharing Act as amended. Section 51.12(d) was further amended to exempt the submission of use reports of Indian tribes and Alaskan native villages to the Governor of a State in which the tribe is located. It was brought to the Director's attention that Indian tribes and Alaskan native villages are recipient governments over which the Governor of a particular State has no jurisdiction for compliance purposes.

Section 51.13—Proposed Use Hearing

§ 51.13(b)

Section 51.13(b) was amended to set forth more clearly the requirements for public notice of the proposed use hearing. Several comments objected to the requirement in the notice for the proposed use hearing that the recipient government estimate the amount of revenue sharing funds it expects to receive during its fiscal year. The comments suggested that the requirement would be a burden on the recipient governments because they are not equipped to make such estimates. Very little computation would be required of the recipient government since under present procedures the Office of Revenue Sharing provides each government with an estimate of the amount of revenue sharing funds it is to receive prior to the beginning of each entitlement period.

§ 51.13(c)

The majority of the comments received on the interim regulations objected strongly to the waivers of the proposed use hearing contained in § 51.13 (c) and (d). Accordingly, in response to the comments, the scope of the waivers in subparagraph (c) of § 51.13 was narrowed by the elimination of the provision that the proposed use hearing did not apply to a recipient government for which a budget is not presented by an executive authority to a legislative body for enactment. Section 51.13(d) of the interim regulations was redesignated § 51.13(c) and eliminated the waiver of the proposed use hearing for recipient governments receiving entitlements of $10,000 or less. The comments on the elimination of the $10,000 waiver of the proposed use hearing were about equally divided as to approval or disapproval. The final rule retains the amended provision because the Director believes the action to be in conformity with § 121(b)(3) of the Revenue Sharing Act as amended and the intent of Congress as expressed in the Conference Report (H.R. Report No. 94–1720).

Section 51.13(c)(1) provides that the waiver of the proposed use hearing may be granted by the Director upon written application if the unavoidable expenses associated with holding the proposed use hearing exceed 15 percent of the recipient government's entitlement. The unavoidable expense figure was raised from 5 percent to 15 percent in response to comments that the 5 percent figure was significantly lower than that contained in the Conference Report on the Amendments to the Revenue Sharing Act (House Report No. 94–1720).

Section 51.13(c)(2) provides that the notice and publication requirements for the proposed use hearing may be waived by the Director upon the receipt of a written assurance that publication in the newspaper is impractical and alternative means of informing the citizens are available.

Section 51.14—Budget Hearing

§ 51.14(a)

Section 51.14(a) was amended in response to comments to bring the language into conformity with § 121(b)(2) of the Revenue Sharing Act which describes the budget hearing. One comment received recommended the amendment of § 51.14 to provide that public hearings shall be made accessible to handicapped persons. The Director felt that reference to handicapped status more properly belonged elsewhere in the regulations. Section 122 of the Revenue Sharing Act and Subpart E of the revenue sharing regulations provides that no person shall be discriminated against on the basis of race, color, national origin or sex * * * or as an otherwise qualified handicapped individual under § 504 of the Rehabilitation Act of 1973. Accordingly, specific provision need not be included in Subpart B to ensure the accessibility of public hearings to the handicapped.

§ 51.14(b)

Section 51.14(e) is redesignated § 51.14(b). Several comments suggested that provision should be made for waiving the proposed use and budget hearings for the town meeting form of government. The comments were based upon the misconception that Subpart B requires recipient governments to hold hearings in addition to regularly scheduled meetings of the governing body. This is not the case however, as preliminary budget meetings can also serve as a forum for the proposed use hearing. A regular town meeting would also serve as the budget hearing. Section 51.14(b)(1) was amended to make it clear that while a recipient government may use alternative budget hearing procedures (such as the town meeting form of government) it is nevertheless required to comply with the notification, publication and public inspection requirements of §§ 51.13 and 51.14 of this subpart.

§ 51.14(c)

Proposed § 51.14(b) is redesignated § 51.14(c) and retitled "Public Notice and Inspection". Proposed § 51.14(b)(3) is redesignated § 51.14(c) and is revised to provide greater clarity.

§ 51.14(d)

Proposed § 51.14(c) is redesignated § 51.14(d) and is revised to provide greater clarity.

§ 51.14(e)

Section 51.14(f) is redesignated § 51.14(e) and is retitled "Waiver of Newspaper Publication; Alternative Forms". Section 51.14(f) was amended in response to comments stating that notice and publication waivers of § 51.14(e)(1) and the budget summary waiver of § 51.14(e)(2) should be provided in the order in which they appear in § 121(c)(2) of the Revenue Sharing Act.

§ 51.14(f)

Proposed § 51.14(b)(3) is redesignated § 51.14(f) and entitled "Summary of Enacted Budget".

§ 51.14(g)

Proposed § 51.14(d) has been redesignated § 51.14(g).

Section 51.15—Amendments or Modifications to Enacted Budget

The comments suggesting that recipient governments follow applicable State or local law, concerning modifications of budgets, were persuasive in that the use of applicable State or local law is one of the most important principles of the General Revenue Sharing Program. Section 51.15 was therefore amended to provide that where State or local law exists which governs modifications of budgets, that law shall be complied with. Where no such State or local law exists the public hearing provisions of this Subpart shall apply to any modification proposing a major change to a budget. Several comments suggested that § 51.15 be amended to provide minimum

requirements for applicable State or local law governing amendments to budgets. Section 51.15 is therefore amended to provide that the applicable State or local law shall govern amendments or modifications of existing budgets, and require public notice, at least one public hearing, and the availability of the modification for public inspection. In the absence of such State or local law, the recipient government shall comply with § 51.15.

The Director received comments on both sides of the issue as to whether the 10-percent figure, used in the interim regulations to define a major change to an enacted budget, was too high or too low. Certain comments suggested that the 10-percent figure for determining a major change be removed entirely, whether or not a modification is major, while others suggested that the figure be raised to 50 percent.

The final regulation raises the figure defining major change to 25 percent or $1,000, whichever is greater, where no applicable State or local law provides otherwise. A major change is defined as a change which on a cumulative basis affects 25 percent or $1,000 of entitlement funds. The 25-percent figure is cumulative to prevent the avoidance of the public hearing process.

Section 51.16—Participation by Senior Citizens

This section remains unchanged. A number of comments were received requesting clarification as to how a recipient government is to endeavor to provide senior citizens and their organizations with an opportunity to be heard. It is expected that recipient government will identify the senior citizen organizations located in the jurisdiction and contact them directly concerning public hearings to be held. Recipient governments should give special attention to the location of the hearing place to assure that it is accessible and convenient to senior citizens. A recipient government might also provide senior citizens with transportation to the public hearings. Public hearing notices, budget summaries, and other required information might be posted in senior citizen centers and other locations frequented by senior citizens.

Section 51.17—Notification of News Media

This section remains unchanged. Several comments expressed concern that this section required recipient governments to notify each individual minority or bilingual newspaper in its geographic area. Notification does not require contact with each news organization. Such a requirement is particularly impractical and infeasible for States and metropolitan governments which may satisfy the notice requirements by informing the major news services.

Section 51.19—Reports to the Bureau of the Census

This section requires recipient governments to comply promptly with requests by the Bureau of the Census for reports relevant to the determination of entitlement allocations or use of entitlement funds. The provision was amended to reflect the fact that the Bureau of the Census will collect use reports required under § 51.12 of this subpart.

NEED FOR IMMEDIATE GUIDANCE

The Director wishes the final rules to be effective on October 1, 1977 in order to provide recipient governments with immediate guidance. Accordingly, the Director invokes the effective date limitation exception under 5 U.S.C. 553(d).

ECONOMIC IMPACT

The Department of the Treasury has determined that these amendments and final regulations do not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Orders 11821 and 11949, and OMB Circular A-107.

AUTHORITY

These final rules are issued under the authority of the State and Local Fiscal Assistance Act of 1972, as amended, Title I, Pub. L. 92-512 and the State and Local Fiscal Assistance Amendments of 1976 Pub. L. 94-488 31 U.S.C. 1221-1263), and Treasury Department Order No. 224, dated January 26, 1973 (38 FR 3342) as amended by Treasury Department Order No. 242 (Revision 1) dated May 17, 1977.

31 CFR Part 51, Subpart B is therefore amended in the manner set forthh below.

Dated: September 16, 1977.

BERNADINE DENNING,
Director,
Office of Revenue Sharing.

Approved:
ROGER C. ALTMAN,
Assistant Secretary.

Subpart B—Assurances, Reports, Public Participation, and Public Hearings

Sec.
51.10 Definitions.
51.11 Reports to the Director; assurances; procedure for effecting compliance.
51.12 Use reports.
51.13 Proposed use hearing.
51.14 Budget hearing.
51.15 Amendments or modification to enacted budget.
51.16 Participation by senior citizens.
51.17 Notification of news media.
51.18 Legal notice rules not applicable.
51.19 Reports to the Bureau of the Census.

Subpart B—Assurances, Reports, Public Participation and Public Hearings

§ 51.10 Definitions.

As used in this subpart (except where the context clearly indicates otherwise) the following definitions shall apply:

(a) "Budget" means a plan for the overall allocation of funds, including entitlement funds, by a recipient government to various purposes during a specified fiscal period. A recipient government that does not formally adopt or enact such a plan, shall be deemed to have adopted or enacted a budget for purposes of this subpart when it has adopted or enacted a resolution, ordinance, or appropriation act, or taken other action dedicating, setting aside, or otherwise designating entitlement funds for a particular purpose or use.

(b) "Budget summary" means categories of receipts and expenditures classified by major function and activity in accordance with the recipient government's State or local laws and procedures. Where there is not State or local law or procedure, the recipient government shall use the expenditure classifications of the Bureau of the Census.

(c) "Enacted" means, in the budget content, the act of final adoption, ratification, confirmation or other action with respect to an approved budget that makes the budget the official expenditure authorization of the recipient government. Where a State board or agency has statutory authority to review or approve the budget of a unit of local government, enacted means the final action of the unit of local government.

(d) "Entitlement funds" are the funds received under Subtitle A of Title I of the State and Local Fiscal Assistance Act of 1972, as amended. (31 U.S.C. 1221, et seq.).

(e) "Fiscal year" means the 12 month period or other fiscal period on the basis of which the recipient government operates.

(f) "Executive authority" means the chief executive officer or other elected or appointed officials of the recipient government whose statutory responsibility is to assemble budget data and prepare the budget document for presentation to the legislative body for enactment or approval.

(g) "Legislative body" means the elected official or officials of the recipient government who have the primary legal responsibility for enacting the budget.

(h) "Presented" means, in the budget context, the submission of a proposed budget to the legislative body having primary legal responsibility for enacting the budget of a recipient government.

(i) "Public hearing" means a meeting called by a recipient government to provide citizens with an opportunity to offer written and oral comments regarding the subject to be discussed. A public hearing required under this subpart may be held concurrently with other meetings held by the recipient government for public purposes (such as town meetings, budget sessions and other regular meetings), provided that the recipient government complies with the public notice requirements of this subpart.

(j) "Publication" means giving notice or advising the public, and making information known to the citizens of the recipient government.

(k) "Recipient government" means a State government, unit of local government, Indian tribe, Alaskan native village, or the office of the separate law enforcement officer for any parish in th State of Louisiana (except for the Parish of Orleans) which receives entitlement funds.

(l) "Use report" means a report required by the Director from each recipi-

ent government showing the amounts and purposes for which entitlement funds have been used.

§ 51.11 Reports to the Director; assurances; procedure for effecting compliance.

(a) *In general.* The Director may require each recipient government receiving entitlement funds to submit such annual and interim reports as may be necessary to provide a basis for evaluation and review of compliance with, and effectiveness of, the provisions of the Act and regulations of this part.

(b) *Requisite assurances for receipt of entitlement funds.* In order to qualify for entitlement funds for an entitlement period the chief executive officer of each recipient government, when requested by the Director, shall file a statement of assurances on a form to be provided. The Statement of Assurances will state the recipient government's intention to comply with specified requirements of the Act and the prohibitions and restrictions of Subparts D, E, and F of this part, with respect to the use of entitlement funds. The Director will afford the Governor of each State and opportunity for review and comment to the Office of Revenue Sharing on the adequacy of the assurances by units of local government, other than Indian tribes and Alaskan native villages, located in his State.

(c) *Procedure for effecting compliance.* If a recipient government fails to comply with the assurance, reporting, public hearing, or publication requirements of this subpart, the Director shall apply the procedures for effecting compliance set forth in § 51.3 of subpart A of this part.

§ 51.12 Use reports.

(a) *In general.* Each recipient government shall submit a report to the Director (or such agency as the Director may designate) setting forth the amounts and purposes for which entitlement funds have been appropriated, spent or obligated during its fiscal year. Such report shall also show the relationship of the entitlement funds to the relevant functional items in the recipient government's budget and shall identify differences between actual use of entitlement funds and the use of such funds as planned in the enacted budget. The report shall be filed on the form prescribed and approved by the Director and shall be submitted at the time requested by the Bureau of the Census. Failure to file the report as prescribed by the Director may jeopardize future entitlement payments pursuant to § 51.3 (c) of this part.

(b) *Public inspection.* A copy of the use report and documentation necessary to support it shall be made available for public inspection. Within 10 days after the use report is filed, this information shall be placed at the principal office of the recipient government for public inspection during normal business hours. Where feasible, local public libraries and other public buildings should be used also. If the recipient government has no principal office, the report and supporting documentation shall be made available for public inspection at a public place or places within the political boundaries of the recipient government to satisfy the requirements of this paragraph.

(c) *Notice of availability of use reports.* The recipient government shall publish notice which indicates that the actual use report is available for public inspection. Such notice shall specify the location(s) and hours during which the report and its supporting documentation are available to the public. Publication of the notice shall be made in a newspaper of general circulation serving the recipient government's geographic area. Where newspaper publication is impractical, alternative methods of publication shall be used as provided in § 51.13(c)(2) of this subpart.

(d) *Submission of use reports to Governor.* The Director (or such agency as the Director may designate) shall furnish the reports required under paragraph (a) of this section, except those reports relating to Indian tribes and Alaskan native villages, to the Governor of the State in which a recipient government is located, in the manner and form prescribed by the Director.

§ 51.13 Proposed use hearing.

(a) *In general.* Each recipient government which expends entitlement funds in any fiscal year pursuant to a budget enacted on or after January 1, 1977, shall have at least one public hearing on the possible uses of such funds. At such public hearing, citizens of the recipient government shall have the opportunity to provide the executive authority written or oral comments and suggestions respecting the possible uses of entitlement funds. The public hearing shall be conducted not less than seven calendar days before the budget is presented to the legislative body.

(b) *Public notice.* Notice of the public hearing shall be published in at least one newspaper of general circulation serving the recipient government's geographic area, no later than 10 days prior to the scheduled date of the hearing. Such notice shall include the date, place, and time of the public hearing, the amount of unappropriated entitlement funds in the recipient government's revenue sharing trust fund, and the amount of entitlement funds which the recipient government expects to receive during its fiscal year. In addition, the notice shall specify that citizens attending the public hearing shall have the right to provide written and oral comments and suggestions respecting possible uses of entitlement funds.

(c) *Waiver of proposed use hearing and notice requirements; alternative method of publication.* (1) The Director, upon written application by the chief executive officer of a recipient government, may grant a waiver of the proposed use hearing requirements for one or more entitlement periods, if it can be determined from the facts submitted that the unavoidable expenses associated with holding the public hearing would exceed fifteen (15) percent of the recipient government's entitlement. For purposes of this paragraph, "unavoidable expenses" are those incurred in holding the public hearing, such as space, furniture, and equipment rentals, overtime compensation, and similar direct costs including the costs of publication of the public notice.

(2) The newspaper publication requirements for the notice of the proposed use hearing may be waived by the Director upon written application by the chief executive officer of the recipient government. The application shall indicate the circumstances making newspaper publication impractical, and provide for an alternative method of notification which informs citizens of the recipient government of the date, place, time, and subject of the public hearing.

§ 51.14 Budget hearing.

(a) *Budget hearing procedure.* Each recipient government which expends entitlement funds in any fiscal year pursuant to a budget enacted on or after January 1, 1977, shall have at least one public hearing on the government's proposed uses for entitlement funds in relation to its entire budget. The budget hearing shall be conducted by the legislative body, or the appropriate committee thereof, prior to enactment of the budget. For those recipient governments which have a bicameral legislature, the hearing shall be held before the appropriate committee in each house of the legislature, or before an appropriate joint committee of both houses of the legislature. All citizens of the recipient government shall have a reasonable opportunity to provide written and oral comments, and to ask questions concerning the entire budget and the relationship of entitlement funds to the entire budget. The budget hearing required by this paragraph shall be held at a date, place, and time that permits and encourages public attendance and participation by all citizens.

(b) *Alternative procedures for budget hearing.* A recipient government may use an alternative budget hearing process if:

(1) The recipient government, pursuant to State or local law, governing the expenditure of its own revenues, is required to have a budget process which includes a public hearing; and that public hearing provides all citizens the opportunity to provide oral and written comments and ask questions concerning the proposed use of all funds, including the use of entitlement funds and their relationship to the entire budget; and

(2) The chief executive officer of a recipient government provides the Director with written assurance that it has complied with such State or local law. The assurance shall be accompanied by a citation of the applicable State or local law and an explanation of how such law complies with the Act's statutory objectives regarding public participation as set forth in this subpart.

(3) The use of alternative budget hearing procedures for complying with the public hearing requirements of this section does not exempt a recipient government from complying with the public notice requirements relating to the budget hearing.

(c) *Public notice and inspection.* (1) Notice of the budget hearing shall be published in a newspaper of general circulation serving the recipient government's geographic area no later than 10 days prior to the scheduled date of the hearing. Such notice shall specify the date, place, and time of the public hearing, and that citizens attending the hearing have the right to provide written and oral comments and ask questions concerning the entire budget and the relationship of entitlement funds to the entire budget. The notice shall state how, in the context of its proposed budget, the recipient government intends to use its entitlement funds, and shall provide a summary of its entire proposed budget. In addition, the notice shall advise when and where the above information, together with a copy of the entire proposed budget, shall be available for public inspection.

(2) At least 10 days prior to the budget hearing a recipient government shall make available for public inspection during normal business hours, at the principal office of such government, a statement of the government's proposed uses of entitlement funds in the context of its proposed budget, a summary of its entire proposed budget, and a copy of its entire proposed budget. If a recipient government has no principal office then making the above materials available at a public place within the political boundaries of the recipient government shall satisfy the requirements of this paragraph. Where feasible, local public libraries and other public buildings should be used for the purpose of providing additional places for public inspection of these materials.

(d) *Modification of time limitation for public notice and inspection.* Whenever State or local law provides for a specified time period within which a recipient government is required to publish notice of a budget hearing or to permit public inspection of its proposed budget for a specified time period, the recipient government shall comply with the time period for publication or public inspection required by its State or local law, provided that it is not less than three (3) working days.

(e) *Waiver of newspaper publication; alternative forms.* (1) The newspaper publication requirement governing notice of the budget hearing and the summary of the proposed budget may be waived by the Director upon receipt of a written request by the chief executive officer of the recipient government. The request shall indicate the circumstances which make the cost of publication in a newspaper exceed fifteen (15) percent of the amount of entitlement funds included in the proposed budget. In addition, the request shall propose an alternative method of publication which provides the citizens of the jurisdiction with adequate notice of the budget hearing and the opportunity to review the budget summary.

(2) When newspaper publication of the notice of the budget hearing and the budget summary is impractical or infeasible, the Director may waive the newspaper publication requirement upon receipt of a written request by the chief executive officer of the recipient government. The request shall indicate the circumstances which make publication in a newspaper impractical or infeasible and shall propose an alternative method of publication.

(f) *Summary of enacted budget.* Within 30 days after enactment of a budget as provided by State or local law, a summary of the enacted budget showing the intended uses of entitlement funds and information necessary to support the information and data in the summary shall be made available for public inspection during normal business hours at the principal office of the recipient government. If a recipient government has no principal office, the summary of the enacted budget and the enacted budget document shall be made available for public inspection at a public place within the political boundaries of the recipient government to satisfy the requirements of this paragraph. Where feasible, local public libraries and other public buildings should be used for the purpose of providing additional places at which the public may inspect the budget summary and the enacted budget.

(g) *Published notice of availability of summary of enacted budget.* Public notice shall be published in a newspaper of general circulation serving the geographic area of the recipient government within 30 days after enactment of the budget. The notice shall state where and when the summary of the enacted budget is available for public inspection.

§ 51.15 Amendments or modification to enacted budget.

Where applicable State or local law exists which governs amendments or modification of existing budgets, and requires public notice, at least one public hearing, and the availability of the amendments or modifications for public inspection, the recipient government shall comply with the State or local law. In the absence of applicable State or local law, the provisions of §§ 51.13 and 51.14 of this subpart shall apply to any amendment, modification or revision to an enacted budget only when a major change is proposed. For the purposes of this section a major change is any change in the enacted budget which, on a cumulative basis, affects the use of 25 percent or $1,000 of the entitlement funds (whichever is greater) as originally enacted in the budget of the recipient government.

§ 51.16 Participation by senior citizens.

In conducting any hearing or proceeding required under this subpart or under its own budget processes, a recipient government shall endeavor to provide senior citizens and organizations representing the interests of senior citizens with an opportunity to be heard and present their views regarding the allocation of entitlement funds prior to final allocation of such funds.

§ 51.17 Notification of news media.

At the same time any public report, notice of hearing or budget information is required to be published in a newspaper under this subpart, each recipient government shall advise the news media, including minority, bilingual and foreign language news media, serving its geographic area and shall provide copies of such reports, notice or budget information to the news media on request.

§ 51.18 Legal notice rules not applicable.

Whenever any section of this subpart requires the newspaper publication of a report, public notice, budget summary, or any other required information, the recipient government may publish in a newspaper of general circulation serving its geographic area without regard to State or local statutory requirements for the publication of legal notices.

§ 51.19 Reports to the Bureau of the Census.

It shall be the obligation of each recipient government to comply promptly with requests by the Bureau of the Census (or by the Director) for data, information and reports relevant to the determination of entitlement allocations or use of entitlement funds. Failure of any recipient government to comply may place in jeopardy the prompt receipt by it of entitlement funds.

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federal register

THURSDAY, SEPTEMBER 22, 1977

PART III

DEPARTMENT OF THE TREASURY

Office of Revenue Sharing

■

FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Final Rules

Title 31—Money and Finance: Treasury

CHAPTER I—MONETARY OFFICES, DEPARTMENT OF THE TREASURY

PART 51—FISCAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

AGENCY: Office of Revenue Sharing, Treasury.

ACTION: Final rule.

SUMMARY: This final rule amends the interim regulations which set forth the requirements for the expenditure of revenue sharing funds by States and units of local government. The interim regulations were issued to effectuate the changes made by the Revenue Sharing Amendments of 1976. This final rule will provide recipient governments with additional guidance concerning the computation and adjustment of entitlement funds, the use of those funds and the administrative hearing procedures attached to them. Subparts A, C, D, and G are amended by this final rule.

DATES: This final rule is effective October 1, 1977 to cover entitlement periods beginning on or after October 1, 1977.

FOR FURTHER INFORMATION CONTACT:

William H. Sager, Chief Counsel, Office of Revenue Sharing, 2401 E St. NW., Columbia Plaza Highrise, Rm. 1545, Washington, D.C. 20226. Telephone number 202–634–6182.

SUPPLEMENTARY INFORMATION:

BACKGROUND

On October 10, 1976, the State and Local Fiscal Assistance Amendments of 1976 (Pub. L. 94–488) were enacted. This amended the State and Local Fiscal Assistance Act of 1972 (Pub. L. 92–512) which established the General Revenue Sharing Program. The Amendments to the Revenue Sharing Act necessitated the amendment of the revenue sharing regulations set forth in 31 CFR Part 51, subparts A through G. This final rule amends the interim regulations in subparts A, C, D and G. Subpart A, entitled General Information, and Subpart G, entitled Proceedings for Reduction in Entitlement, Withholding or Repayment of Funds, were published in the FEDERAL REGISTER in interim form on April 6, 1977 (42 FR 18362). Subparts C, entitled Computation and Adjustment of Entitlement Funds, and Subpart D, entitled Prohibitions and Restrictions on Use of Funds were published in the FEDERAL REGISTER in interim form on May 16, 1977 (42 FR 24731). A 60-day comment period was allowed on each Subpart of the interim regulations. No comments were received within the time limits; therefore, very few changes were made to the interim regulations for the issuance of this final rule. A section-by-section analysis is as follows:

SUBPART A

Section 51.2(b) amends the definition of generally accepted auditing standards to conform with the change made in § 51.101(c) of Subpart F, Fiscal Procedures and Auditing, published in the FEDERAL REGISTER on August 19, 1977 (42 FR 41859).

SUBPART C

The amendments made to Subpart C are primarily technical and conform certain provisions to Office of Revenue Sharing operating procedures. Section 51.20 (c) was amended by the deletion of the last sentence in that paragraph. No special adjustments need be made to assure that the allocations are properly apportioned to the length of the entitlement period since all entitlement periods beginning subsequent to October 1, 1977 are 12 month periods. Section 51.21, Data Affected by a Major Disaster, is amended by the addition of a new § 51.21(f) which provides that increases in per capita income data, following a disaster, will not be considered adverse changes resulting from a disaster. While an increase in per capita income may lower a recipient government's entitlement, such increase cannot be said to have been caused by a major disaster. Section 51.25, Waiver, subparagraph (b) relating to constructive waiver, has been amended to reflect the current operating procedures. Nonresponsive recipient governments will receive two separate 30 day notices of noncompliance with reporting or assurance requirements. If compliance is not achieved by the end of the affected entitlement period, the recipient governments will be determined to have constructively waived their entitlements. The section provides recipient governments with a certain time period within which they must act in order to receive entitlement funds. Section 51.26, Reservation of Funds and Adjustment of Entitlements, subparagraphs (b) (2) and (3) relating to adjustment to entitlement payments was amended by the deletion in each subparagraph of the phrase "after the end of the entitlement period which begins after December 31, 1976," and the use of the phrase "For entitlement periods which begin after December 31, 1976". Section 51.27, State to Maintain Transfers to Local Governments, subparagraph (k), Report to Governor, is amended to provide that the State's report on intergovernmental transfers shall be provided by the State upon request of the Director, in order to allow collection of such reports by the Bureau of the Census if that should be deemed feasible.

SUBPART D

Section 51.45, Use of Entitlement Funds for Debt Retirement is amended to change the reference from October 20, 1972 to January 1, 1972, which date is the beginning of the first entitlement period under the Act.

SUBPART G

Where appropriate, references to the Secretary have been replaced by references to the Director.

OTHER SUBPARTS

Subpart B, Assurances, Reports, Public Participation and Public Hearing, was published in interim form on January 10, 1977 (42 FR 2196) and in proposed form on July 5, 1977 (42 FR 34336). Publication of Subpart B, in final form is expected shortly. Subpart E, Nondiscrimination by Recipient Governments Receiving Entitlement Funds, was published in the FEDERAL REGISTER in interim form on April 6, 1977 along with Subparts A and G. Subpart E will be published in the FEDERAL REGISTER in final form in the near future. Subpart F, Fiscal Procedures and Auditing, was published in the FEDERAL REGISTER in interim form on January 11, 1977 (42 FR 2422) and was published as a final rule on August 19, 1977 (42 FR 41859) to be effective October 1, 1977.

NEED FOR IMMEDIATE GUIDANCE

The Director wishes the final regulations to be effective on October 1, 1977 in order to provide recipient governments with immediate guidance for the entitlement period beginning on that date. Accordingly, since the changes to the interim regulations were minimal, the Director invokes the effective date limitation exception of 5 U.S.C. 553(d).

ECONOMIC IMPACT

The Department of the Treasury has determined that these final rules do not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Orders 11821 and 11949, and OMB Circular A–107.

AUTHORITY

These final rules are issued under the authority of the State and Local Fiscal Assistance Act of 1972, as amended, Title I, Pub. L. 92–512 and the State and Local Fiscal Assistance Amendments of 1976, Pub. L. 94–488, (31 U.S.C. 1221–1263), and Treasury Department Order No. 224, dated January 26, 1973 (38 FR 3342) as amended by Treasury Department Order No. 242 (Revision 1) dated May 17, 1977.

31 CFR, Part 51, subparts A, C, D are revised and a new Subpart G is added to read as set forth below.

Dated: September 16, 1977.

BERNADINE DENNING,
Director,
Office of Revenue Sharing.

Approved:
ROGER C. ALTMAN,
Assistant Secretary.

Subpart A—General Information

Sec.
51.0 Scope and application of regulations.
51.1 Establishment of Office of Revenue Sharing.
51.2 Definitions.
51.3 Procedure for effecting compliance.
51.4 Transfer of funds to secondary recipients.

* * * * *

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51.23 Date for determination of allocation.
51.24 Boundary changes, governmental reorganization, etc.
51.25 Waiver of entitlement; nondelivery of checks; insufficient data.

Sec.
51.26 Reservation of funds and adjustment of entitlement.
51.27 State to maintain transfers to local governments.
51.28 Optional formula.
51.29 Adjustment of data factors.
51.30 Adjustment of maximum and minimum per capita entitlement; 100 percent criterion.
51.31 Separate law enforcement officers.

Subpart D—Prohibitions and Restrictions on Use of Funds

51.40 Matching funds.
51.41 Permissible expenditures for local governments.
51.42 Wage rates and labor standards.
51.43 Restriction on expenditures by Indian tribes and Alaskan native villages.
51.44 Lobbying.
51.45 Use of entitlement funds for debt retirement.

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Subpart G—Proceedings for Reduction in Entitlement, Withholding or Repayment of Funds

51.200 Scope of subpart.
51.201 Liberal construction.
51.202 Reasonable notice and opportunity for hearing.
51.203 Opportunity for compliance.
51.204 Institution of proceeding.
51.205 Contents of complaint.
51.206 Service of complaint and other papers.
51.207 Answer, referral to administrative law judge.
51.208 Supplemental charges.
51.209 Proof; variance; amendment of pleadings.
51.210 Representation.
51.211 Administrative law judge; powers.
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AUTHORITY: State and Local Fiscal Assistance Act of 1972, as amended, Title I, Pub. L. 92-512; State and Local Fiscal Assistance Amendments, 1976, Pub. L. 94-488, 31 USC 1221-1263; Treasury Department Order No. 224, dated January 26, 1973 (38 FR 3342), as amended by Treasury Department Order No. 242 (Revision 1), May 17, 1977.

Subpart A—General Information

§ 51.0 Scope and application of regulations.

(a) *In general.* The rules and regulations in this subpart are prescribed for carrying into effect the State and Local Fiscal Assistance Act of 1972 (Public Law 92-512) applicable to entitlement periods beginning January 1, 1973 and the State and Local Fiscal Assistance Amendments of 1976 (Public Law 94-488) applicable to entitlement periods beginning January 1, 1977. Subpart A sets forth general information and definitions of terms used in this part. Subpart B of this part prescribes reports required under this part and publicity and public hearings concomitant thereto. Subpart C of this part contains rules regarding the computation, allocation and adjustment of entitlements. Subpart D of this part prescribes prohibitions and restrictions on the use of funds. Subpart E of this part contains the nondiscrimination provisions applicable to programs funded with revenue sharing funds. Subpart F of this part prescribes fiscal procedures and auditing requirements. Subpart G of this part contains rules relating to procedure and practice requirements where a recipient government has failed to comply with any provision of this part.

(b) *Saving clause.* Any cause of action arising out of noncompliance with the interim regulations covering payments made for the first and second entitlement periods (January 1, 1972, through June 30, 1972, and July 1, 1972, through December 31, 1972) shall continue to be covered by those regulations and any proceeding commenced thereon shall be governed by the procedures set forth in Subpart G of this part. Any cause of action arising out of the expenditure of entitlement payments in violation of the prohibitions and restrictions of subparts D, E and F of this part prior to January 1, 1977 shall be covered by regulations in effect on December 31, 1976 and any proceedings commenced thereon shall be governed by the procedures set forth in Subpart G of this part.

§ 51.1 Establishment of Office of Revenue Sharing.

There is established in the Office of the Secretary of the Treasury the Office of Revenue Sharing. The office shall be headed by a Director who shall be appointed by the Secretary of the Treasury. The Director shall perform the functions, exercise the powers and carry out the duties vested in the Secretary of the Treasury by the State and Local Fiscal Assistance Act of 1972, Title I, Public Law 92-512 and the State and Local Fiscal Assistance Amendments of 1976, Public Law 94-488. A reference to the Director in the masculine gender shall not be construed to exclude the feminine gender.

§ 51.2 Definitions.

As used in this part (except where the context clearly indicates otherwise, or where the term is defined elsewhere in this part) the following definitions shall apply:

(a) "Act" means the State and Local Fiscal Assistance Act of 1972, Title I of Public Law 92-512, approved October 20, 1972 as amended by the State and local Fiscal Assistance Amendments of 1976, Public Law 94-488, approved October 13, 1976. (31 U.S.C. 1221, *et seq.* as amended).

(b) "Chief executive officer" of a unit of local government means the elected official, or the legally designated official, who has the primary responsibility for the conduct of that unit's governmental affairs. Examples of the "chief executive officer" of a unit of local government may be: The elected mayor of a municipality, the elected county executive of a county, the chairman of a county commission or board in a county that has no elected county executive, the township supervisor, trustee, first selectman, chairman, city manager, or such other official as may be designated pursuant to law by the duly elected governing body of the unit of local government; or the chairman, governor, chief or president (as the case may be) of an Indian tribe or Alaskan native village.

(c) "Department" means the Department of the Treasury.

(d) "Director" means the Director of the Office of Revenue Sharing.

(e) "Entitlement" means the amount of payment to which a State government or unit of local government is entitled as determined by the Director pursuant to an allocation formula contained in the Act and as established by regulation under this part.

(f) "Entitlement funds" means the amount of funds paid or payable to a State government or unit of local government for the entitlement period.

(g) "Entitlement period" means one of the following periods of time:

(1) The 6-month period beginning January 1, 1973, and ending June 30, 1973.

(2) The fiscal year beginning July 1, 1973, and ending June 30, 1974.

(3) The fiscal year beginning July 1, 1974, and ending June 30, 1975.

(4) The fiscal year beginning July 1, 1975, and ending June 30, 1976.

(5) The 6-month period beginning July 1, 1976, and ending December 31, 1976.

(6) Entitlement Period Eight is the 9-month period beginning January 1, 1977, and ending September 30, 1977.

(7) Entitlement Period Nine is the fiscal year beginning October 1, 1977, and ending September 30, 1978.

(8) Entitlement Period Ten is the fiscal year beginning October 1, 1978; and ending September 30, 1979.

(9) Entitlement Period Eleven is the fiscal year beginning October 1, 1979, and ending September 30, 1980.

(h) Generally accepted auditing standards means those auditing standards pronounced by the American Institute of Certified Public Accountants and incorporated in its *Statements on Audit Standards*, or those in the financial and compliance element of *Standards for Audit of Governmental Organizations, Programs, Activities, & Functions* as issued in 1972 by the Comptroller General of the United States.

(i) "Governor" means the Governor of any of the 50 States or the Mayor of the District of Columbia.

(j) "Independent public accountants" means independent certified public accountants, and licensed public accountants licensed on or before December 31, 1970, certified or licensed by a regulatory authority of a State or other political subdivision of the United States.

(k) "Indian tribes and Alaskan native villages" means those Indian tribes and Alaskan native villages which have a recognized governing body and which

perform substantial governmental functions. Certification to the Director by the Secretary of the Interior (or by the Governor of a State in the case of a State affiliated tribe) that an Indian tribe or an Alaskan native village has a recognized governing body and performs substantial governmental functions, shall constitute *prima facie* evidence of that fact.

(l) "Lobbying." See § 51.44 for definition of this term.

(m) "Recipient government" means a State government or unit of local government as defined in this section, or the office of the separate law enforcement officer for any parish in the State of Louisiana other than the Parish of Orleans.

(n) "Secretary" means the Secretary of the Treasury.

(o) "State government" means the government of any of the 50 States or the District of Columbia.

(p) "Unit of local government" means the government of a county, municipality, or township, which is a unit of general government and which shall be determined on the basis of the same principles as used by the Bureau of the Census for general statistical purposes. The term "unit of local government" shall also include the recognized governing body of an Indian tribe or Alaskan native village which performs substantial governmental functions. The District of Columbia, in addition to being treated as a State, shall also be treated as a county area which has no units of local government (other than itself) within its geographic area.

§ 51.3 Procedure for effecting compliance.

(a) *In general.* Whenever the Director receives an administrative complaint, audit report, or other information alleging violation of any provision of this part, other than subpart E, he shall employ the procedures for the conduct of an investigation or achieving compliance set forth in subpart E of this part.

(b) *Determination of noncompliance.* If the Director determines that a recipient government has failed to comply substantially with any provision of this part, other than subpart E, and after giving reasonable notice and opportunity for a hearing to the Governor of the State or the chief executive officer of the unit of local government pursuant to subpart G of this part, the Director shall notify the recipient government that if it fails to take corrective action within 60 days from the date of receipt of such notification further payments to it will be withheld for the remainder of the entitlement period and for any subsequent entitlement period until such time as the Director is satisfied that appropriate corrective action has been taken and that there will no longer be any failure to comply. Until he is satisfied, the Director shall make no further payments of such amounts.

(c) *Determination to delay payment.* Whenever the Director determines that a recipient government has failed to comply with the reporting or assurance requirements of subpart B, he may delay payment of entitlement funds to such recipient. A determination to delay payment of entitlement funds shall not be subject to the procedure set forth in paragraph (a) of this section and shall be in effect only for such time as is necessary to effect compliance.

§ 51.4 Transfer of funds to secondary recipients.

Those prohibitions and restrictions set forth in Subparts D, E, and F of this part which are applicable to a recipient government's entitlement funds continue to be applicable to such funds if they are transferred to another governmental unit or private organization. A violation of Subparts D, E, and F of this part by a secondary recipient shall constitute a violation by the recipient government and the applicable penalty shall be imposed on the recipient government.

* * * * *

Subpart C—Computation and Adjustment of Entitlement Funds

§ 51.20 Data.

(a) *In general.* The data used in determination of allocations and adjustments thereto payable under this part will be the latest and most complete data supplied by the Bureau of the Census, the Bureau of Economic Analysis and the Internal Revenue Service which are available prior to the allocations for one entitlement period unless, in the judgment of the Director, the data provided by those Agencies are not current enough or are not comprehensive enough to provide for equitable allocations.

(b) *Computation and payment of entitlements.*

(1) Allocations will not be made to any unit of local government if the available data is so inadequate as to frustrate the purpose of the Act. Such units of local government will receive an entitlement and payment when current and sufficient data become available as necessary to permit an equitable allocation.

(2) Payment to units of local government for which the Director has not received an address confirmation will be delayed until proper information is available to the Director.

(3) Where the Director determines that the data provided by the Bureau of the Census or the Department of Commerce are not current enough, or are not comprehensive enough, or are otherwise inadequate to provide for equitable allocations he may use other data, including estimates. The Director's determination shall be final and such other additional data and estimates as are used, including the sources, shall be publicized by notice in the FEDERAL REGISTER.

(4) *Currency of tax collection.* Only that tax collection data which is received in the most recent reporting year available from the appropriate agencies prior to the allocation for an entitlement period shall be used in the determination of entitlements for that entitlement period.

(c) *Special rule for less than one year entitlement periods.* For entitlement periods which encompass less than one year, the adjusted taxes and intergovernmental transfers of any unit of local government for the entire reporting year will be used.

(d) *Units of local government located in more than one county area.* In cases where a unit of local government is located in more than one county, each part of such unit is treated for allocation purposes as a separate unit of government, and the adjusted taxes, and intergovernmental transfers of such parts are estimated on the basis of the ratio which the population of such part bears to the population of the entirety of such unit.

§ 51.21 Data affected by major disaster.

(a) *In general.* Any change in data otherwise eligible for use in determining the entitlement of a recipient government after April 1, 1974, shall be disregarded for a period of 60 months if that change:

(1) Resulted from a major disaster determined by the President under § 301 of the Disaster Relief Act of 1974 (Pub. L. 93-288) and

(2) Results in a data factor which is less beneficial to the recipient government than the pre-disaster data factor for purposes of the revenue sharing allocation process.

(b) *Less beneficial data factor.* For the purposes of this section a pre-disaster data factor is defined as a data factor of record for revenue sharing purposes which was calculated for a time period immediately preceding the data factor time period in which the disaster occurred and, therefore, could not have been affected by the disaster.

(c) *Eligibility requirements.* To be eligible for the data stabilization benefit of paragraph (a) of this section, a recipient government shall:

(1) Be located within a State designated by the President as a major disaster area, and

(2) Be located within a geographical subdivision of the State as certified to the Office of Revenue Sharing as a major disaster area by the Administrator of the Disaster Assistance Administration of the Department of Housing and Urban Development.

Further, each recipient government within the specific geographic area so designated will be notified pursuant to the data improvement program, provided for in § 51.29 of each of its data factors developed subsequent to the major disaster designation, which are less beneficial than the pre-disaster data factors, and shall be required to verify through its chief executive officer, that the data was adversely affected by the major disaster. In addition, the Director may require that such verifications be accompanied by substantiating documentation evidencing a causal relationship between the major disaster and the less favorable value of the current revenue sharing data factor of record. The Director, upon being satisfied that all of the requirements of this section have been met with

respect to any post-disaster data factor, shall refrain from using the post-disaster data factor in the allocation process, of an entitlement period, and shall continue to use the pre-disaster data factor for a period of 60 months from the designation by the President of the specific major disaster area unless:

(i) A data factor for a current entitlement period is more beneficial than the pre-disaster data factor or;

(ii) A post-disaster data factor of an entitlement period is not verified by the chief executive officer as having been adversely affected by the major disaster.

(d) *Multiple Disasters.* Recipient governments may be in areas designated by the President as specific major disaster areas as the result of two or more disasters. Recipient governments in such areas will also be provided their appropriate pre-disaster data for verification. The 60 month period for which more beneficial pre-disaster data may be used for a government shall be determined by the most recent designation by the President of a specific major disaster area containing that government.

(e) *Effect on later entitlement periods of failure to verify.* A recipient government which does not verify that an adverse data change is caused by a disaster in an entitlement period when it was afforded an opportunity to make such verification does not lose the opportunity to verify in a later entitlement period that a disaster has affected the data factor for that later entitlement period.

(f) *Per capita income data.* Increases in per capita income data subsequent to disasters for governments in designated disaster areas will not be considered adverse data changes resulting from a disaster for purposes of § 145 of the Act.

§ 51.22 Adjusted taxes.

(a) *In general.* Tax revenues are compulsory contributions to a unit of local government exacted for public purposes, as such contributions are determined by the Bureau of the Census for general statistical purposes. The term "adjusted taxes" means the tax revenues adjusted by excluding an amount equal to that portion of such compulsory contributions which is properly allocable to school operations, debt service on school indebtedness, school capital outlays, and other educational purposes.

(b) *Procedure for exclusion of tax revenues for education.* The tax revenues exacted by a unit of local government shall be adjusted to exclude any such tax revenues used for financing education in a manner consistent with the following provisions:

(1) Where a unit of local government finances education from a specific fund and lists tax revenues to the fund or levies a separate tax for purposes of education, such amount as determined will constitute the tax revenues for education.

(2) If tax revenues for purposes of education are not separately identifiable because education is financed by expenditure or transferring of moneys from a general fund (or similarly named fund) to a school fund or funds, then the ratio of tax revenues (as defined in paragraph (a) of this section) to the total revenues in such fund shall be calculated, and that ratio multiplied by the expenditure or transfer of non-dedicated moneys from such fund to the school fund shall be equated with the tax revenues properly allocable to expenses for education. The phrase "total revenues in such fund" means cash and securities on hand in the general fund (or similarly named fund) at the beginning of the fiscal year, plus all non-dedicated revenues to the fund (other than trust or agency revenues) less cash and securities on hand at the end of the fiscal year. Trust and agency funds are those held specifically for individuals or governments for which no discretion can be exercised as to the amounts to be paid to the recipient.

(3) If any instance where neither paragraph (b) (1) nor (2) of this section permits determination of school taxes, then any procedure deemed equitable by the Director shall be utilized to ascertain adjusted taxes.

(c) *Validity of adjusted tax data.* Allocation of funds under the Act will be based on data reported by States and units of local government to the Bureau of the Census and shall be in accordance with definitions established by the Bureau. No unit of government shall report to the Department of the Treasury or the Bureau of the Census in a manner which attempts to circumvent or frustrate the intent of this section.

§ 51.23 Date for determination of allocation.

(a) *In general.* Pursuant to the provisions of § 51.20 (a) and (b)(3), the determination of the data definitions upon which the allocations and entitlements for an entitlement period are to be calculated shall be made not later than the day immediately preceding the beginning of the entitlement period. Any change in the computation of local tax effort to credit certain county sales taxes to units of local government pursuant to § 109(e)(2)(B) of the Act (the "Memphis Rule") will be considered to be a change in a data definition and will not be given effect for any entitlement periods for which there are final data definitions. The final date upon which determinations of allocations and entitlements, including adjustments thereto, may be made for an entitlement period shall be determined by the Director as soon as practicable and shall be publicized by notice in the FEDERAL REGISTER.

(b) *Time limitation and minimum adjustment.* If it is established to the satisfaction of the Director by factual evidence and documentation that the data used in the computation of an allocation is erroneous an adjustment will be made. No adjustment shall be made unless such evidence and documentation of erroneous data is provided the Director for determination within one year of the end of the entitlement period with respect to which the payment is made. No adjustment of any kind which is less than $200 shall be made to an entitlement if in the judgment of the Director such adjustment will be burdensome, expensive, or otherwise impracticable.

(c) *Adjusted taxes and intergovernmental transfers.* The date for determining the amount of adjusted taxes and intergovernmental transfers of a unit of local government will be the fiscal year that can be uniformly assembled for all units of local government prior to the beginning of the affected entitlement period.

§ 51.24 Boundary changes, governmental reorganization, etc.

(a) *In general.* A boundary change, governmental reorganization, or change in State statutes or constitution, relevant to the computation of entitlement of a unit of local government under the Act, which occurs during an entitlement period shall, not result in a change to the entitlement of that unit until the next entitlement period. However, payment tendered to such unit for the entitlement period may be redistributed pursuant to the provisions of paragraphs (b) and (c) of this section.

(b) *New units of local government.* A unit of local government which came into existence during an entitlement period shall first be eligible for an entitlement allocation for the next entitlement period. However, if such unit is a successor government, it shall be eligible to receive the entitlement payment of the unit or units of local government to which it succeeded in accordance with the conditions of the succession.

(c) *Dissolution of units of local government.* A unit of local government which dissolved, was absorbed or ceased to exist as such during an entitlement period is eligible to receive an entitlement payment for that entitlement period: *Provided*, That such unit of local government is in the process of winding up its governmental affairs or a successor unit of local government has legal capacity to accept and use such entitlement funds. Entitlement payments which are returned to the Director because of the cessation or existence of a unit of local government shall be placed in the State and Local Government Fiscal Assistance Trust Fund until such times as they can be redistributed according to the conditions under which the unit of local government ceased to exist.

(d) *Limitations on adjustment for annexations.*

(1) Annexations by units of local government having a population of less than 5,000 on April 1, 1970, shall not affect the entitlement of any unit of local government for an entitlement period unless the Director determines that adjustments pursuant to such annexations would be equitable and would not be unnecessarily burdensome, expensive, or otherwise impracticable.

(2) Annexations of areas with a population of less than 250, or less than 5 percent of the population of the gaining government, shall not affect the entitlement of any unit of local government unless the Director determines that ad-

justments pursuant to such annexations would be equitable and would not be unnecessarily burdensome, expensive, or otherwise impracticable.

(e) *Certification.* Units of local government affected by a boundary change, governmental reorganization, or change in State statutes or constitution shall, before receiving an entitlement adjustment or payment redistribution pursuant to this section, obtain State certification that such change was accomplished in accordance with State law. The certifying official shall be designated by the Governor, and such certification shall be submitted to the Bureau of the Census.

§ 51.25 Waiver of entitlement; nondelivery of checks; insufficient data.

(a) *Waiver.* Any unit of local government or Indian tribe or Alaskan native village may waive its entitlement for any entitlement period: *Provided,* The chief executive officer with the consent of the governing body of such unit notifies the Director that the entitlement payments for a past, current, or next beginning entitlement period, or any combination thereof, are being waived. A waiver of entitlement for the next beginning entitlement period will only be given effect if the waiver is received during the 6-month period immediately preceding that entitlement period. In the event that an entitlement payment is returned or a notice of waiver is executed which is not in accordance with this procedure, the chief executive officer will be so notified by the Director and, unless the attempted waiver is rescinded within 30 days of such notice, it shall be given effect. However, in no event will a notice of waiver be given effect for an entitlement period which is subsequent to the next beginning entitlement period. The entitlement waived and adjustments thereto, if any, resulting from recalculation of earlier entitlements, shall be added to and shall become a part of the entitlement of the next highest unit of government eligible to receive entitlement funds in that State in which the unit of local government waiving entitlement is located, except that in the case of an Indian tribe or Alaskan native village, the entitlement funds waived shall be added to and become a part of the entitlement of the county government of the county area in which such tribe or village is located. A waiver of entitlement by a unit of local government or Indian tribe or Alaskan native village shall be deemed irrevocable 30 days prior to the first payment for the entitlement period to which it relates.

(b) *Constructive waiver.* Any recipient government which has not waived and is otherwise eligible to receive entitlement payments and which has failed to provide required reports or assurances pursuant to Subpart B is subject to a determination of having constructively waived its entitlement funds for the affected entitlement period through inaction. Prior to such a determination, the Director shall, in two separate notices of not less than 30 days each, notify nonresponsive recipient government of their noncompliance and that their entitlement funds for the affected entitlement period are being temporarily withheld pursuant to § 51.3(c). If compliance is not achieved by the end of the affected entitlement period, the Director shall make a determination that the nonresponsive recipient governments are constructively waived. Entitlement funds thus constructively waived will be redistributed pursuant to the provisions of paragraph (a) of this section.

(c) *Nondelivery.* Entitlement funds for any entitlement period which are returned to the Department of the Treasury as being nondeliverable because of incorrect address information, or which are unclaimed for any reason, shall be placed in the State and Local Government Fiscal Assistance Trust Fund until such time as payment can be made.

(d) *Insufficient data.* Entitlement funds for any entitlement period which are withheld from payment because of insufficient data upon which to compute the entitlement, or for which payment cannot be made for any other reason, shall remain in the State and Local Government Fiscal Assistance Trust Fund until such time as payment can be made.

§ 51.26 Reservation of funds and adjustment of entitlement.

(a) *Reservation of entitlement funds.* In order to make subsequent adjustments to an entitlement payment under this part which may be necessitated because of insufficient or erroneous data, or for any other reason, the Director shall reserve in the State and Local Government Fiscal Assistance Trust Fund such percentage, not to exceed 0.5 percent of the total entitlement funds for any State government and all units of local government within the State for any entitlement period as in his judgment shall be necessary to insure that there will be sufficient funds available so that all recipient governments will receive their full entitlements. Such reserve shall be known as the State Obligated Adjustment Reserve and amounts remaining in that reserve will accumulate until the liabilities of the Trust Fund to the recipient governments in that State are discharged or sufficiently diminished to permit an allocation.

(b) *Adjustments to entitlement payments.* (1) Adjustments to the entitlement of a recipient government during the entitlement period will ordinarily be effected through alteration to entitlement payments for that entitlement period, unless there is a downward adjustment which is so substantial as to make payment alterations impracticable or impossible.

(2) For entitlement periods which begin after December 31, 1976, any adjustments to increase or decrease entitlement payments of a recipient government for a particular entitlement period shall be accomplished only if demand therefor has been made by the recipient government, or the Director, prior to the expiration of one year from the end of the entitlement period for which the adjustment is claimed.

(3) For entitlement periods which begin after December 31, 1976, any adjustments to increase or decrease entitlement payments of a recipient government for a particular entitlement period shall be made through the State Obligated Adjustment Reserve.

(4) Adjustments made to decrease payments to a recipient government for an entitlement period ending before January 1, 1977 shall be withheld from the Obligated Adjustment Reserve established under § 51.26(a) of this part. (38 FR 18668)

§ 51.27 State to maintain transfers to local governments.

(a) *General rule for entitlement periods ending on or before December 31, 1976.* The entitlement of any State government for any entitlement period beginning on or after July 1, 1973 and before December 31, 1976 shall be reduced by the amount (if any) by which—

(1) The average of the aggregate amounts transferred by the State government out of its own sources during such period (or during that State's fiscal year ending on or immediately prior to the end of such period) and the preceding entitlement period (or such fiscal year) to all units of local government (as defined in § 51.2(p)) in such State, is less than

(2) The similar aggregate amount for the 1-year period beginning July 1, 1971 (or that State's fiscal year ending on or immediately prior to the end of such period).

(b) *General rule for entitlement periods commencing on or after January 1, 1977.* The entitlement of any State government for any entitlement period beginning on or after January 1, 1977 shall be reduced by the amount (if any) by which—

(1) One-half of the aggregate amounts transferred by the State government out of its own sources during the 24-month period ending the last day of the last fiscal year for which the Bureau of the Census has relevant data, on the first day of such entitlement period, to all units of local government in such State is less than

(2) One-half the similar aggregate amount for the 24 month period ending the day before the 24 month period described in paragraph (1) above.

For purposes of paragraph (a)(1) and (b)(1) of this section, the amount of any reduction in the entitlement of a State government under this section for any entitlement period shall, for subsequent entitlement periods, be treated as an amount transferred by the State government out of its own sources during such period to units of local government in such State. The phrase "own sources" means all sources of State revenue (including debt proceeds and the State's revenue sharing entitlement funds) but excluding intergovernmental revenues received from the Federal government.

(c) *Measurement of maintenance of effort.* In those States that do not have an accounting system providing an audit trail for all funds concerned (from own source to final application) in intergovernmental transfers to units of local government (such as those States in which intergovernmental transfers to units of local government are made from a commingled fund with no identification as to specific revenue source) the following formula may be applied by the Director to establish the base year intergovernmental transfers to units of local government from own sources and to generally monitor level of effort in accordance with the maintenance provision of paragraphs (a) and (b) of this section during future entitlement periods:

(1) It shall be assumed that the ratio of a State's own source intergovernmental transfers to units of local government to that State's total intergovernmental transfers to units of local government is equal to the ratio of that State's own source revenues to its total revenues. Thus, for a State in which such formula may be applied, its base year own source intergovernmental transfers to units of local government shall be assumed to equal its total intergovernmental transfer to units of local government in the base year multiplied by its own source revenue in the base year divided by its total revenues in the base year.

(2) In a State in which the formula is applied, the State's own source intergovernmental transfers to units of local government in a future entitlement period shall be assumed to equal the average of—

(A) The State's total intergovernmental transfers to units of local government during that period (or that State's fiscal year ending on or immediately prior to the end of such period) multiplied by its own source revenue in that period (or such fiscal year) divided by its total revenues in that period (or such fiscal year); and

(B) The State's total intergovernmental transfers to units of local government during the preceding entitlement period (or that State's fiscal year ending on or immediately prior to the end of such period) multiplied by its own source revenue in that period (or such fiscal year) divided by its total revenues in that period (or such fiscal year).

(3) Therefore, in a State in which the formula is applied, maintenance (for a given entitlement period) of intergovernmental transfer effort to units of local government will be measured by the difference between that State's average aggregate intergovernmental transfers to units of local government (over the appropriate periods) as calculated by employing the method described in paragraph (c)(2) of this section and that State's own source intergovernmental transfers to units of local government in the base period as calculated by employing the method described in paragraph (c)(1) of this section.

(4) Should the application of this formula during any entitlement period indicate nonmaintenance, for example, should a State's calculated own source average aggregate intergovernmental transfers to units of local government (over the appropriate periods) be less than such transfers as calculated for the base period, the difference (as defined in paragraph (c)(3) of this section) shall constitute the future indicated reduction in that State's entitlement unless such State can document to the Director that the fact or amount of nonmaintenance as determined by application of the formula is inaccurate.

(d) *Alternative procedure.* If the Director shall determine that application of the formula set forth in paragraph (b) of this section in a particular case provides an inaccurate or unfair measure of transfer effort, then any formula, procedure, or method deemed equitable by the Director may be utilized to measure such transfer effort for the purpose of implementing the maintenance provision.

(e) *Adjustment where State assumes responsibility for category of expenditures.* If the State government establishes to the satisfaction of the Director that since June 30, 1972, it has assumed responsibility for a category of expenditures which (before July 1, 1972) was the responsibility of local governments located in such State, then, the aggregate amount taken into account under paragraphs (a)(2) or (b)(2) of this section shall be reduced to the extent that increased government spending (out of its own sources) for such category has replaced corresponding amounts, which for the period used for the purposes of this paragraph, it transferred to units of local government.

(f) *Adjustment where new taxing powers are conferred upon local governments.* If a State establishes to the satisfaction of the Director that since June 30, 1972, one or more units of local government within such State have had conferred upon them new taxing authority, then, the aggregate amount taken into account under paragraph (a)(2) (in the case of an entitlement period beginning before December 31, 1976) or paragraph (b)(2) (in the case of an entitlement period beginning on or after January 1, 1977) shall be reduced to the extent of the larger of—

(1) An amount equal to the amount of the taxes collected by reason of the exercise of such new taxing authority by such local governments, or

(2) An amount equal to the amount of the loss of revenue to the State by reason of such new taxing authority being conferred on such local governments. No amount shall be taken into consideration under paragraph (f)(1) of this section if such new taxing authority is an increase in the authorized rate of tax under a previously authorized kind of tax, unless the State is determined by the Director to have decreased a related State tax.

(g) *Special rule for period beginning July 1, 1973.* In the case of the entitlement period beginning July 1, 1973, the preceding entitlement period for purposes of paragraph (a)(1) of this section shall be treated as being the 1-year period beginning July 1, 1972, or that State's fiscal year which ends prior to June 30, 1973.

(h) *Special rule for period beginning July 1, 1976.* In the case of the entitlement period beginning July 1, 1976, and ending December 31, 1976, the aggregate amount taken into account under paragraph (a)(1) of this section for the preceding entitlement period and the aggregate amount taken into account under paragraph (a)(2) of this section shall be one-half of the amounts which (but for this paragraph (h)) would be taken into account.

(i) *Special rule for period beginning January 1, 1977.* In the case of the entitlement period beginning January 1, 1977, and ending September 30, 1977, the aggregate amount taken into account under subparagraphs (1) and (2) of paragraph (b) of this section, shall be three-fourths of the amounts which (but for this paragraph (i)) would be taken into account.

(j) *Adjustment where Federal government assumes responsibility for category of expenditures.* In the case of an entitlement period beginning on or after January 1, 1977, if a State government establishes to the satisfaction of the Director that the Federal government has assumed responsibility for a category of expenditures for which such State government transferred amounts, during all or a part of the period utilized for purposes of paragraph (b)(1) of this section, which (but for this paragraph) would be included in the aggregate amount taken into account under paragraph (b)(2), such aggregate amount shall be reduced to the extent that increased Federal government spending has replaced corresponding amounts which such State government had transferred to units of local government.

(k) *Report by Governor.* Pursuant to the authority of § 51.10 and in order to effect compliance with this section, the Governor of each State shall submit to the Director upon request, on a form to be provided, the aggregate amounts transferred out of its own sources to units of local government for those entitlement periods or that State's fiscal years specified on the report:

(1) The State's own source funds.

(2) The State's total funds.

(3) The State's own source transfers to units of local government.

(4) The State's total transfers to units of local government.

(l) *Reduction in entitlement.* If the Director has reason to believe that paragraphs (a) or (b) of this section require a reduction in the entitlement of any State government for any entitlement period, he shall give reasonable notice and opportunity for hearing to the State. If, thereafter, he determines that paragraphs (a) or (b) of this section require the reduction of such entitlement, he shall also determine the amount of such reduction and shall notify the Governor of such State of such determinations and shall withhold from subsequent pay-

ments to such State government under this part an amount equal to such reduction.

(m) *Transfer to general fund.* An amount equal to the reduction in the entitlement of any State government which results from the application of this section (after any judicial review) shall be transferred from the Secretary's Trust Fund to the general fund of the Treasury on the day on which such reduction becomes final.

§ 51.28 Optional formula.

(a) *In general.* A State government may by law provide for the allocation of entitlement funds among the county areas, or among units of local government (other than county governments, Indian tribes, and Alaskan native villages):

(1) On the basis of the population multiplied by the general tax effort factors of such areas or units of local government; or,

(2) On the basis of the population multiplied by the relative income factors of such areas or units of local government; or,

(3) On the basis of a combination of those two factors.

Any State which provides by law for such a variation in the allocation formula provided by subsections 108(a) or 108(b) (2) and (3) of the Act, shall notify the Director of such law not later than 90 days before the beginning of the first entitlement period to which such law is to apply. Any such law shall:

(i) Provide for allocating 100 percent of the aggregate amount to be allocated under subsections 108(a) or 108(b) (2) and (3) of the Act;

(ii) Apply uniformly throughout the State; and

(iii) Apply during the period beginning on the first day of the first entitlement period to which it applies and ending on September 30, 1980.

(b) *Single legislation required.* If a State government alters its county area allocation formula or its local government allocation formula, or both, such alteration may be made only once and is required to be made in the same legislative enactment.

(c) *Certification required.* Paragraph (a) of this section shall apply within a State only if the Director certifies that the State law complies with the requirements of such paragraph. The Director shall not certify any such law with respect to which he receives notification later than 30 days prior to the initial entitlement period during which it is to apply.

§ 51.29 Adjustment of data factors.

The data factors and data definitions used in computing entitlements under the Act for any entitlement period will be made available to each State government and unit of local government as soon as practicable. Each such government will be given a reasonable opportunity to question those data factors by providing factual documentation demonstrating evidence of error not later than one year from the end of the entitlement period for which the data are applicable. If the Director determines that any data factors used were erroneous, necessary adjustments will be made.

§ 51.30 Adjustment of maximum and minimum per capita entitlement; 100 percent criterion.

(a) *County area maximum and minimum per capita entitlement.*—(1) *In general.* Pursuant to § 108(b)(6) of the Act, the per capita amount allocated to any county area shall be not less than 20 percent, nor more than 145 percent, of two-thirds of the amount allocated to the State under § 106 of the Act, divided by the population of that State.

(2) *One hundred forty-five percent rule.* If a county area allocation is greater than the 145-percent limit, its allocation shall be reduced to the 145-percent level and the resulting surplus shall be shared proportionately by all remaining unconstrained county areas.

(3) *Twenty-percent rule.* If, after the application of paragraph (a)(2) of this section, a county area allocation is less than the 20-percent limit, its allocation shall be increased to the 20-percent level and the resulting deficit shall be shared proportionately by all remaining unconstrained county areas.

(b) *Local government (other than a county government).*—(1) *In general.* Except as provided below, the per capita amount allocated to any unit of local government (other than a county government) shall be not less than 20-percent, nor more than 145-percent, of two-thirds of the amount allocated to the State under § 106 of the Act, divided by the population of that State.

(2) *One hundred forty-five percent rule.* If a unit of local government is allocated an amount greater than the 145-percent limit, its allocation shall be reduced to that level.

(3) *Twenty-percent rule.* If a unit of local government is allocated an amount less than the 20-percent limit, its allocation shall be increased to the lower of the 20-percent limit or 50 percent of the sum of that unit's adjusted taxes and transfers.

(c) *One hundred-percent criterion.* If the amounts allocated to recipient governments of a State do not total 100 percent of the amount allocated to that State, the amount to be allocated to county areas shall be adjusted appropriately, and the allocation process shall be repeated until the amounts allocated to recipient governments of a State total 100 percent of the amount allocated to that State.

§ 51.31 Separate law enforcement officers.

(a) *Entitlement of separate law enforcement officers.* (1) The office of the separate law enforcement officer, within any parish area in the State of Louisiana, other than the parish of East Baton Rouge, shall be entitled to receive for each entitlement period beginning on or after January 1, 1977, 15 percent of the entitlement of the government of such Parish.

(2) The office of the separate law enforcement officer, within the area of the government of the parish of East Baton Rouge shall be entitled to receive for each entitlement period, beginning on or after January 1, 1977, 7.5 percent of the entitlements of the governments of Baton Rouge, Baker and Zachary, Louisiana for each such entitlement period.

(b) *Reduction of entitlement of parish government.* (1) The governments of each parish (other than Baton Rouge, Baker, and Zachary, La.) shall receive for an entitlement period entitlements reduced by one-half of the amount due the separate law enforcement officer for such parish.

(2) The governments of Baton Rouge, Baker, and Zachary, La., shall receive, for an entitlement period, entitlements reduced by an amount equal to 3.75 percent of such government's normal entitlement.

(c) *Reduction of entitlement of State government.* The State government of Louisiana shall receive, for an entitlement period, an entitlement reduced by the same amount as the entitlement of parishes (including Baton Rouge, Baker, and Zachary).

(d) *Entitlement of the Parish of Orleans.* The provisions of paragraph (a), (b), and (c) of this section shall not apply to the entitlements of the Parish of Orleans which shall be entitled to receive for each entitlement period beginning after December 31, 1976 an additional amount equal to 7.5 percent of the amount it is otherwise entitled to receive.

Subpart D—Prohibitions and Restrictions on Use of Funds

§ 51.40 Matching funds.

(a) *Applicability to entitlement funds appropriated or budgeted on or after January 1, 1977.* The provisions of this section shall not apply to entitlement funds appropriated or budgeted on or after January 1, 1977.

(b) *Applicability to entitlement funds appropriated or budgeted on or before December 31, 1976.* Entitlement funds appropriated or budgeted on or before December 31, 1976, may not be used, directly or indirectly, as a contribution in order to obtain any Federal funds under any Federal program. The indirect use of entitlement funds to match Federal funds is defined to mean the allocation of entitlement funds to a nonmatching expenditure and thereby releasing or displacing local funds which are used for the purpose of matching Federal funds. This prohibition on use of entitlement funds as matching funds applies to Federal programs where Federal funds are required to be matched by non-Federal funds and to Federal programs which allow matching from either Federal or non-Federal funds.

(1) *Secondary recipients.* The prohibition of paragraph (b) of this section applies to a recipient government's entitlement funds which are transferred by it to another governmental unit or private organization. A violation of this sec-

tion by a secondary recipient shall constitute a violation by the recipient government and the penalty provided by paragraph (b)(5) of this section shall be imposed on the recipient government.

(2) *Certification required.* The chief executive officer of each recipient government must certify to the Director that entitlement funds received by it have not been used in violation of this section.

(3) *Increased State or local government revenues.* No recipient government shall be determined to have used funds in violation of paragraph (b) of this section with respect to any funds received for any entitlement period (or during its fiscal year) to the extent that net revenues received by it from its own sources during such period exceed the net revenues received by it from its own sources during the 1-year period beginning July 1, 1971 (or its fiscal year ending during the same period). In the case of the entitlement periods of 6 months, one-half of such net revenues shall be measured.

(4) *Presumptions of compliance.* No recipient government shall be determined to have used entitlement funds in violation of the indirect prohibition of paragraph (b) of this section to the extent that:

(A) The expenditure of entitlement funds was accompanied by an aggregate increase in nonmatching funds expenditures.

(B) The receipt of entitlement funds permitted that government to reduce taxes: *Provided,* Nonentitlement revenue is sufficient to cover all matching funds contributions.

(C) The matching funds contribution in question is accounted for by an inkind contribution which was not financed directly or indirectly with entitlement funds.

(5) *Determination by Director of the Office of Revenue Sharing.* If the Director has reason to believe that a recipient government has used entitlement funds to match Federal funds in violation of paragraph (b) of this section the Director shall give such government notice and opportunity for hearing. If the Director determines that such government has, in fact, used funds in violation of paragraph (b), he shall notify such government of his determination and shall request repayment to the United States of an amount equal to the funds so used. To the extent that such government fails to repay such amount, the Director shall withhold from subsequent entitlement payments to that government an amount of entitlement funds equal to the funds used in violation of paragraph (b) of this section or, if this method is impracticable, the Director may refer the matter to the Attorney General for appropriate civil action.

(6) *Use of entitlement funds to supplement Federal grant funds.* The prohibition on use of entitlement funds contained in paragraph (b) of this section does not prevent the use of entitlement funds to supplement other Federal grant funds. For example, if expenditures for a project exceed the amount available from non-Federal funds plus matched Federal funds, the recipient government may use entitlement funds to defray the excess costs: *Provided, however* That the entitlement funds are not used to match other Federal funds: *And Provided further,* That in the case of a unit of local government, the use of entitlement funds to supplement Federal grants is restricted to the category of expenditures as set forth in § 51.41.

§ 51.41 Permissible expenditures for local governments.

(a) *Applicability to entitlement funds appropriated or budgeted on or after January 1, 1977.* The provisions of this section shall not apply to entitlement funds appropriated or budgeted by units of local government on or after January 1, 1977.

(b) *Applicability to entitlement funds appropriated or budgeted on or before December 31, 1976.* Entitlement funds appropriated or budgeted by units of local government on or before December 31, 1976 may be used only for priority expenditures. As used in this part, the term "priority expenditures" means:

(1) Ordinary and necessary maintenance and operating expenses for—

(A) Public safety (including law enforcement, fire protection, and building code enforcement);

(B) Environmental protection (including sewage disposal, sanitation, and pollution abatement);

(C) Public transportation (including transit systems and streets and roads);

(D) Health;

(E) Recreation;

(F) Libraries;

(G) Social services for the poor or aged; and

(H) Financial administration, and

(2) Ordinary and necessary capital expenditures authorized by law.

No unit of local government may use entitlement funds for nonpriority expenditures which are defined as any expenditures other than those included in subparagraphs (1) and (2) of this paragraph. The chief executive officer of each unit of local government must certify to the Director that entitlement funds received by it have been used only for priority expenditures as required by the Act.

(3) *Use of entitlement funds for debt retirement.* The use of entitlement funds for the repayment of debt is a permissible expenditure provided that:

(A) Entitlement funds are not used to pay any interest incurred because of the debt,

(B) The debt was originally incurred for a priority expenditure purpose as defined in this section,

(C) The actual expenditure from the proceeds of the indebtedness (i.e., for materials, contractors, etc.) was made on or after January 1, 1972 (the beginning of the first entitlement period),

(D) The actual expenditures from the proceeds of the indebtedness were not in violation of any restrictions enumerated in subparts D and E of this part.

(4) *Effect of noncompliance.* In the case of a unit of local government which appropriates entitlement funds on or before December 31, 1976 for other than priority expenditures as defined in paragraph (b) of this section, it will pay over to the Secretary (for deposit in the general fund of the Treasury) an amount equal to 110 percent of any amount expended in violation of paragraph (b) of this section, unless such amount of entitlement funds is promptly repaid to the trust fund of the local government after notice by the Director and opportunity for corrective action.

§ 51.42 Wage rates and labor standards.

(a) *Construction laborers and mechanics.* A recipient government which receives entitlement funds under the Act shall require that all laborers and mechanics employed by contractors or subcontractors in the performance of work on any construction project costing in excess of $2,000.00 and of which 25 percent or more of the cost is paid out of its entitlement funds:

(1) Will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act as amended (40 U.S.C. 276a—276a-5); and

(2) Will be covered by labor standards specified by the Secretary of Labor pursuant to 29 CFR Parts 1, 3, 5, and 7.

(b) *Request for wage determination.* In situations where the Davis-Bacon standards are applicable, the recipient government must ascertain the U.S. Department of Labor wage rate determination for each intended project and insure that the wage rates and the contract clauses required by 29 CFR 5.5 are incorporated in the contract specifications. The recipient government must also satisfy itself that the bidder is made aware of his labor standards responsibilities under the Davis-Bacon Act. Wage rate determinations may be obtained by filing a Standard Form 308 with the Employment Standards Administration of the applicable regional office of the U.S. Department of Labor at least 30 days before the invitation for bids or, in case of construction covered by general wage rate determinations, the appropriate rate may be obtained from the FEDERAL REGISTER.

(c) *Government employees.* A recipient government which employs individuals whose wages are paid in whole or in part from entitlement funds must pay wages which are not lower than the prevailing rates of pay for persons employed in similar public occupations by the same employer. However, this subsection shall apply with respect to employees in any category only if 25 percent or more of the wages of all employees of the recipient government in such category are paid from the trust fund established by it under § 51.100(a).

§ 51.43 Restriction on expenditures by Indian tribes and Alaskan native villages.

Indian tribes and Alaskan native villages as defined in § 51.2 are required to

expend entitlement funds only for the benefit of members of the tribe or village residing in the county area from which the allocation of entitlement funds was originally made. Expenditures which are so restricted will not constitute a failure to comply with the requirement of Subpart E of this part.

§ 51.44 Lobbying.

(a) *In general.* Entitlement funds may not be used by any State or unit of local government to pay the costs arising from the personal solicitation or exercise of personal influence upon members of a legislative body by representatives of the recipient government for the purpose of influencing pending or proposed legislation regarding the provisions of the Act.

(b) *Activities prohibited.* Prohibited lobbying activities include but are not limited to the following:

(1) Personal solicitation of individual members of a legislative body to influence legislation regarding the General Revenue Sharing Program by personal interview, letter, financial contributions, and other means.

(2) To employ a lobbyist to engage in proscribed activities.

(c) *Activities permitted.* Without violation of this section a recipient government may:

(1) Use revenue sharing funds to pay dues to national or State organizations.

(2) Use revenue sharing funds to attempt to influence public opinion or to convey opinions and judgments to the public regarding provisions of the Act, by publication, distribution of books, pamphlets and other writings.

§ 51.45 Use of entitlement funds for debt retirement.

Where the actual expenditures of the proceeds of indebtedness were made on or after January 1, 1972, the appropriation of entitlement funds on or after January 1, 1977 for the repayment of the indebtedness, (notwithstanding when such indebtedness was incurred), is permissible provided that the expenditures from the proceeds of the indebtedness are made in compliance with the restrictions and prohibitions enumerated in subparts D and E of this part.

Subpart G—Proceedings for Reduction in Entitlement, Withholding, or Repayment of Funds

§ 51.200 Scope of subpart.

The regulations of this subpart govern the procedure and practice requirements involving adjudications where the Act requires reasonable notice and opportunity for hearing, except where otherwise provided for in subpart E of the Act.

§ 51.201 Liberal construction.

The regulations in this subpart shall be liberally construed to secure just, expeditious, and efficient determination of the issues presented. The Rules of Civil Procedure for the District Courts of the United States, where applicable, shall be a guide in any situation not provided for or controlled by this subpart, but shall be liberally construed or relaxed when necessary.

§ 51.202 Reasonable notice and opportunity for hearing.

Whenever the Director has reason to believe that a recipient government has failed to comply with any section of the Act or of the provisions of this part, and that repayment, withholding, or reduction in the amount of an entitlement of a recipient government is required, he shall give reasonable notice and opportunity of hearing to such government prior to the invocation of any sanction under the Act.

§ 51.203 Opportunity for compliance.

Except in proceedings involving willfulness or those in which the public interest requires otherwise, a proceeding under this part will not be instituted until such facts or conduct which may warrant such action have been called to the attention of the chief executive officer of the recipient government in writing and he has been accorded an opportunity to demonstrate or achieve compliance with the requirements of the Act and the regulations of this part. If the recipient government fails to meet the requirements of the Act and regulations within such reasonable time as may be specified by the Director, a proceeding shall be initiated. If the recipient government is a unit of local government, a copy of all written communications regarding the alleged violation shall be transmitted by the Director to the Governor of the State in which the unit of local government is located.

§ 51.204 Institution of proceeding.

A proceeding to require repayment of funds to the Director, or to withhold funds from subsequent entitlement payments, or to reduce the entitlement of a recipient government, shall be instituted by the Director by a complaint which names the recipient government as the respondent.

§ 51.205 Contents of complaint.

(a) *Charges.* A complaint shall give a plain and concise description of the allegations which constitute the basis for the proceeding. A complaint shall be deemed sufficient if it fairly informs the respondent of the charges against it so that it is able to prepare a defense to the charges.

(b) *Demand for answer.* Notification shall be given in the complaint as to the place and time within which the respondent shall file its answer, which time shall be not less than 30 days from the date of service of the complaint. The complaint shall also contain notice that a decision by default will be rendered against the respondent in the event it fails to file its answer as required.

§ 51.206 Service of complaint and other papers.

(a) *Complaint.* The complaint or a true copy thereof may be served upon the respondent by first-class mail or by certified mail, return receipt requested; or it may be served in any other manner which has been agreed to by the respondent. Where the service is by certified mail, the return Postal Service receipt duly signed on behalf of the respondent shall be proof of service.

(b) *Service of papers other than complaint.* Any paper other than the complaint may be served upon the respondent or upon its attorney of record by first-class mail. Such mailing shall constitute complete service.

(c) *Filing of papers.* Whenever the filing of a paper is required or permitted in connection with a proceeding under this part, and the place of filing is not specified in this subpart or by rule or order of the administrative law judge, the paper shall be filed with the Director, Office of Revenue Sharing, Treasury Department, Washington, D.C. 20226. All papers shall be filed in duplicate.

(d) *Motions and requests.* Motions and requests may be filed with the designated administrative law judge, except that an application to extend the time for filing an answer shall be filed with the Director, Office of Revenue Sharing, pursuant to § 51.207(a).

§ 51.207 Answer; referral to administrative law judge.

(a) *Filing.* The respondent's answer shall be filed in writing within the time specified in the complaint, unless on application the time is extended by the Director. The respondent's answer shall be filed in duplicate with the Director, Office of Revenue Sharing.

(b) *Contents.* The answer shall contain a statement of facts which constitute the grounds of defense, and it shall specifically admit or deny each allegation set forth in the complaint, except that the respondent shall not deny a material allegation in the complaint which it knows to be true; nor shall a respondent state that it is without sufficient information to form a belief when in fact it possesses such information. The respondent may also state affirmatively special matters of defense.

(c) *Failure to deny or answer allegation in the complaint.* Every allegation in the complaint which is not denied in the answer shall be deemed to be admitted and may be considered as proved, and no further evidence in respect of such allegation need be adduced at a hearing.

(d) *Failure to file answer.* Failure to file an answer within the time prescribed in the complaint, except as the time for answer is extended under paragraph (a) of this section, may constitute an admission of the allegations of the complaint and a waiver of hearing, and the administrative law judge may make his findings and decision by default without a hearing or further procedure.

(e) *Reply to answer.* No reply to the resspondent's answer shall be required, and new matter in the answer shall be deemed to be denied, but the Director may file a reply in his discretion and shall file one if the administrative law judge so requests.

(f) *Referral to administrative law judge.* Upon receipt of the answer by the

Director, or upon filing a reply if one is deemed necessary, or upon failure of the respondent to file an answer within the time prescribed in the complaint or as extended under paragraph (a) of this section, the complaint (and answer, if one is filed) shall be referred to the administrative law judge who shall then proceed to set a time and place for hearing and shall serve notice thereof upon the parties at least 15 days in advance of the hearing date.

§ 51.208 Supplemental charges.

If it appears that the respondent in its answer falsely and in bad faith, denies a material allegation of fact in the complaint or states that it has no knowledge sufficient to form a belief, when in fact it does possess such information, or if it appears that the respondent has knowingly introduced false testimony during the proceedings, the Director may thereupon file supplemental charges against the respondent. Such supplemental charges may be tried with other charges in the case, provided the respondent is given due notice thereof and is afforded an opportunity to prepare its defense thereto.

§ 51.209 Proof; variance; amendment of pleadings.

In the case of a variance between the allegations in a pleading and the evidence adduced in support of the pleading, the administrative law judge may order or authorize amendment of the pleading to conform to the evidence: *Provided*, The party that would otherwise be prejudiced by the amendment is given reasonable opportunity to meet the allegation of the pleading as amended. The administrative law judge shall make findings on any issue presented by the pleadings as so amended.

§ 51.210 Representation.

A respondent or proposed respondent may appear in person through its chief executive officer or it may be represented by counsel or other duly authorized representative. The Director shall be represented by the General Counsel of the Treasury.

§ 51.211 Administrative law judge; powers.

(a) *Appointment.* An administrative law judge, appointed as provided by section 11 of the Administrative Procedure Act (5 U.S.C. 3105), shall conduct proceedings upon complaints filed under this subpart.

(b) *Powers of administrative law judge.* Among other powers provided by law, the administrative law judge shall have authority, in connection with any proceeding under this subpart, to do the following things:

(1) Administer oaths and affirmations;

(2) Make ruling upon motions and requests. Prior to the close of the hearing no appeal shall lie from any such ruling except, at the discretion of the administrative law judge, in extraordinary circumstances;

(3) Determine the time and place of hearing and regulate its course and conduct. In determining the place of hearing the administrative law judge may take into consideration the requests and convenience of the respondent or its counsel;

(4) Adopt rules of procedure and modify the same from time to time as occasion requires for the orderly disposition of proceedings;

(5) Rule upon offers of proof, receive relevant evidence, and examine witnesses;

(6) Take or authorize the taking of depositions;

(7) Receive and consider oral or written arguments on facts or law;

(8) Hold or provide for the holding of conferences for the settlement or simplification of the issues by consent of the parties;

(9) Perform such acts and take such measures as are necessary or appropriate to the efficient conduct of any proceeding; and

(10) Make initial findings and decision.

§ 51.212 Hearings.

(a) *In general.* The administrative law judge shall preside at the hearing on a complaint. Testimony of witnesses shall be given under oath or affirmation. The hearing shall be stenographically recorded and transcribed. Hearings will be conducted pursuant to section 7 of the Administrative Procedure Act (5 U.S.C. 556).

(b) *Failure to appear.* If a respondent fails to appear at the hearing, after due notice thereof has been served upon it or upon its counsel of record, it shall be deemed to have waived the right to a hearing and the administrative law judge may make his findings and decision against the respondent by default.

(c) *Waiver of hearing.* A respondent may waive the hearing by informing the administrative law judge, in writing, on or before the date set for hearing, that it desires to waive hearing. In such event the administrative law judge may make his findings and decision based upon the pleadings before him. The decision shall plainly show that the respondent waived hearing.

§ 51.213 Stipulations.

The administrative law judge shall prior to or at the beginning of the hearing require that the parties attempt to arrive at such stipulations as will eliminate the necessity of taking evidence with respect to allegations of facts concerning which there is no substantial dispute. The administrative law judge shall take similar action, where it appears appropriate, throughout the hearing and shall call and conduct any conferences which he deems advisable with a view to the simplification, clarification, and disposition of any of the issues involved.

§ 51.214 Evidence.

(a) *In general.* Any evidence which would be admissible under the rules of evidence governing proceedings in matters not involving trial by jury in the Courts of the United States, shall be admissible and controlling as far as possible: *Provided that*, the administrative law judge may relax such rules in any hearing when in his judgment such relaxation would not impair the rights of either party and would more speedily conclude the hearing, or would better serve the ends of justice. Evidence which is irrelevant, immaterial or unduly repetitious shall be excluded by the administrative law judge.

(b) *Depositions.* The deposition of any witness may be taken pursuant to § 51.215 and the deposition may be admitted.

(c) *Proof of documents.* Official documents, records, and papers of a respondent shall be admissible as evidence without the production of the original provided that such documents, records and papers are evidenced as the original by a copy attested or identified by the chief executive officer of the respondent or the custodian of the document, and contain the seal of the respondent.

(d) *Exhibits.* If any document, record, paper, or other tangible or material thing is introduced in evidence as an exhibit, the administrative law judge may authorize the withdrawal of the exhibit subject to any conditions he deems proper. An original document, paper or record need not be introduced, and a copy duly certified (pursuant to paragraph (b) of this section) shall be deemed sufficient.

(e) *Objections.* Objections to evidence shall be in short form, stating the grounds of objection relied upon, and the record shall not include argument thereon, except as permitted by the administrative law judge. Rulings on such objections shall be a part of the record. No exception to the ruling is necessary to preserve the right of either party to the proceeding.

§ 51.215 Depositions.

(a) *In general.* Depositions for use at a hearing may, with the written approval of the administrative law judge, be taken by either the Director or the respondent or their duly authorized representatives. Depositions may be taken upon oral or written interrogatories, upon not less than 15 days written notice to the other party, before any officer duly authorized to administer an oath for general purposes. Such written notice shall state the names of the witnesses and the time and place where the depositions are to be taken. The requirement of 15 days written notice may be waived by the parties in writing, and depositions may then be taken from the persons and at times and places mutually agreed to by the parties.

(b) *Written interrogatories.* When a deposition is taken upon written interrogatories, any cross-examination shall be upon written interrogatories. Copies of such written interrogatories shall be served upon the other party with the notice, and copies of any written cross-interrogatories shall be mailed by first class mail or delivered to the opposing party at least 10 days before the date of

taking the depositions, unless the parties mutually agree otherwise. A party upon whose behalf a deposition is taken must file it with the administrative law judge and serve one copy upon the opposing party. Expenses in the reporting of depositions shall be borne by the party at which instance the deposition is taken.

§ 51.216 Stenographic record; oath of reporter; transcript.

(a) *In general.* A stenographic record shall be made of the testimony and proceedings, including stipulations and admissions of fact in all proceedings, but not arguments of counsel unless otherwise ordered by the administrative law judge. A transcript of the proceedings (and evidence) at the hearing shall be made in all cases.

(b) *Oath of reporter.* The reporter making the stenographic record shall subscribe an oath before the administrative law judge, to be filed in the record of the case, that he (or she) will truly and correctly report the oral testimony and proceedings at such hearing and accurately transcribe the same to the best of his (or her) ability.

(c) *Transcript.* In cases where the hearing is stenographically reported by a Government contract reporter copies of the transcript may be obtained from the reporter at rates not to exceed the maximum rates fixed by contract between the Government and the reporter. Where the hearing is stenographically reported by a regular employee of the Department of the Treasury, a copy thereof will be supplied to the respondent or its counsel at actual cost of duplication. Copies of exhibits introduced at the hearing or at the taking of depositions will be supplied to the parties upon the payment of a reasonable fee (31 U.S.C. 483(a)).

§ 51.217 Proposed findings and conclusions.

Except in cases where a respondent has failed to answer the complaint or has failed to appear at the hearing, or has waived the hearing, the administrative law judge, prior to making his initial decision, shall afford the parties a reasonable opportunity to submit proposed findings and conclusions and supporting reasons therefor.

§ 51.218 Initial decision of the administrative law judge.

As soon as practicable after the conclusion of a hearing and the receipt of any proposed findings and conclusions timely submitted by the parties, but in no event later than 30 days after the submission of proposed findings and conclusions if they are submitted, the administrative law judge shall make his initial decision in the case. The initial decision shall include a statement of the findings of fact and the conclusions therefor, as well as the reasons or basis therefor, upon all the material issues of fact, law or discretion presented on the record, and shall provide for one of the following orders:

(a) An order that the respondent pay over to the Director an amount equal to 110 percent of any amount determined to be improperly expended by the respondent prior to January 1, 1977 in violation of § 51.41 relating to priority expenditures; or

(b) An order that the respondent pay over to the Director an amount equal to the amount of entitlement funds determined to be expended in violation of the Act and the provisions of this part; or

(c) An order that the Director withhold from subsequent entitlement payments to the respondent an amount equal to the amount of entitlement funds determined to be expended in violation of the Act and the provisions of this part; or

(d) An order that the entitlement of a recipient government be reduced and the amount of such reduction to be withheld from subsequent entitlement payments; or

(e) An order dismissing the proceedings.

§ 51.219 Certification and transmittal of record and decision.

After reaching his initial decision, the administrative law judge shall certify to the complete record before him and shall immediately forward the certified record, together with a certified copy of his initial decision, to the Director. The administrative law judge shall serve also a copy of the initial decision by certified mail to the chief executive officer of the respondent or to its attorney of record.

§ 51.220 What constitutes record.

The transcript of testimony, pleadings and exhibits, all papers and requests filed in the proceeding together with all findings, decisions and orders, shall constitute the exclusive record in the matter.

§ 51.221 Procedure on review of decision of administrative law judge.

(a) *Appeal to the Secretary.* Within 30 days from the date of the initial decision and order of the administrative law judge, the respondent may appeal to the Secretary and file his exceptions to the initial decision and his reasons therefor. The respondent shall transmit a copy of his appeal and reasons therefor to the Director of the Office of Revenue Sharing, who may, within 30 days from receipt of the respondent's appeal, file a reply brief in opposition to the appeal. A copy of the reply brief, if one is filed, shall be transmitted to the respondent or its counsel of record. Upon the filing of an appeal and a reply brief, if any, the Secretary shall make the final agency decision on the record of the administrative law judge submitted to him.

(b) *Appeal by the Director of the Office of Revenue Sharing.* In the absence of an appeal by the respondent, the Director of the Office of Revenue Sharing may, on his own motion, within 45 days after the initial decision, serve on the respondent by certified mail a notice that he will appeal the decision to the Secretary, for review. Within 30 days from such notice, the Director of the Office of Revenue Sharing or his counsel will file with the Secretary his exceptions to the initial decision and his supporting reasons therefor. A copy of the exceptions shall be transmitted to the respondent or its counsel of record, who, within 30 days after receipt thereof, may file a reply brief thereto with the Secretary and submit a copy to the Director of the Office of Revenue Sharing or his counsel. Upon the filing of a reply brief, if any, the Secretary will make the final agency decision on the record of the administrative law judge.

(c) *Absence of appeal.* In the absence of either exceptions by the respondent or a notice of appeal by the Director of the Office of Revenue Sharing within the time set forth in paragraphs (a) and (b) of this section, or a review initiated by the Secretary on his own motion within the time allowed to the Director of the Office of Revenue Sharing, the initial decision of the administrative law judge shall constitute the final decision of the Department.

§ 51.222 Decision of the Secretary.

On appeal from or review of the initial decision of the administrative law judge, the Secretary will make the final agency decision. In making his decision the Secretary will review the record or such portions thereof as may be cited by the parties to permit limiting of the issues. The Secretary may affirm, modify, or revoke the findings and initial decision of the administrative law judge. A copy of the Secretary's decision shall be transmitted immediately to the chief executive officer of the respondent or its counsel of record.

§ 51.223 Effect of order of repayment or withholding of funds.

In case the final order against the respondent is for repayment of funds to the United States, such amount as determined by the order shall be repaid upon request by the Director. To the extent that the respondent fails to do so upon request of the Director, the Director shall withhold from subsequent entitlement payments to the respondent an amount equal to the amount not repaid. In case the final order against the respondent is for the withholding of an amount of subsequent entitlement payments, such amounts as ordered shall be withheld by the Director after notice to the chief executive officer of the recipient government that if it fails to take corrective action within 60 days after receipt of the notice, further entitlement payments will be withheld until the Director is satisfied that appropriate corrective action has been taken and there is full compliance with the Act and regulations of this part. In every case in which the respondent is a unit of local government, a copy of the final order and notice shall be submitted to the Governor of the State in which the respondent is located.

§ 51.224 Publicity of proceedings.

(a) *In general.* A proceeding conducted under this subpart shall be open to the public and to elements of the news media provided that, in the judgment of the administrative law judge, the pres-

ence of the media does not detract from the decorum and dignity of the proceeding.

(b) *Availability of record.* The record established in any proceeding conducted under this subpart shall be made available to inspection by the public as provided for and in accordance with regulations of the Department of the Treasury pursuant to 31 CFR Part 1.

(c) *Decisions of the administrative law judge.* The statement of findings and the initial decision of the administrative law judge in any proceedings, whether or not on appeal or review, shall be indexed and maintained by the Director of the Office of Revenue Sharing and made available for inspection by the public at the public documents room of the Department. If practicable, the statement of findings and the decisions of the administrative law judge shall be published periodically by the Department and offered for sale through the Superintendent of Documents.

§ 51.225 Judicial review.

Actions taken under administrative proceedings pursuant to this subpart shall be subject to judicial review pursuant to section 143 of Subtitle C of the Act. If a respondent desires to appeal a decision of the administrative law judge which has become final, or a final order of the Secretary for review of appeal, to the U.S. Court of Appeals, as provided by law, the Secretary, upon prior notification of the filing of the petition for review, shall have prepared in triplicate, a complete transcript of the record of the proceeding, and shall certify to the correctness of the record. The original certificate together with the original record shall then be filed with the Court of Appeals which has jurisdiction.

[FR Doc.77-27496 Filed 9-21-77;8:45 am]

federal register

THURSDAY, SEPTEMBER 22, 1977

PART IV

DEPARTMENT OF THE INTERIOR

Office of the Secretary

■

EASTERN DIVISION, PICK-SLOAN MISSOURI BASIN PROGRAM

Final Completion of Additional Firm Power Assignment to "Total Requirements" Customers for Period after 1977

DEPARTMENT OF THE INTERIOR

Office of the Secretary

EASTERN DIVISION, PICK-SLOAN MISSOURI BASIN PROGRAM

Final Completion of Additional Firm Power Assignment to "Total Requirements" Customers for Period After 1977

Pursuant to, and by virtue of authority under, the Reclamation Act of 1902 approved June 17, 1902 (32 Stat. 388), the Reclamation Project Act of 1939 approved August 4, 1939 (53 Stat. 1187, 1194, 1198), the Flood Control Act of 1944 approved December 22, 1944 (59 Stat. 887), and acts amendatory thereof or supplementary thereto, the Secretary of the Interior has completed the assignment of "Additional Firm Power" from the Eastern Division, Pick-Sloan Missouri Basin Program, as shown on the attached tabulation.

Amounts of power so assigned are 292,779 kilowatts in the winter season and 329,788 kilowatts in the summer season.

Thirty-seven comments were received from interested parties on the proposed assignment which was published in Volume 1, No. 47, of the March 9, 1976, FEDERAL REGISTER (41 FR 10117).

A detailed review of these comments has been made. Copies are available for public inspection at either of the offices shown below:

Chief, Division of Power, Bureau of Reclamation, Room 7612, Department of the Interior, Washington, D.C. 20240, Telephone 202-343-5337.

Regional Supervisor of Power, Upper Missouri Region, Bureau of Reclamation, Department of the Interior, P.O. Box 2553, Billings, Mont. 59103, Telephone 406-657-6532.

The principal changes made from the proposed completion of assignment are set forth below:

1. Estimates of 1975–76 winter season loads and 1976 summer season loads were used as the basis for the proposed assignment. Actual loads experienced during the 1975–76 winter and 1976 summer seasons were used as the basis for the final assignment.

2. Load estimates used in the proposed assignment covered a 3-month period only (July-September in the summer and December-February in the winter). Actual peakloads used in the final assignment cover the full 6 months in each season (May–October in the summer and November–April in the winter).

INTRODUCTION

The Eastern Division's, Pick-Sloan Missouri Basin Program, power marketing area includes central and eastern Montana, North Dakota, South Dakota, central and eastern Nebraska, western Iowa, and western Minnesota.

Fixed amounts of long-term firm, additional firm, and firm peaking power are presently under contract to Eastern Division preference customers. In addition, total requirements over and above those fixed amounts have been committed to a group of 147 "total" customers (referred to as "total requirements" customers) through the October 1977 billing period. The purpose of this action is to assign fixed amounts of power to be offered to these "total requirements" customers from October 1977 through the remaining terms of their contracts. Most of these contracts terminate in the mid-1980's. This assignment will utilize all presently available firm hydroelectric resources in the Eastern Division, Pick-Sloan Missouri Basin Program, and is the planned completion of a series of actions that have been taken since 1965.

BACKGROUND

Eastern Division, Pick-Sloan Missouri Basin Program, power was last allocated in 1964. That consisted of long-term firm amounts that were put under contract plus an offering of a fixed amount of Class II power. Class II power was offered as firm peaking power with or without energy.

Some customers elected to supply their own load requirements over and above their long-term firm amounts. These customers either did not accept Class II power when it was first offered or later elected not to contract for it.

However, a large group of customers did accept the Class II offering as firmed up power (with energy). This was subsequently put under contract as "Additional Firm Power." Basin Electric Power Cooperative's member cooperatives and Nebraska Public Power District returned the "Additional Firm Power" they had accepted. Subsequently, they contracted for firm peaking power (return of energy required).

On May 17, 1965, the former Assistant Secretary of the Interior sent a letter to Eastern Division customers offering to supply total requirements (load over and above the long-term firm and additional firm amounts already committed) through the winter of 1970–71. Of all the customers that had contracted for "Additional Firm Power," about 150 indicated a desire to purchase their total requirements from the Eastern Division. The other customers elected to supply their future load growth from other resources. The Eastern Division proceeded to put "Additional Firm Power" under contract to these "total requirements" customers in amounts required to supply their total requirements through the 1970–71 winter.

As water conditions on the hydrosystem improved, the Eastern Division continued to study customer loads and available resources. These studies indicated the Eastern Division could sustain total requirements sales to "total requirements" customers through the summer of 1977.

On October 12, 1967, the Regional Director of the Upper Missouri Region sent a letter to Eastern Division customers offering to extend the commitments to "total requirements" through the summer of 1973. The letter also stated that the Eastern Division would extend the commitment to "a later date, probably 1977."

On October 16, 1970, the former Assistant Secretary of the Interior extended the commitment through the October 1977 billing period. Contract modifications were subsequently made to the "total requirements" customers obligating the Eastern Division to supply their total requirements through the October 1977 billing period.

Later, it was determined that available Eastern Division firm hydro-resources could sustain sales to the "total requirements" customers at a level about equal to their 1976 loads.

On March 3, 1976, the former Deputy Assistant Secretary of the Interior approved for publication the proposed completion of assignment. A notice and the proposed completion of assignment were published in the FEDERAL REGISTER (Volume 41, No. 47, dated March 9, 1976), and a copy of these documents was mailed to all Eastern Division power customers, wheeling agents, and major customers groups on March 16, 1976. The notice called for public comments to be submitted by May 10, 1976.

DISCUSSION OF PUBLIC COMMENTS

A total of 37 comments was received from interested parties; 29 from total requirements customers affected by the assignment, four from other Pick-Sloan customers who had alternate suppliers, and four from entities who are not Bureau customers.

All of the 37 comments fell into one or more of the categories discussed below:

1. ACTUAL LOADS EXCEEDED ESTIMATES

A total of 17 customers commented that their actual loads exceeded estimates used in the proposed assignment thus causing them to receive less than their fair share of available power.

Calculations used in the proposed assignment were completed in November 1975. Estimates of 1975–76 winter peaks and 1976 summer peaks were utilized as the basis for distributing the available power.

Although the estimates of the winter and summer season loads of the 147 customers involved proved to be very close to the actual loads in total, certain individual customer loads varied considerably from estimates.

Actual load data are now available for the 1975–76 winter and 1976 summer seasons, and we have revised the assignment based on these actual data. This is more equitable than our original proposal and answers the comments received concerning this matter.

2. EFFECTS OF LOCAL CONSERVATION EFFORTS

Three customers commented that they were actively engaged in energy conservation efforts which had reduced their load growth through the assignment periods and thus caused them to receive a lower assignment.

In the past, all Bureau of Reclamation customers have been encouraged to conserve energy. It may be true that some customers have been more effective than others in their efforts to conserve energy through reduced load growth and, as a

result, are now receiving a smaller assignment than would have been the case if these efforts had not been made. However, we can see no satisfactory solution to this situation. There is no way to determine what their actual loads would have been. Any attempted adjustment would invoke criticism from other customers and would negate the equity gained by basing the assignment on actual load experienced rather than on estimated amounts.

3. ENERGY LIMITATIONS

One customer expressed an objection to the provision in the proposed completion of assignment that would allow the Bureau to limit delivery of energy with firm power by giving a 3-year written notice.

Assuming median water conditions, the available energy resources in the Eastern Division cannot sustain any substantial increase in load factor or load pattern energy requirements. Because the hydroresource is limited, we must retain some method of controlling our energy commitments under the new contracts. The 3-year advance notice is adequate time for customers to develop an alternate source of offpeak energy.

4. FUTURE LOADS

Six customers requested increases in the proposed assignment to cover new loads that had not been included in the estimates. By basing the assignment on actual loads rather than estimated amounts, we have attained equity among the customers. If a new load was not on line during the 1975–76 winter season or 1976 summer season (whether or not it had been included in the estimates used for the original proposal), it will not be included in the final assignment. To do otherwise could be construed as preferential treatment to those six customers.

5. FUTURE ENERGY SURPLUSES

One customer stated that customers should be allowed to take additional energy when surpluses are available if the Bureau should limit energy commitments in the future.

If, and when, the Eastern Division limits its energy commitments, there could be surplus energy available in better-than-median water years. Wholesale power customers would be allowed to purchase this surplus energy. The only reason for the provision to limit energy is to guard against the possibility of having to purchase energy from others in order to meet firm commitments under median water conditions. Nearly all customers accept this as being necessary.

6. SEASONAL PEAKS OUTSIDE THE ASSIGNMENT PERIOD

The Eastern Division's summer peak normally occurs in July or August and always within the June–September period. The customer estimates used in the original proposal were developed so that they would represent a load during the Eastern Division's peak. We planned that customers who normally peaked in offpeak months, such as May or October, could be satisfied under special contract arrangements.

However, it is possible that all customers could, at some time in the future, peak in the July–August period. Because we are distributing a finite amount of power, we have revised the proposed assignment to cover an individual customer's peakload for the May through October period in the summer and the November through April period in the winter.

7. ASSIGNMENT SHOULD APPLY TO ALL PREFERENCE CUSTOMERS

Two members of Basin Electric who have contracted for fixed amounts of Eastern Division power requested that they be included in the assignment.

There are no new resources available in the Eastern Division. This assignment is not an allocation of a new block of power. Eastern Division, Pick-Sloan Missouri Basin Program, firm power was last allocated in 1964. This action is the logical completion of commitments made to the total requirements customers subsequent to the 1964 firm power allocation. It completes the assignment of power from the Eastern Division, Pick-Sloan Missouri Basin Program. The two Basin Electric members who commented have fixed contract rates of delivery for long-term firm power. They were not among the customers who contracted to buy their total requirements from the Bureau. One member turned back its Class II Bureau offering, as explained in the background section of this report, and presently receives a proportionate share of the long-term firm peaking power under contract to Basin Electric. The other, unlike the rest of Basin Electric's members, did not assign its Class II power offering to Basin Electric, and it was subsequently put under contract as "Additional Firm Power." The amount of long-term and "Additional Firm Power" under contract from the Bureau, together with a fixed amount of firm power under contract from Basin Electric, is more than enough to cover its expected 1977 load. Being included in the assignment on the same basis as the total requirements customers would, therefore, be of no benefit to this customer.

8. FIRM POWER FOR IRRIGATION DISTRICTS AND POTENTIAL NEW CUSTOMERS

Three irrigation districts indicated a desire to buy firm commercial power from the Bureau if sufficient project pumping power is not available. Only one of those districts is in the Eastern Division's marketing area. One municipality not receiving Bureau power requested that the proposed assignment include potential new customers.

As stated before, there are no new resources available to the Eastern Division. This notice is not a reallocation of existing resources but merely a completion of actions begun with the 1964 allocation. At that time, all potential preference customers in the Eastern Division's marketing area had the same opportunity to participate in the Eastern Division's hydropower marketing program. At this time, there is no firm power available for new preference customers.

9. EFFECT OF LOCAL GENERATION

Two customers who generated electric energy during the winter season in conjunction with commercial steam-heating operations requested additional winter season power because they can no longer operate their generation as planned.

At the time of the 1964 allocation, four (including those two) of the 147 "total requirements" customers elected to generate a fixed amount of their total requirements in the winter season. This is so stipulated in the individual contract documents for those customers. All of the marketing planning undertaken since that time (including this notice) has taken into account this local generation. The only way we could now increase the assignment to those customers to replace this generation would be to reduce the assignment to all the remaining "total requirements" customers on a proportionate basis.

10. USE OF ACTUAL 1977 LOADS

Two customers requested that the proposed assignment be based on actual 1977 loads.

Such a process would not leave time for completion of necessary contract changes by October 1977. Actual 1976 loads used for the assignment are indicative of load distribution in 1977.

In conclusion, we believe the above discussion supports the final assignment and answers all comments received on the proposed assignment.

In addition, we intend to respond in more detail to each of the entities who commented on the proposed assignment.

Dated: September 14, 1977.

GUY R. MARTIN,
Assistant Secretary
of the Interior.

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EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
	Firm	Additional Firm	Total	Winter	Summer	FIRM Winter	FIRM Summer	ADDITIONAL FIRM Winter	ADDITIONAL FIRM Summer	TOTAL Winter	TOTAL Summer
SUMMARY				KILOWATTS							
MONTANA	52,790	21,374	74,164	14,883	11,620	52,790	41,742	36,257	28,841	89,047	70,583
NORTH DAKOTA	20,179	4,570	24,749	20,332	17,415	19,462	17,370	24,858	21,147	44,320	38,517
SOUTH DAKOTA	80,443	54,644	135,087	49,832	61,773	68,581	78,794	96,032	115,128	164,613	193,922
MINNESOTA	88,912	24,652	113,564	127,310	137,313	80,655	86,268	149,784	161,039	230,439	247,307
IOWA	39,536	13,202	52,738	67,316	84,123	31,554	39,394	78,063	97,288	109,617	136,682
NEBRASKA	8,878	9,112	17,990	13,106	17,544	6,482	8,878	20,029	26,656	26,511	35,534
GRAND TOTAL	290,738	127,554	418,292	292,779	329,788	259,524	272,446	405,023	450,099	664,547	722,545

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
MONTANA					KILOWATTS						
COOPERATIVES											
Central Montana	41,326	9,493	50,819	14,833	11,577	41,326	32,255	24,326	18,987	65,652	51,242
Glacier	10,524	11,561 1/	22,085 1/	0	0	10,524	8,680	11,561	9,536	22,085	18,216
McCone (Mosby)	940	320	1,260	50	43	940	807	370	318	1,310	1,125
Subtotal - Cooperatives	52,790	21,374	74,164	14,883	11,620	52,790	41,742	36,257	28,841	89,047	70,583
TOTAL - MONTANA	52,790	21,374	74,164	14,883	11,620	52,790	41,742	36,257	28,841	89,047	70,583
NORTH DAKOTA											
MUNICIPALITIES											
Cavalier	1,328	386	1,714	2,582	1,632	1,328	840	2,968	1,876	4,296	2,716
Grafton	3,439	991	4,430	2,913	2,664	3,439	3,145	3,904	3,571	7,343	6,716
Hillsboro	986	272	1,258	2,089	1,394	986	658	2,361	1,575	3,347	2,233
Hope	335	87	422	178	143	335	269	265	212	600	481
Lakota	981	467	1,448	1,001	627	981	614	1,468	919	2,449	1,533
Northwood	982	363	1,345	1,103	745	982	663	1,466	991	2,448	1,654
Park River	1,240	390	1,630	1,642	1,264	1,240	955	2,032	1,564	3,272	2,519
Sharon	152	116	268	38	29	152	118	154	119	306	237
Subtotal - Municipalities	9,443	3,072	12,515	11,546	8,498	9,443	7,262	14,618	10,827	24,061	18,089
COOPERATIVES											
Central Power											
Foxholm	654	155	809	1,093	860	654	515	1,248	982	1,902	1,497
Mohall/Sherwood	1,213	369	1,582	750	634	1,213	1,026	1,119	946	2,332	1,972
Subtotal - Cooperatives	1,867	524	2,391	1,843	1,494	1,867	1,541	2,367	1,928	4,234	3,469

1/ CROD after October 1977 is highest CROD actually experienced in 12 months prior to November 1977.

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
NORTH DAKOTA (Continued)				KILOWATTS							
STATE AND FEDERAL											
BIA (Turtle Mountain-Ft. Totten)	0	0	0	827	755	0	0	827	755	827	755
Grafton State School	515	0	515	128	111	515	447	128	111	643	558
N.D. Mill and Elevator	1,640	0	1,640	2,639	2,583	1,640	1,605	2,639	2,583	4,279	4,188
N.D. School for the Deaf	105	0	105	27	22	105	86	27	22	132	108
N.D. School of Forestry	178	0	178	56	53	178	169	56	53	234	222
N.D. School of Science	1,190	739	1,929	71	72	1,174	1,190	800	811	1,974	2,001
T.B. Sanatorium-San Haven	226	0	226	69	56	226	183	69	56	295	239
State Hospital-Jamestown	915	35	950	0	0	915	787	35	30	950	817
University of N.D.-Grand Forks	4,100	200	4,300	3,126	3,771	3,399	4,100	3,292	3,971	6,691	8,071
Subtotal - State and Federal	8,869	974	9,843	6,943	7,423	8,152	8,567	7,873	8,392	16,025	16,959
TOTAL - NORTH DAKOTA	20,179	4,570	24,749	20,332	17,415	19,462	17,370	24,858	21,147	44,320	38,517
SOUTH DAKOTA											
MUNICIPALITIES											
Arlington	951	170	1,121	394	356	951	858	564	509	1,515	1,367
Aurora	60	198	258	153	135	60	53	351	310	411	363
Badger	277	91	368	0	0	277	242	91	80	368	322
Beresford	1,169	726	1,895	801	1,131	828	1,169	1,315	1,857	2,143	3,026
Big Stone City	392	224	616	981	1,063	362	392	1,187	1,287	1,549	1,679
Brookings	6,798	1,720	8,518	9,958	11,245	6,044	6,798	11,528	12,965	17,572	19,763
Bryant	420	0	420	162	141	420	367	162	141	582	508
Burke	692	473	1,165	161	156	692	670	634	614	1,326	1,284
Colman	515	48	563	333	324	515	501	381	371	896	872
Elk Point	674	242	916	1,253	1,652	511	674	1,437	1,894	1,948	2,568

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
	Firm	Additional Firm	Total	Winter	Summer	FIRM Winter	FIRM Summer	ADDITIONAL FIRM Winter	ADDITIONAL FIRM Summer	TOTAL Winter	TOTAL Summer
SOUTH DAKOTA (Continued)				KILOWATTS							
MUNICIPALITIES (Continued)											
Estelline	655	314	969	260	192	655	483	574	423	1,229	906
Faith	797	752	1,549	0	0	797	612	752	538	1,549	1,150
Flandreau	1,997	655	2,652	236	253	1,866	1,997	848	908	2,714	2,905
Fort Pierre	1,407	521	1,928	976	1,207	1,137	1,407	1,397	1,728	2,534	3,135
Groton	836	451	1,287	736	719	836	816	1,187	1,159	2,023	1,975
Hecla	326	86	412	332	295	326	290	418	371	744	661
Howard	1,049	726	1,775	213	299	748	1,049	731	1,025	1,479	2,074
Langford	267	158	425	107	141	202	267	227	299	429	566
Madison	5,335	3,980	9,315	144	150	5,132	5,335	3,972	4,130	9,104	9,465
McLaughlin	401	1,333	1,734	0	0	401	381	1,333	1,268	1,734	1,649
Miller	1,939	1,453	3,392	1,241	1,102	1,939	1,722	2,694	2,393	4,633	4,115
Parker	1,049	993	2,042	0	0	983	1,049	931	993	1,914	2,042
Pierre	8,644	4,425	13,069	9,398	13,091	6,206	8,644	12,575	17,516	18,781	26,160
Plankinton	706	518	1,224	369	283	706	542	887	680	1,593	1,222
Sioux Falls	4,792	2,628	7,420	724	844	4,113	4,792	2,980	3,472	7,093	8,264
Tyndall	797	291	1,088	757	919	656	797	997	1,210	1,653	2,007
Vermillion	3,141	1,333	4,474	4,047	6,791	1,872	3,141	4,841	8,124	6,713	11,265
Volga	997	752	1,749	0	0	835	997	629	752	1,464	1,749
Watertown	10,396	5,161	15,557	8,398	10,420	8,378	10,396	12,557	15,581	20,935	25,977
Wessington Springs	894	678	1,572	260	280	832	894	891	958	1,723	1,852
Winner	3,351	2,689	6,040	1,113	1,222	3,051	3,351	3,561	3,911	6,612	7,262
Subtotal - Municipalities	61,724	33,789	95,513	43,547	54,411	52,331	60,686	72,632	87,507	124,963	148,193

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
	Firm	Additional Firm	Total	Winter	Summer	FIRM Winter	FIRM Summer	ADDITIONAL FIRM Winter	ADDITIONAL FIRM Summer	TOTAL Winter	TOTAL Summer
SOUTH DAKOTA (Continued)				KILOWATTS							
COOPERATIVES											
Northern (Frederick)	843	374	1,217	656	467	843	600	1,030	733	1,873	1,333
Oahe	3,280	3,135	6,415	2,766	3,971	2,285	3,280	4,950	7,106	7,235	10,386
Subtotal - Cooperatives	4,123	3,509	7,632	3,422	4,438	3,128	3,880	5,980	7,839	9,108	11,719
STATE AND FEDERAL											
City of Aberdeen	641	302	943	0	0	300	641	142	302	442	943
State of South Dakota											
Northern State College	0	1,630	1,630	0	0	0	0	1,165	1,630	1,165	1,630
Redfield State Hospital	500	125	625	15	16	468	500	132	141	600	641
School of Mines and Tech.	0	2,264	2,264	0	0	0	0	1,465	2,264	1,465	2,264
State School-Plankinton	0	305	305	0	0	0	0	242	305	242	305
S.D. Cement Plant	6,500	3,300	9,800	2,848	2,908	6,366	6,500	6,080	6,208	12,446	12,708
Yankton State Hospital	1,015	480	1,495	0	0	754	1,015	356	480	1,110	1,495
S.D. State Penitentiary	0	540	540	0	0	0	0	495	540	495	540
S.D. State University-Brookings	3,250	4,310	7,560	0	0	3,250	2,882	4,310	3,822	7,560	6,704
University of S.D.-Springfield	0	1,120	1,120	0	0	0	0	842	1,120	842	1,120
University of S.D.-Vermillion	2,690	2,970	5,660	0	0	1,984	2,690	2,191	2,970	4,175	5,660
Subtotal - State of S.D.	13,955	17,044	30,999	2,863	2,924	12,822	13,587	17,278	19,480	30,100	33,067
Subtotal - State and Federal	14,596	17,346	31,942	2,863	2,924	13,122	14,228	17,420	19,782	30,542	34,010
TOTAL - SOUTH DAKOTA	80,443	54,644	135,087	49,832	61,773	68,581	78,794	96,032	115,128	164,613	193,922

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPILATION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
MINNESOTA				KILOWATTS							
MUNICIPALITIES											
Ada	1,286	412	1,698	1,033	994	1,286	1,237	1,445	1,390	2,731	2,627
Adrian	1,020	141	1,161	662	622	1,020	958	803	754	1,823	1,712
Alexandria	3,228	1,132	4,360	12,750	12,825	3,209	3,228	13,875	13,957	17,084	17,185
Barnesville	998	276	1,274	1,040	895	998	859	1,316	1,133	2,314	1,992
Benson	2,156	558	2,714	2,497	3,330	1,617	2,156	2,915	3,888	4,532	6,044
Breckenridge	2,692	791	3,483	1,965	2,258	2,342	2,692	2,653	3,049	4,995	5,741
Detroit Lakes	1,835	2,088	3,923	8,815	8,800	1,835	1,832	10,903	10,884	12,738	12,716
East Grand Forks	3,857	1,594	5,451	8,366	7,998	3,857	3,688	9,960	9,522	13,817	13,210
Elbow Lake	205	730	935	1,090	1,008	205	190	1,820	1,683	2,025	1,873
Fairfax	1,241	77	1,318	504	531	1,178	1,241	577	608	1,755	1,849
Fosston	1,428	812	2,240	408	373	1,428	1,305	1,220	1,115	2,648	2,420
Halstad	834	125	959	340	228	834	560	465	312	1,299	872
Hawley	810	0	810	876	919	773	810	876	919	1,649	1,729
Henning	619	103	722	402	309	619	476	505	388	1,124	864
Jackson	2,014	406	2,420	2,849	3,839	1,495	2,014	3,150	4,245	4,645	6,259
Kandiyohi	341	39	380	353	295	341	285	392	328	733	613
Lakefield	1,165	374	1,539	764	930	957	1,165	1,072	1,304	2,029	2,469
Lake Park	344	125	469	325	246	344	261	450	341	794	602
Litchfield	5,635	873	6,508	5,719	6,790	4,746	5,635	6,455	7,663	11,201	13,298
Madison	1,080	0	1,080	1,608	3,035	572	1,080	1,608	3,035	2,180	4,115
Marshall	2,956	1,946	4,902	11,736	18,434	1,682	2,956	12,975	20,380	14,857	23,336
Melrose	2,046	1,056	3,102	2,803	2,656	2,046	1,939	3,859	3,656	5,905	5,595
Moorhead	19,407	4,087	23,494	16,307	15,931	18,691	19,407	20,243	21,018	38,934	40,425
Newfolden	184	50	234	359	332	184	170	409	379	593	549
Nielsville	122	43	165	19	16	122	103	62	53	184	156
Olivia	1,825	802	2,627	1,931	2,174	1,621	1,825	2,644	2,976	4,265	4,801
Ortonville	2,017	739	2,756	2,031	2,528	1,621	2,017	2,625	3,267	4,246	5,284
Redwood Falls	2,980	444	3,424	5,103	5,886	2,583	2,980	5,488	6,330	8,071	9,310

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
MINNESOTA (Continued)				KILOWATTS							
MUNICIPALITIES (Continued)											
St. James	3,025	552	3,577	2,771	4,013	2,089	3,025	3,152	4,565	5,241	7,590
Sauk Centre	2,072	647	2,719	1,868	1,984	1,951	2,072	2,478	2,631	4,429	4,703
Shelly	159	67	226	156	167	149	159	219	234	368	393
Stephen	631	179	810	501	396	631	499	680	538	1,311	1,037
Thief River Falls	5,384	1,192	6,576	6,549	6,958	5,067	5,384	7,671	8,150	12,738	13,534
Tyler	886	269	1,155	652	642	886	872	921	906	1,807	1,778
Wadena	3,438	0	3,438	4,845	4,245	3,438	3,013	4,845	4,245	8,283	7,258
Warren	1,364	297	1,661	1,043	878	1,364	1,149	1,340	1,128	2,704	2,277
Westbrook	956	92	1,048	513	474	956	883	605	558	1,561	1,441
Windom	3,167	667	3,834	3,078	4,246	2,296	3,167	3,562	4,913	5,858	8,080
Subtotal - Municipalities	85,407	23,785	109,192	114,631	129,185	77,233	83,292	136,238	152,445	213,471	235,737
COOPERATIVES											
Itasca-Mantrap	1,262	0	1,262	3,574	3,162	1,262	1,117	3,574	3,162	4,836	4,279
Subtotal - Cooperatives	1,262	0	1,262	3,574	3,162	1,262	1,117	3,574	3,162	4,836	4,279
STATE AND FEDERAL											
Fergus Falls State Hospital	850	0	850	57	54	850	810	57	54	907	864
S.W. Minnesota State College	743	867	1,610	8,963	4,814	743	399	9,830	5,280	10,573	5,679
Willmar State Hospital	650	0	650	85	98	567	650	85	98	652	748
Subtotal - State and Federal	2,243	867	3,110	9,105	4,966	2,160	1,859	9,972	5,432	12,132	7,291
TOTAL - MINNESOTA	88,912	24,652	113,564	127,310	137,313	80,655	86,268	149,784	161,039	230,439	247,307

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
IOWA				KILOWATTS							
MUNICIPALITIES											
Akron	752	151	903	1,154	1,998	434	752	1,241	2,149	1,675	2,901
Alta	744	265	1,009	998	1,151	645	744	1,228	1,416	1,873	2,160
Alton	0	0	0	1,311	1,729	0	0	1,311	1,729	1,311	1,729
Anita	538	244	782	631	799	425	538	824	1,043	1,249	1,581
Breda	68	244	312	442	492	61	68	661	736	722	804
Coon Rapids	1,254	298	1,552	1,105	1,229	1,127	1,254	1,373	1,527	2,500	2,781
Corning	1,406	412	1,818	1,329	2,034	919	1,406	1,598	2,446	2,517	3,852
Denison	2,671	2,104	4,775	8,706	10,758	2,161	2,671	10,409	12,862	12,570	15,533
Fontanelle	93	331	424	697	734	88	93	1,011	1,065	1,099	1,158
Glidden	112	401	513	534	820	73	112	795	1,221	868	1,333
Graettinger	506	129	635	533	616	438	506	645	745	1,083	1,251
Harlan	3,561	644	4,205	4,252	6,143	2,465	3,561	4,697	6,787	7,162	10,348
Hartley	1,019	353	1,372	1,517	1,714	902	1,019	1,830	2,067	2,732	3,086
Hawarden	1,510	640	2,150	2,027	3,097	988	1,510	2,446	3,737	3,434	5,247
Hinton	89	314	403	337	415	72	89	592	729	664	818
Kimballton	269	65	334	210	265	213	269	261	330	474	599
Lake Park	1,112	114	1,226	473	447	1,112	1,050	587	555	1,699	1,605
Lake View	343	1,222	1,565	1,940	2,165	307	343	3,035	3,387	3,342	3,730
Laurens	1,150	537	1,687	1,287	1,595	928	1,150	1,720	2,132	2,648	3,282
Lenox	605	125	730	1,388	1,554	540	605	1,500	1,679	2,040	2,284
Manilla	540	141	681	667	702	513	540	802	843	1,315	1,383
Manning	1,299	320	1,619	836	1,003	1,082	1,299	1,103	1,323	2,185	2,622
Mapleton	798	276	1,074	1,154	1,662	554	798	1,246	1,938	1,900	2,736
Milford	796	521	1,317	1,231	1,306	750	796	1,722	1,827	2,472	2,623
Onawa	2,415	302	2,717	2,449	3,559	1,662	2,415	2,657	3,861	4,319	6,276
Orange City	1,654	694	2,348	3,665	4,648	1,304	1,654	4,212	5,342	5,516	6,996
Paullina	611	217	828	718	925	474	611	837	1,142	1,361	1,753
Primghar	830	0	830	466	553	699	830	466	553	1,165	1,383

EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

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January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
IOWA (Continued)				KILOWATTS							
MUNICIPALITIES (Continued)											
Remsen	913	296	1,209	1,004	1,310	700	913	1,231	1,606	1,931	2,519
Rock Rapids	1,779	423	2,202	2,140	2,539	1,499	1,779	2,497	2,962	3,996	4,741
Sanborn	1,120	36	1,156	917	953	1,078	1,120	951	989	2,029	2,109
Shelby	160	0	160	801	736	160	147	801	736	961	883
Sioux Center	1,900	320	2,220	3,660	4,930	1,411	1,900	3,897	5,250	5,308	7,150
Spencer	4,150	0	4,150	13,709	16,078	3,539	4,150	13,709	16,078	17,248	20,228
Stanton	379	174	553	639	526	379	312	813	669	1,192	981
Villisca	1,290	0	1,290	814	1,150	913	1,290	814	1,150	1,727	2,440
Wall Lake	166	591	757	627	654	159	166	1,194	1,245	1,353	1,411
Woodbine	934	298	1,232	948	1,134	780	934	1,197	1,432	1,977	2,366
Subtotal - Municipalities	39,536	13,202	52,738	67,316	84,123	31,554	39,394	78,063	97,288	109,617	136,682
TOTAL - IOWA	39,536	13,202	52,738	67,316	84,123	31,554	39,394	78,063	97,288	109,617	136,682
NEBRASKA											
MUNICIPALITIES											
Arnold	658	101	759	465	534	574	658	553	635	1,127	1,293
Blue Hill	99	353	452	606	947	63	99	832	1,300	895	1,399
Callaway	364	49	413	373	468	290	364	413	517	703	881
Spalding	320	0	320	601	756	254	320	601	756	855	1,076
Wilber	0	0	0	1,481	2,465	0	0	1,481	2,465	1,481	2,465
Winside	202	43	245	284	360	159	202	318	403	477	605
Wisner	142	504	646	1,867	1,946	136	142	2,351	2,450	2,487	2,592
Subtotal - Municipalities	1,785	1,050	2,835	5,677	7,476	1,476	1,785	6,549	8,526	8,025	10,311

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EASTERN DIVISION
PICK-SLOAN MISSOURI BASIN PROGRAM
COMPLETION OF ADDITIONAL FIRM POWER ASSIGNMENT
TO TOTAL REQUIREMENTS CUSTOMERS FOR PERIOD AFTER 1977

January 10, 1977

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
	UNDER LONG-TERM CONTRACT			POST 1977 ADDITIONAL FIRM		TOTAL FIRM AND ADDITIONAL FIRM					
						FIRM		ADDITIONAL FIRM		TOTAL	
	Firm	Additional Firm	Total	Winter	Summer	Winter	Summer	Winter	Summer	Winter	Summer
NEBRASKA (Continued)				KILOWATTS							
STATE AND FEDERAL											
Beatrice State Home	650	483	1,133	373	493	492	650	738	976	1,230	1,626
Hastings Regional Center	785	0	785	13	18	549	785	13	18	562	803
Neb. St. Dept. of Public Instit.	2,070	0	2,070	576	937	1,273	2,070	576	937	1,849	3,007
University of Nebraska	3,588	7,579	11,167	6,467	8,620	2,692	3,588	12,153	16,199	14,845	19,787
Subtotal - State and Federal	7,093	8,062	15,155	7,429	10,068	5,006	7,093	13,480	18,130	18,486	25,223
TOTAL - NEBRASKA	8,878	9,112	17,990	13,106	17,544	6,482	8,878	20,029	26,656	26,511	35,534
GRAND TOTAL	290,738	127,554	418,292	292,779	329,788	259,524	272,446	405,023	450,099	664,547	722,545

[FR Doc.77-27369 Filed 9-21-77;8:45 am]

federal register

THURSDAY, SEPTEMBER 22, 1977

PART V

DEPARTMENT OF TRANSPORTATION

Coast Guard

■

CAPTAIN OF THE PORT AUTHORITY UPDATE

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 77-091]

CAPTAIN OF THE PORT AUTHORITY UPDATE

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This amendment more clearly defines the jurisdiction of each Coast Guard Captain of the Port (COTP) and Officer in Charge, Marine Inspection (OCMI) and delegates more authority to each COTP. The previous regulations did not clearly define each COTP's and OCMI's offshore jurisdiction and did not delegate adequate authority under the Ports and Waterways Safety Act of 1972 to each COTP. These final regulations clearly define the COTP's and OCMI's offshore jurisdiction and delegate additional powers to each COTP under the Ports and Waterways Safety Act of 1972.

EFFECTIVE DATE: This amendment is effective on October 25, 1977.

FURTHER INFORMATION CONTACT: Captain George K. Greiner, Marine Safety Council (G-CMC/81), Room 8117, Department of Transportation, NASSIF Building, 400 Seventh Street SW., Washington, D.C. 20590, (202-426-1477).

SUPPLEMENTARY INFORMATION: No notice of proposed rule making is being published because these changes are rules of agency organization, procedure and practice. 5 U.S.C. 553(b)(3)(A).

Drafting Information

The principal persons involved in drafting this rule are: Lieutenant Commander Edward H. Bonekemper III, USCG, Project Manager, Office of Marine Environment and Systems, and Mr. Michael N. Mervin, Project Attorney, Office of the Chief Counsel.

Discusion of the New Regulations

Because of redefinitions of Captain of the Port Areas and Marine Inspection Zones during the past few years, questions have arisen concerning the offshore law enforcement authority of Captains of the Port (COTP) and Officers in Charge, Marine Inspection (OCMI). These new regulations (§ 3.01-1(g)) define the COTP's and OCMI's offshore jurisdiction by providing that their areas and zones include adjacent territorial seas and Contiguous Zone for the purpose of enforcing or acting pursuant to a statute effective in those areas.

The balance of these regulations is concerned with the authority of the COTP (and of the District Commander in COTP-related matters). Section 1.01-30 has been rewritten and expanded to more accurately describe the various types of authority which have been delegated to COTPs.

All the other regulations involve delegations of authority under the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1221-7, 46 U.S.C. 391a). The word "temporarily" has been deleted from § 160.-35(b) so that the full statutory power to control vessel traffic under 33 U.S.C. 1221(3) is delegated to the COTP and the District Commander. Deletion of the word "temporarily" clearly indicates that the COTP has authority to issue orders and directions, such as hazardous materials operators orders, concerning repetitious hazardous circumstances which occur in his area. There is minimal opportunity for abuse of authority because 33 U.S.C. 1221(3) itself imposes restraints on when and how the COTP may control vessel traffic.

These regulations also delegate to COTPs and District Commanders certain powers contained in 33 U.S.C. 1221 (6) and (9). The former contains authority to manage dangerous articles and substances throughout the marine environment; this authority strengthens the COTP's ability to manage ammonia, vinyl chloride, LNG and other hazardous materials and dangerous articles being moved or stored in his area. 33 U.S.C. 1221(7) authority to prescribe minimum safety equipment requirements is being retained by the Commandant and not being delegated to COTPs and District Commanders. To convert the waterfront facility regulations in 33 CFR Part 126 into an exercise of this retained 33 U.S.C. 1221(7) authority, the citation of authority for 33 CFR Part 126 is being changed. This change makes violations of the waterfront facility regulations punishable by the civil and criminal penalties of the Ports and Waterways Safety Act of 1972 (33 U.S.C. 1226-7).

The final delegation of authority contained in these regulations is the delegation to COTPs and District Commanders of the 46 U.S.C. 391a authority, subject to recognized principles of international law, to deny entry into the navigable waters of the United States to any vessel not in compliance with the Tanker Act (46 U.S.C. 391a). This authority was created by Congress in Section 201 of Title II of the Ports and Waterways Safety Act of 1972 through passage of a revised Section 4417a(13) of the Revised Statutes of the United States. Inclusion of this delegation in § 160.37 requires changes in § 160.1 and the citation of authority for Part 160. It also requires a change to § 160.39 to mandate obedience of denial of entry orders.

In consideration of the foregoing, Chapter I to Title 33, Code of Federal Regulations is amended as follows:

PART 1—GENERAL PROVISIONS

1. By revising § 1.01-30(a) to read as follows:

§ 1.01-30 Captains of the Port.

(a) Captains of the Port and their representatives enforce within their respective areas port safety and security and marine environmental protection regulations, including, without limitation, regulations for the protection and security of vessels, harbors, and waterfront facilities; anchorages; security of vessels; waterfront facilities; security zones; safety zones; regulated navigation areas; deepwater ports; water pollution, and ports and waterways safety.

* * * * * *

PART 3—COAST GUARD AREAS, DISTRICTS, MARINE INSPECTION ZONES, AND CAPTAIN OF THE PORT AREAS

2. By adding a new § 3.01-1(g) to read as follows:

§ 3.01-1 General description.

* * * * *

(g) Each Captain of the Port Area and each Marine Inspection Zone described in this part also includes the United States territorial seas adjacent to the described Area or Zone for the purpose of enforcing or acting pursuant to a statute effective in the United States territorial seas. Each Captain of the Port Area and each Marine Inspection Zone described in this part also includes the Contiguous Zone adjacent to the Area or Zone for the purpose of enforcing or acting pursuant to a statute effective in the Contiguous Zone. (See 2.05-5 and 2.05-15.)

PART 126—HANDLING OF EXPLOSIVES OR OTHER DANGEROUS CARGOES WITHIN OR CONTIGUOUS TO WATERFRONT FACILITIES

3. By revising the citation of authority for Part 126 to read as follows:

AUTHORITY: 86 Stat. 427, 33 U.S.C. 1224; 49 CFR 1.46, unless otherwise noted.

PART 160—PORTS AND WATERWAYS SAFETY—GENERAL

4. By revising the citation of authority for Part 160 to read as follows:

AUTHORITY: 86 Stat. 427, 431 (33 U.S.C. 1224, 46 U.S.C. 391a); 49 CFR 1.46.

5. By revising § 160.1 to read as follows:

§ 160.1 Purpose.

This Subchapter P contains regulations implementing the Ports and Waterways Safety Act of 1972.

§ 160.35 [Amended]

6. By deleting the word "temporarily" from § 160.35(b).

7. By amending § 160.35 (a) and (b) by striking the word "their" in each subsection and inserting the word "his" in place thereof.

8. By adding new § 160.35 (c) and (d) to read as follows:

§ 160.35 Delegations.

* * * * *

(c) Each District Commander, Captain of the Port, or his authorized representative may direct the handling, loading, discharge, storage, stowage, and movement, including the emergency re-

moval, control and disposition, of explosives or other dangerous articles or substances (including the substances described in Section 4417a(2) (A), (B) and (C) of the Revised Statutes of the United States (46 U.S.C. 391a(2) (A), (B), and (C)) on any bridge or other structure on or in the navigable waters of the United States, or any land structure immediately adjacent to those waters.

(d) Each District Commander, Captain of the Port, or his authorized representative may conduct examinations to assure compliance with the minimum safety equipment requirements for structures.

9. By adding a new § 160.37 to read as follows:

§ 160.37 Denial of entry.

Each District Commander, Captain of the Port, or his authorized representative may, subject to recognized principles of international law, deny entry into the navigable waters of the United States to any vessel not in compliance with the applicable provisions of Section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a) or the regulations promulgated thereunder.

10. By revising § 160.39 to read as follows:

§ 160.39 Compliance with Directions and Orders.

Each person who has notice of the terms of an order or direction issued under § 160.35 or § 160.37 shall comply with that order or direction.

(86 Stat. 427, 431 (33 U.S.C. 1224, 46 U.S.C. 391a); 49 CFR 1.46.)

NOTE.—The Coast Guard has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended, and OMB Circular A-107.

Dated: September 9, 1977.

O. W. SILER,
Admiral, U.S. Coast Guard, Commandant.

[FR Doc.77-27736 Filed 9-21-77;8:45 am]

federal register

THURSDAY, SEPTEMBER 22, 1977

PART VI

ENVIRONMENTAL PROTECTION AGENCY

■

PESTICIDE PROGRAMS

Rebuttable Presumption Against Registration and Continued Registration of Pesticide Products Containing Dibromochloropropane (DBCP)

ENVIRONMENTAL PROTECTION AGENCY

[FRL 794-3; OPP-30000/19]

PESTICIDE PROGRAMS

Rebuttable Presumption Against Registration and Continued Registration of Pesticide Products Containing Dibromochloropropane (DBCP)

AGENCY: Office of Pesticide Programs, Environmental Protection Agency (EPA).

ACTION: Notice of rebuttable presumption.

SUMMARY: DBCP has been found to exceed certain risk criteria. This notice requests registrants and other interested persons to submit rebuttals and other information on the presumption and to submit any other data on the risks and benefits of this pesticide chemical. This notice is the first of several which will give public notification of the Agency's progress in reviewing this chemical.

DATES: Rebuttal evidence and other information must be received on or before November 7, 1977.

ADDRESS MATERIAL TO: Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, EPA, Rm. 401, East Tower, 401 M St. SW., Washington, D.C. 20460.

FOR FURTHER INFORMATION CONTACT:

Jeff Kempter or Anthony Inglis, Office of Special Pesticide Reviews, Office of Pesticide Programs (WH-566), Rm. 447, East Tower, EPA, (202-755-8053).

SUPPLEMENTARY INFORMATION: The Deputy Assistant Administrator, Office of Pesticide Programs, EPA, has determined that a rebuttable presumption exists against registration and continued registration of all pesticide products containing DBCP.[1]

I. Regulatory Provisions

A. *General.* Title 40, Part 162.11 of the Code of Federal Regulations for the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (86 Stat. 973, 89 Stat. 751, 7 U.S.C. 136 et seq.), provides that a rebuttable presumption against registration shall arise if the Agency determines that a pesticide meets or exceeds any of the risk criteria relating to acute and chronic toxic effects set forth in § 162.11(a)(3). If it is determined that such a rebuttable presumption has arisen, the regulations require that the registrant be notified by certified mail and afforded an opportunity to submit evidence in rebuttal of the presumption. In addition, the Agency has determined that the public should also be given notice of the bases for the presumption to provide an opportunity for comment and to solicit additional information relevant to the presumption.

A notice of rebuttable presumption against registration is issued when the evidence related to risk meets the criteria set forth in § 162.11(a)(3). It is emphasized that a notice of rebuttable presumption against registration and continued registration of a pesticide is not a notice of intent to cancel the registration of a pesticide, and may or may not lead to cancellation. The notice of intent to cancel is issued only after the risks and benefits of a pesticide are carefully considered, and it is determined that the pesticide may generally cause unreasonable adverse effects to the environment.

Since a Notice of Intent to Suspend certain uses of DBCP has been issued, it should be made clear that this RPAR notice pertains only to uses of DBCP which are not involved in the suspension proceedings. As registrants comply with the requirement for relief from the conditional suspension provisions of the Notice of Intent to Suspend, those products will be included in the RPAR review.

All registrants and applicants for registration are invited pursuant to 40 CFR 162.11(a)(4) to submit evidence in rebuttal of the presumptions listed in Part II of this notice and, in the case of oncogenicity, to submit information which relates to the assessment of oncogenic risks as set forth in the Agency's Interim Procedures and Guidelines for Health Risk and Economic Impact Assessment of Suspected Carcinogens (May 25, 1976; 41 FR 21402). Registrants and other interested parties may submit for consideration data on benefits which they believe would justify registration or continued registration. In addition, any registrant may voluntarily petition the Agency to cancel their current registration(s) pursuant to section 6(a)(1) of FIFRA.

B. *Rebuttal Criteria.* Section 162.11(a)(4) provides that a registrant may rebut the presumption by sustaining the burden of proving:

(1) In the case of a pesticide presumed against pursuant to the acute toxicity or lack of emergency treatment criteria, "that when considered with the formulation, packaging, method of use, and proposed restrictions on the directions for use and widespread and commonly recognized practices of use, the anticipated exposure to an applicator or user and to local, regional, or national populations of nontarget organisms is not likely to result in any significant acute adverse effects" 40 CFR 162.11(a)(4)(i));

(2) In the case of a pesticide presumed against pursuant to the chronic toxicity criteria, "that when considered with proposed restrictions on use and widespread and commonly recognized practices of use, the pesticide will not concentrate, persist or accrue to levels in man or the environment likely to result in any significant chronic adverse effects" (40 CFR 162.11(a)(4)(ii)); or

(3) In either case, that "the determination by the Agency that the pesticide meets or exceeds any of the criteria for risk was in error."

C. *Benefits Information.* In addition to submitting evidence to rebut the presumption of risk, Section 162.11(a)(5)(iii) provides that a registrant "may submit evidence as to whether the economic, social and environmental benefits of the use of the pesticide subject to the presumption outweigh the risk of use." If the risk presumptions are not rebutted, the benefit evidence submitted by the registrant, applicants, and other interested persons[2] will be considered by the Administrator in determining the appropriate regulatory action. Specifically § 162.11(a)(5)(iii) provides that if the "benefits appear to outweigh the risks," the Administrator may issue a notice of intent to hold a hearing pursuant to Section 6(b)(2) of FIFRA to determine whether the registrations should be cancelled or denied. Alternatively, if the "benefits do not appear to outweigh the risks, the Administrator shall issue a notice pursuant to section 3(c)(6) or section 6(b)(1) of the Act, as appropriate." At this time the Administrator has determined that DBCP poses an "imminent hazard" to humans or the environment for certain uses and a Notice of Intent to Suspend has been issued pursuant to Section 6(c) of the Act.

Stated below are the § 162.11(a)(3) risk criteria which the Agency has found to have been met or exceeded by registrations and applications for registration of pesticide products containing DBCP. The Agency's basis for concluding that these risk criteria have been met or exceeded is set out in "Dibromochloropropane (DBCP): Position Document 1," which follows. Copies of attachments to the Position Document, which are not published with this notice, are available for public inspection in the Office of Special Pesticide Reviews. Information protected from disclosure pursuant to FIFRA section 10 cannot be provided. Specific inquiries concerning the Posi-

[1] A position document, containing an appendix of references, background information, and other material pertinent to the issuance of this notice, has been prepared by the Agency Working Group on DBCP and is also published with this notice.

[2] Registrants or other interested persons who desire to submit benefit information should consider submitting information on the following subjects, along with any other relevant information they desire to submit:

1. Identification of the major uses of the pesticide, including estimated quantities used by crop or other application.

2. Identification of the minor uses of the pesticide, including estimated quantities used by category such as lawn and garden uses and household uses.

3. Identification of registered alternative products for the uses set forth in (1) and (2) above, including an estimate of their availability.

4. Determination of the change in costs to the user of providing equivalent pesticide treatment with any available substitute products.

5. Assessment of regulation impact upon user productivity (e.g., yield per acre and/or total output) from using available substitute pesticides or from using no other pesticides.

6. If the impacts upon either user costs or productivity are significant, a qualitative assessment of the regulation's impact on production of major agricultural commodities and retail food prices of such commodities.

tion Document, as well as requests for access to these files, should be directed to Project Managers Jeff Kempter or Anthony Inglis, Office of Special Pesticide Reviews (WH-566), EPA, Rm. 447, East Tower, 401 M. St., S.W., Washington, D.C. 20460 (202-755-8053).

II. Presumptions

A. *Oncogenicity.* 40 CFR 162.11(a)(3)(ii)(A) provides that a rebuttable presumption shall arise if a pesticide "induces oncogenic effects in experimental mammalian species or in man as a result of oral, inhalation or dermal exposure * * *" As a further clarification of the provision, the preamble to the Agency's Interim Procedures and Guidelines for Health Risk and Economic Impact Assessment of Suspected Carcinogens (May 25, 1976; 41 FR 21402) states that "a substance will be considered a presumptive cancer risk when it causes a statistically significant excess incidence of benign or malignant tumors in humans or animals."

On the basis of scientific studies and information summarized in the Position Document, the Agency has concluded that this risk index has been exceeded by all registrations and applications for registration of pesticide products and applications for registration of pesticide products containing DBCP and that a rebuttable presumption against new or continued registration of such products has therefore arisen.

B. *Reproductive Effects.* Section 162.11(a)(3)(ii)(B) provides that a rebuttable presumption shall arise if a pesticide "produces any other chronic or delayed toxic effect in test animals up to any dosage level, as determined by the Administrator, which is substantially higher than that to which humans can reasonably be anticipated to be exposed, taking into account ample margins of safety." The Agency has found that DBCP adversely affects the reproductive system of male test animals at a certain dosage level and higher. It also has reviewed reports that oligospermia or aspermia has occurred in pesticide formulating plant workers exposed to unknown levels of DBCP. In the attached Position Document, the Agency compares the levels at which rats were exposed to the levels to which humans could reasonably be expected to be exposed. Although the levels may vary by several orders of magnitude, the Agency finds there are insufficient animal test data for determining a dosage level below which the adverse reproductive effects of DBCP will not be manifested. Therefore, the Agency cannot establish an ample margin of safety and asserts that humans could be exposed to levels of DBCP which could produce an adverse effect in humans. Therefore, the Agency concludes that a rebuttable presumption against new or continued registration of products containing DBCP has therefore arisen.

III. Registrations and Products Subject to the Notice

All registrants and applicants for registration listed below are being notified by certified mail of the rebuttable presumption existing against registration and continued registration of their products.

The registrants and applicants for registration shall have 45 days from the date this notice is sent or until November 7, 1977 to submit evidence in rebuttal of the presumption. Due to the need to expedite the RPAR process, the Administrator will not grant an extension of this deadline.

IV. Duty To Submit Information on Adverse Effects

Registrants are required by law to submit to EPA any additional information regarding any adverse effects on man or the environment which comes to a registrant's attention at any time, pursuant to section 6(a)(2) of FIFRA and 40 CFR 162.8(d). If any registrant of DBCP products has any published or unpublished information, studies, reports, analyses, or reanalyses regarding any adverse effects in animal species or humans, residues, and claimed or verified accidents to humans, domestic animals, or wildlife, which have not been previously submitted to EPA, the material must be submitted immediately. When responding to this notice, each registrant shall submit a written certification to the Agency that all information regarding any adverse effects known to the registrant has been submitted. In addition, the registrants should notify EPA of any studies currently in progress, including the purpose of the study, the protocol, the approximate completion date, and a summary of all results observed to date.

V. Public Comments

During the time allowed for submission of rebuttal evidence, specific comments on the presumptions set forth in this notice and on the material contained in the Position Document are solicited from the public. In particular, any documented episodes of adverse effects to humans, domestic animals, or wildlife, and information as to any laboratory studies in progress or completed, are requested to be submitted to EPA as soon as possible. Specifically, information on the fate and effects of DBCP, its impurities, metabolites, and degradation products on flora and fauna, particularly animals with metabolism similar to man, is solicited. Similarly, any studies or comments on the benefits from the use of DBCP are requested to be submitted (see Section I.C., above). All comments and information received, as well as any other relevant information and analysis thereof, which come to the attention of the Agency may serve as a basis for final determination pursuant to § 162.11(a)(5).

All comments and information should be sent to the Office of Federal Register Section at the address given above, if possible in triplicate to facilitate the work of the Agency and others interested in inspecting them. The comments and information should bear the identifying notation "OPP-30000/19". Comments and information received within the specified time limit shall be considered before it is determined whether a notice shall be issued in accordance with 40 CFR 162.11(a)(5)(ii).

Comments received after the specified time period will be considered only to the extent feasible, consistent with the time limits imposed by 40 CFR 162.11(a)(5)(ii). All written comments and information filed pursuant to this notice will be available for public inspection in the office of the Federal Register Section from 8:30 a.m. to 4 p.m. during normal working days.

Interested persons are encouraged to take advantage of the opportunity to inspect Agency files during normal working hours since (1) all of the information received may serve as a basis for final determination pursuant to § 162.11(a)(5) and (2) the Agency will not generally publish a summary of information received in the Federal Register at the close of the rebuttal period.

Your cooperation is solicited in identifying any errors or omissions which may have been made in the following computer listings. Corrections to the listings may not necessarily be published in the Federal Register, but rather handled by mail with affected parties. Omissions will be corrected by notice in the Federal Register.

Dated: September 15, 1977.

Edwin L. Johnson,
Deputy Assistant Administrator for Pesticide Programs.

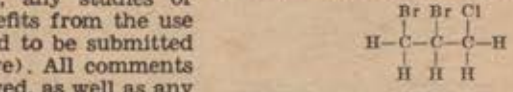
Dibromochloropropane (DBCP): Position Document 1

I. Background

A. Characteristics

(1) *Nomenclature.* Dibromochloropropane (DBCP) is the trivial name for 1,2-dibromo-3-chloropropane. It is a soil fumigant. Some of its trade and experimental names are Fumazone (Dow), Nemagon (Shell), Nemafume, Nemaset, Nematox, BBC 12, and OS-1897. The NIOSH number is TX87500 and the Chemical Abstracts number is 96128.

(2) *Chemistry.* DBCP, a liquid, is made by the liquid phase addition of bromine to allyl chloride. It is amber to dark brown with a slightly pungent odor. The molecular formula is $C_3H_5Br_2Cl$ and its molecular weight is 236.36. Its structural formula is



DBCP boils at 196° C. Its vapor pressure is 0.8 mm at 21° C. and its flash point is 82° C. DBCP is slightly soluble in water (0.1 percent w/w), but is miscible with aliphatic and aromatic hydrocarbons, oils, 1,2-di-chloropropane, isopropyl alcohol, tetrachloroethy-

lene and 1,1,2-trichloroethane. Formulations include emulsifiable concentrates, liquid concentrates, solids, cakes and granules.

(3) *Tolerances and food residues.* Residues of inorganic bromides in or on raw agricultural commodities grown in soil treated with DBCP are established in 40 CFR 180.197 as:

5 ppm—Apricots, nectarines, and peaches.

10 ppm—Walnuts and strawberries.

25 ppm—Blackberries, boysenberries, cotton, cucumbers, dewberries, grapes, loganberries, raspberries, and squash (summer).

50 ppm—Tomatoes, cabbage, pineapples, cauliflower, peppers, eggplant, peanuts, melons, broccoli, and brussel sprouts.

75 ppm—Almond hulls, beans (snap and lima), carrots, celery, figs, radishes, okra, parsnips, banana pulp, and turnips.

125 ppm—Bananas (of which residue not more than 75 ppm shall be in the pulp after the peel is removed and discarded) and soybeans.

130 ppm—Endive (escarole) and lettuce.

There are no tolerances for inorganic bromides in meat and milk to cover residues from use of peanut hay or peanut hulls as cattle feed. Thus, DBCP and ethylene dibromide may not be represented, sold or used for that purpose (40 CFR 180.126a).

As described in section II below, the Shell and Dow Chemical Cos. jointly petitioned FDA to establish most of these tolerances in 1961. The petitioners obtained approval for their request after demonstrating (1) that no residues of organic bromine (i.e., the parent compound DBCP) were detected in any of the crops being petitioned and (2) that total residues of the bromide ion (i.e., inorganic bromine) on the petitioned crops were present at safe levels. At that time, the analytical method for detecting parent DBCP was sensitive from 0.2 to 1.0 ppm, depending upon the crop being measured (Dow Chemical Co., 1961). Total inorganic bromide residues were determined by modifications of the methods of Shrader et al. (1942) and of Mapes and Shrader (1957).

Since that time, however, Hodges and Lear (1973) have reported a method of detecting parent DBCP at level of sensitivity of 0.001 ppm and at a validated level of 0.01 ppm. Using these methods, Newsome et al. (1977) have measured parent DBCP in radish and carrot crops after application to muck soil at a rate of 12.26 lb/acre. Residues were highest in carrots (1.5 ppm); after DBCP application at seeding, they persisted for 16 weeks. DBCP disappeared from the carrots more rapidly than from the soil. Foliage of both crops contained smaller amounts than the root. 78 percent of the DBCP in carrot was in the root. About two-thirds of the residue was removed by boiling.

There are no tolerances for inorganic bromides in meat and milk to cover residues from use of peanut hay or peanut hulls as cattle feed. Thus, DBCP and ethylene dibromide may not be represented, sold or used for that purpose (40 CFR 180.126a).

The recommended maximum permissible daily intake of inorganic bromide in total human diet is 75 ppm (1.1 mg/kg) (Memo, Sept. 13, 1961). The average human intake of bromide ion has been determined as 24 mg/day (Duggan and Lipscomb 1969).

(4) *Degradation, transport, and residues.* DBCP injected into the soil DBCP persists for approximately 40 weeks (Hodges and Lear, 1973, 1974). When applied by flood irrigation or by sprinkler, DBCP does not deeply penetrate the soil; rather, it is retained either near the soil surface or is lost to the atmosphere.

DBCP was converted by soil-water cultures to n-propanol, bromide, and chloride. Maximum conversion was 63 percent after 4 weeks. Allyl alcohol was seen in some experiments as an intermediate, and was converted to n-propanol (Castro and Belser 1968).

(5) *Metabolism.* The distribution and metabolism of DBCP in rats is being traced in a study conducted for the National Cancer Institute (Lipscomb et al., 1977). Most of the animal tissues accumulate DBCP from one to three hours after an interperitoneal dose. The intestine, liver and kidneys contain relatively large amounts. Most in vivo binding takes place in the RNA, DNA, and protein of kidneys and liver. The liver microsomes catalyze a reaction which produces a product that has not yet been identified.

(6) *Toxicity.* All tests, including those discussed in section III or IV, are summarized in Table 1.

The sensitivity of agricultural crops, ornamentals and turf to DBCP varies widely. DBCP is phytotoxic to certain plant species and should not be used on tobacco, onion, garlic, sugar beets, table beets, sweet potatoes, white potatoes, dwarf palm (*Neanthella*), *Chamaedora elegans*, chrysanthemum or *Collinia elegans*.

A concentration of 3 mg/l DBCP in water has no significant effect on biochemical oxygen demand, saprophytic microflora or nitrification processes (Rakhmatyllayev, 1969).

Smell and taste thresholds are 0.01 mg/l in water (Rakhmatullayev, 1969). Dow Chemical Co. has reported that DBCP is detectable by humans in air between 0.01 and 0.03 parts per million (Pers. Comm., 1977).

Cases of human exposure are discussed in section III.

B. Registered Uses and Production

(1) *Products.* There are 72 Federal and 95 State registered products containing DBCP. 63 companies hold these registrations. There are 6 products registered for special local needs under section 24(c) of FIFRA.

(2) *Use patterns.* The major uses of DBCP are as a soil fumigant nematocide on soybeans, pineapples, peaches, grapes, and citrus. Minor uses of DBCP include turf, ornamentals, and vegetable crops.

(3) *Supply.* Dow Chemical and Shell Chemical Cos. are the sole manufacturers of DBCP in the United States. They have voluntarily ceased production and sales and have recalled all stocks from their distributors. The only known foreign supplier is located in Israel.

TABLE 1.—*Toxicological test results for DBCP*

Test	Dose levels and duration	Species	Sex and number	Results	Source
Acute oral LD-50	DNS [1]	Rat	Male	170 to 300 mg/kg	Torkelson, 1961.
	DNS	Rat	Male or female	350 mg/kg	Rakhmatullayev, 1969.
	DNS	Rat	Female	260 to 410 mg/kg	Torkelson, 1961.
	DNS	Rat	Male or female	380 mg/kg	Rakhmatullayev, 1969.
	DNS	Rabbit	Male or female	180 mg/kg	Torkelson, 1961.
	DNS	Guinea pig	Male	210 mg/kg	Do.
	DNS	do	Male or female	316 mg/kg	Rakhmatullayev, 1969.
	DNS	Chicken	Unsorted	60 mg/kg	Torkelson, 1961.
	DNS	Mallard duckling	Male or female	66.8 mg/kg	Tucker and Crabtree, 1970.
Skin irritation	0.5 ml undiluted DBCP, 20 applications.	Rabbit	4 animals	No erythema on intact skin; slight erythema on abraded skin; microscopic effects more severe.	Torkelson, 1961.
Eye irritation	1.0 pet DBCP in propylene glycol.	do	Not given	Slight irritation of the conjunctiva and iris	Do.
Acute dermal	Undiluted DBCP, for 24 h	do	do	LD-50=1,400 mg/kg	Do.
Subacute dermal	0.25 g DBCP, 10 24 h applications.	do	do	Slight hyperemia and scaliness	Do.
Acute inhalation	DNS	Rats	Male	Eye and respiratory irritation seen at 60 p/m; kidneys permanently scarred at 50 p/m.	Do.
	8 h exposure			LC-50=103 p/m	
	4 h exposure			LC-50=154 p/m	
	2 h exposure			LC-50=232 p/m	
	1 h exposure			LC-50=368 p/m	
Repeated inhalation	0, 5, 10, 20, and 40 p/m; 50 exposures over 7 weeks.	Rats	15 males per dose group.	Gross lessions in lungs, intestinal mucosa, kidneys and testes at 10, 20, and 40 p/m. Testes atrophied at 20 and 40 p/m testicular weight reduced in some males at 5 p/m.	Do.
	0 and 12 p/m; 66 exposures over 70 to 92 d.	do	20 males, 20 females	Lung weights significantly greater than controls at 12 p/m, marked pathological changes occurred in testicles.	Do.
	do	Rabbits	3 males, 3 females	Severe atrophy and degeneration of testes at 12 p/m.	Do.
	12 p/m; 66 exposures over 70 92 d.	Guinea pig	10 male plus 10 female	do	Do.
	12 p/m; 50 and 60 exposures over 70 to 92 d.	Monkey	2 female	Developed severe secondary infections; aplastic anemia evident.	Do.
Intramuscular injection	25 mg/kg for 3 d, repeated	Rat	5 male plus 5 female	No significant hematologic changes	Do.
Subchronic ingestion	0, 5, 20, 50, 150, 450, and 1,350, p/m in diet for 90 d.	Rat	14 male plus 14 female per dose.	Weight gain retarded at 150 p/m for female, and at 1450 p/m for male and female. Minimal cloudy swelling in 5 male livers and in several female kidneys.	Do.

TABLE 1.—*Toxicological test results for DBCP*—Continued

Test	Dose levels and duration	Species	Sex and number	Results	Source
	70, 35, and 17.5 mg/kg perorally for 10 weeks.	Rat	10 male per dose	High dose produced necrotic changes in the parenchymatous organs and testes; other does disturbed blood cell counts, liver function and nucleic acids.	Rakhmatullayev, 1970.
	0, 0.005, 0.05, 0.5, and 5.0 p/m for 8 mo.	Rat	7 male per dose	Adverse effects on testes at 5 mg/kg, diminished fertility at 0.5 mg/kg and no testicular effect at 0.05 mg/kg. Kidneys, liver, reflexes, and blood disturbed at dose as low as 0.05 mg/kg.	Do.
Acute aquatic	100 p/m; 72 h	Redeared sunfish	20 fish per dose	No toxic effect	McCann, 1970.
	32 to 180 p/m:				
	24 h	Rainbow trout		LC-50=115.00 p/m	McCann, 1977.
	48 h			LC-50=85.00 p/m	
	96 h			LC-50=36.50 p/m	
	0.25, 0.50, 1, 2.5, 5, and 10 p/m	Clam		Larvae survival was 14 pct at 1 p/m and sec. at 2.5 p/m.	Davis and Hidu, 1969.
	DNS:				
	24 h	Bass	20 fish per dose	TLm=30-50 p/m	Davis and Hardcastle, 1959.
	48 h			TLm=20 p/m	
	DNS:				
	24 h	Bluegill	do	TLm=50 to 125 p/m	Do
	48 h			TLm=20 p/m	Do
	DNS:				
	48 h at 22°C	*I. crustus*		TLm=57 p/m	Nishiuchi and Yoshida, 1972.
		S. libertina		TLm=50 p/m	
		C. malleata		TLm=53 p/m	
		P. acuta		TLm=24 p/m	
		(all reg freshwater snails).			
	10, 20, 30, 40, 60, 80, and 100 p/m; 72 h.	Lake emerald shiners.	5 fish per dose	Toxic effects at 20 p/m; LC-100=80 p/m	Alexander, 1973.
	0, 6.5, 7.5, 10.0, 12,0, and 14.0 p/m for 24, 48, and 96 h.	Pink shrimp	5 shrimp per dose	96 h LC-50=12.7 p/m	Heitmuller, 1974.

[1] DNS=doses not specified.

II. REGULATORY HISTORY

February 6, 1961—Shell and Dow jointly petitioned FDA for the establishment of tolerances for residues occurring from application of DBCP in 44 crops. Toxicology data included studies by Torkelson et al. (1961) showing the hazards of DBCP: single application to eyes, single and repeated application to skin, single and repeated oral administration, single and repeated inhalation of vapors, and measurement of sensory threshold values. No comments were made by FDA reviewers.

March 1, 1961—FDA prefiling review memorandum stated that the tolerances will be for inorganic bromides resulting from application of DBCP. Data submitted by petitioners showed that DBCP is not sorbed or translocated into crops regardless of application technique. The analytical methods used for detecting the inorganic bromides and parent DBCP are described in section I.A.3.

March 16, 1961—FEDERAL REGISTER notice of filing. Petition number assigned.

April 28, 1961—USDA certified usefulness of DBCP and gave the opinion that proposed tolerances reasonably reflect the amounts of residues of total bromides.

August 30, 1961—FDA memorandum reviewed method of analysis and residue data for inorganic bromides.

September 18, 1961—FDA Toxicology Branch memorandum concluded that proposed inorganic bromide tolerances are safe for humans.

August 30, 1961—FDA memorandum reviewed method of analysis and residue data for inorganic bromides.

September 18, 1961—FDA Toxicology Branch memorandum concluded that proposed inorganic bromide tolerances are safe for humans.

April 11, 1963—FDA Toxicology Branch memorandum concluded that use of Nemagon may increase content of inorganic bromides in cows' milk but that the bromide level will still be low enough that the milk is safe even for infants on an all-milk diet.

April 15, 1963—Briefing memorandum to Commissioner of Food and Drugs recommended establishment of inorganic bromide residues.

May 18, 1963—Proposed tolerances announced in FEDERAL REGISTER.

August 19, 1963—University of California requested increase in tolerance for citrus. In a memo of conference dated September 6, 1973, Dr. O. G. Fitzhugh discussed a meeting with Dow concerning raising the citrus tolerance and concluded that no reproduction test would be required based on the long and extensive use of bromides and the presumed absence of parent DBCP residues.

September 16, 1964—Application for registration of Shell's Nemagon.

September 26, 1964—Registration issued for Shell's Nemagon.

March 28, 1967—FEDERAL REGISTER notice established tolerance of 50 ppm for inorganic bromide residues on broccoli, brussel sprouts, cabbage, cauliflower, eggplants, melons, peanuts, peppers, pineapples, tomatoes.

June 2, 1965—FEDERAL REGISTER notice increased tolerance on citrus from 5 ppm to 20 ppm.

August 24, 1966—Approval granted for use on citrus fruits (limited to western states).

December 19, 1966—Request granted for citrus and strawberries.

February 9, 1967—Approval of 50 ppm tolerance for all melons.

April 10, 1970—Approval of tolerances for almonds, plums and prunes.

February 7, 1973—Tolerances established and accepted for soybeans and lima beans.

May 25, 1973—Dow submitted registration application for Fumazone F, a DBCP product intended for manufacturing use only. Included with the submission was a reprint of the 1961 Torkelson study. A registration was issued for the product on August 29, 1973. The jacket file contains no record of any comment regarding the toxicology study. No chronic feeding or oncogenicity studies were submitted by any registrants.

April 15, 1976—DBCP was identified by EPA as a candidate for RPAR based on potential for carcinogenic effects. No cancer studies had been submitted by anyone at that time, but published preliminary data from NCI was available in the literature.

November, 1976—OSPR letter to registrants requesting adverse data.

January, 1977—Shell submitted data in response to request.

July 26, 1977—Dow responded with letter and progress report on animal studies to request.

August 1, 1977—Occidental Chemical Co. transmitted to EPA a telex notice of substantial risk of injury to human health from DBCP. This notice was pursuant to the requirements of the Federal Insecticide, Fungicide, and Rodenticide Act and the Toxic Substances Control Act.

August 11, 1977—Dow halted production and sales.

August 12, 1977—California Department of Food and Agriculture announced a suspension of all sale and use of DBCP, urging that the public and dealers return all stocks to distributors.

August 16, 1977—EPA, OSHA, and NIOSH met to form a task force. Since then these agencies have been interchanging information on all levels.

August 24, 1977—EPA received a petition from the Public Citizen's Health Research Group to suspend the registration of DBCP based on "human evidence of sterility and animal evidence of carcinogenicity * * *" (letter, 1977).

August 25, 1977—Dow announced a recall of all DBCP from its users and distributors. OSPR sent letters to Dow, Shell, and Occidental requesting all new data within 7 working days.

August 26, 1977—Shell announced a recall of all DBCP.

III. SUMMARY OF EVIDENCE TO SUPPORT REBUTTABLE PRESUMPTION

A. Chronic Effects

(1) *Oncogenicity.* 49 CFR 162.22 (a) (3) (ii) (A) provides that a "rebuttable presumption shall arise if a pesticide's ingredient(s) . . . (i) nduces oncogenic effects in experimental mammalian species or in man as a result of oral, inhalation, or dermal exposure . . . ." Section 162.3(bb) defines the term oncogenic as "the property of a substance or a mixture of substances to produce or induce benign or maligant tumor formation in living animals."

The following studies have been examined by the Working Group and collectively present evidence which meets the above criterion.

(a) *NCI Bioassay on Rats and Mice.* An NCI study was conducted at Hazleton Laboratories on Osborne-Mendel rats and (C57BL X C3H) F-1 mice between 1972 and 1974. Two dose levels, 30 and 15 mg/kg/day for rats and 260 and 130 mg/kg/day for mice, were selected. 50 males and 50 females of each

species were placed in these treatment groups and in the control (untreated) groups. The animals received DBCP via stomach tube 5 days per week. When gross tumors were observed in an animal, it was immediately sacrificed. Dosing was stopped after 78 weeks for the rats and mice. The rats were observed for another 32 weeks and then sacrificed, while the mice were observed 12 weeks before sacrifice.

Several participants in this study have reported the results obtained at different stages of the bioassay. Olsen et al. (1973) first reported stomach cancer in both the rats and mice after only 10 weeks. They also observed a high incidence of mammary adenocarcinomas in female rats. Ward and Habermann (1974), the pathologists for the same study, reported that DBCP was "very carcinogenic." Powers et al. (1975) stated that after termination of the study, stomach squamous cell carcinomas were in excess of 60 percent in rats and 90 percent in mice treated with DBCP; they also cited a high incidence (54 percent) of mammary gland adenocarcinomas in famale rats. Weisburger (1977), in a draft report presented at a National Cancer Institute Seminar, reported in more detail the same findings.

The Carcinogen Assessment Group of EPA has summarized the results: "DBCP causes a significant increase in the incidence of gastric carcinomas in both sexes of rats and mice. Metastases of these tumors are reported. The tumor rates appear to be very high. A significant increase in the mammary cancer rate was also found in female rats" (CAG 1977).

(b) *Hazleton Labs Bioassay on Rats and Mice.* A second bioassay on rats and mice, funded by Dow Chemical Co., is currently in progress at Hazleton Labs. Four groups of 60 male and 60 female albino rats were dosed with 0, 0.3, 1.0 or 3.0 mg/kg/day DBCP in the diet. The study was terminated at 104 weeks in June 1977. A 78-week progress report received by OSPR July 21, 1977 describes the incidences of "possible neoplasms" in the liver, kidneys and stomach, based on a review by Hazleton of the gross necropsy sheets(Letter 1977). Significantly higher incidences of stomach tumors were reported for males and females receiving 1.0 and 3.0 mg/kg/day, but not in those receiving 0.3 mg/kg/day (CAG 1977).

The study on mice began on June 28, 1976 and is scheduled to be terminated in December, 1977. 50 males and 50 females were fed DBCP in the diet at 0, 0.3, 1.0 and 3.0 mg/kg/day. No signs of tumor induction were observed as of the 52nd week according to a progress report received by OSPR August 17, 1977 (Letter 1977).

(c) *NCI Inhalation Carcinogenic Bioassay.* An inhalation test using DBCP is now several months in progress. Protocols for the experiment are not available.

(2) *Reproductive Effects.* 40 CFR 162.11 (a)(3)(ii)(B) provides that "a rebuttable presumption shall arise if a pesticide's ingredients * * * [p]roduces any other chronic or delayed toxic effect in test animals at any dosage up to a level as determined by the Administrator which is substantially higher than that to which humans can reasonably be anticipated to be exposed taking into account ample margins of safety."

The Working Group finds that, because sufficient data do not exist for determining a "no-effect" level of the reproductive effects of DBCP via either inhalation, dermal or oral exposure, acceptable levels of exposure may not be calculated for persons applying DBCP. Further, the Working Group asserts that there are effects at dosages up to a level substantially higher than that to which humans can reasonably be anticipated to be exposed taking into account "ample margins of safety." Therefore a rebuttable presumption exists for all products containing this compound. The following discussion demonstrates current levels of risk from exposure, the results of animal tests and the preliminary results of medical investigations at pesticide formulating plants.

(a) *Risk Analysis.* A preliminary risk analysis on DBCP by the Criteria and Evaluation Division on the potential human exposure to the use of DBCP concludes that pesticide applicators could be exposed to measurable quantities for short-time periods (Table 2). However, this exposure is 1,000 to 10,000 times lower than the levels to which factory workers are exposed. The dietary exposure of the general population is very much lower than that of applicators or field workers.

(b) *Human Exposures.* Three major producers of DBCP have been conducting medical examinations of their employees to detect any adverse effects from exposure to this and/or other chemicals during their manufacture or use. While official reports have not been received by the Agency, preliminary communications from these companies indicate the f llowing findings:

1. Occidental Chemical Co.—At the formulating plant in Lathrop, California, Dr. Wharton has examined 41 employees, of which 3 were females and 11 were males with vasectomies. 23 male individuals were actively working in the production area. 13 of these have exhibited oligospermia or aspermia. The potential causative agents have been narrowed down to DBCP, ethylene dibromide and carbaryl (Memo 1977).

TABLE 2.—*Samples of approximate human exposures to DBCP in comparison to rat laboratory data*

Group	Size	Route	Dose or duration	Total dose milligrams per kilogram per year	Assumptions
Rat		Inhalation.	7.66 mg/kg/d for 90 d..	460	Breathing rate of 0.073 l/min; average weight of 0.2 kg per rat.
Factory workers	?	do	1.96 mg/kg/d for 240 d.	470	Estimated air level of 0.9 p/m DBCP in factory; minute volume of man (light work)=28.6 l/min; average weight=70 kg; all inhaled DBCP retained.
Soybean applicators.	10,000	do	0.18 mg/h for 12.5 h (application) +18.0 mg/h for 1 h (mix and load).	0.29	Do.
Pineapple applicators.	40	do	18 mg/h for 2 h (mix and load).	.5	Do.
Soil irrigation applicators.	4,000	do	4.3 mg/d for 1 d	.06	Same as above; except air level estimated at 0.08 p/m.
U.S. population	220,000,000	Ingestion	0.0000022 to 0.000061 mg/kg/d for 365 d.	.0008–.002	Based on actual residue data for all foods treated with DBCP.

2. Dow—12 of 14 workers at Dow's Magnolia, Arkansas examined preliminary to date show reduced counts (Memo 1977).

3. Shell—The first sperm counts from employees exposed to DBCP indicate 16 of 21 males tested have counts lower than would normally be expected (Shell 1977).

EPA has identified 22 incidents between April 1966 and August 1, 1976 in which DBCP was involved. 14 episodes occurred on agricultural areas, 3 in transit, 2 in storage areas, 1 at a land company site, 1 in the home and 1 at an unspecified site. Of these episodes, 20 involved DBCP alone and 2 DBCP in combination with other active ingredients. Acute effects observed include chemical burns, eye, nose, and throat irritation, nausea, chills, swelling, abdominal cramps, diarrhea, and death. A cause-effect relationship has not been confirmed between the pesticide and reported reactions for all of those incidents.

(c) *Animal Studies.* Torkelson et al. (1961) conducted several tests for Dow and Shell Chemical Companies. With reference to the inhalation exposure studies the authors noted that "the most striking observation at autopsy was severe atrophy and degeneration of the testes of all species."

Briefly, the different tests and their results were: 1. Groups of 15 rats exposed to DBCP vapors of 0, 5, 10, 20 or 40 ppm for a total of 50 exposures over 70 days showed gross lesions in lungs, intestional mucosa, kidneys and testes at 10 ppm dosage and higher dosages. Testes atrophied at 20 and 40 ppm, while testicular weight was reduced in some males at 5 ppm.

2. 20 male rats exposed to 12 ppm DBCP vapors 50 times over 70 to 92 days showed significantly greater lung weights than the treated groups. In males, the testicular weight was not significantly different from the controls, but marked pathological changes (not specified) were noted in the testes.

3. 3 male rabbits exposed to 12 ppm DBCP vapors 66 times over 70 to 92 days showed severe atrophy and degeneration of the testes.

4. 10 male guinea pigs exposed to 12 ppm over 70 to 92 days DBCP vapors 66 times showed severe testicular atrophy and degeneration.

A Russian study reports a subacute experiment of 45 days (Paydysh et al. 1970). 20 male rats were divided into a control and a treated group. The 10 treated rats received 70 mg/kg DBCP daily (1/5 the LD_{50}) in an oil solution. 5 animals died within 20–25 days after the start of the experiment. From a morphological study of the organs of treated rats, pathological degredation was observed in the testes and parenchymatous organs (kidneys). Further, a regeneration process arose in the organs of animals who survived the DBCP dosing.

A second Russian author has reported the results of single and chronic (8 months) oral exposures of DBCP to rates (Rakhmatullayev 1971). The chronic test used levels of 5.0, 0.5, 0.05 and 0.005 mg/kg. Severe effects were noted at the two upper levels. No effects were seen at the 0.005 level. White blood cell counts, conditioned reflexes and "generative function" were affected at 0.05 mg/kg, but gonadal measurements (testicular weight, spermotility, length of testes and testicular morphology) were not.

A third Russian team has reported significant injury to male and female sex gland activity in rats given 100 mg/kg DBCP once perorally and to another group given multiple doses of 10 mg/kg over 4 to 5 months (Reznik and Sprinchan 1975).

For males acutely exposed to 100 mg/kg, the concentration of spermatozoa in the

ejaculate dropped sharply. After one week it was 2,617,000/ml in treated rats versus 4,870,000/ml in the control animals ($p<.001$); after two weeks the concentrations did not change and were 2,847,000/ml and 4,850,000/ml, respectively. Also, the duration of spermatozoon mobility decreased sharply, varying from about 10 to 20 minutes for treated rats and from 30 to 33 minutes for controls ($p<.01$). Thus, the final phases of spermatogenesis were damaged and the spermatozoon function destroyed by the acute exposure.

94.5 percent of females exposed once to 100 mg/kg developed atypical estrous cycles. The average number of complete cycles per female dropped and the stages of estrus and diestrus were extended. The stage sequence was destroyed for many of the females.

The function of the testes were also damaged from the chronic exposures. After 2 months the concentration of spermatozoa gradually decreased to 4,500,000/ml in the treated males versus 5,400,000/ml in the controls ($p<.01$); after 4 months it decreased to 2,480,000/ml in the treated animals, compared to 4,890,000 in the controls ($p<.001$). The mobility of the sperm of treated rats was significantly less than those of the controls ($p<.01$ and $p<.001$ at 2 and 4 months, respectively). In addition to alterations in the functional state of the spermatozoa, changes were observed in the process of spermatogenesis, such as decreases in the index of spermatogenesis and the average number of spermatogonia, as well as the appearance of degenerated cells in the spermatic epithelium. Biochemical changes were also noted, including an increase in the amount of acidic and alkaline phosphatase in the testicles and ejaculate in the third and fourth months.

The report was not clear as to whether the effects on the female reproductive system from chronic exposure to DBCP differed from the effects of the acute exposure.

IV. EVIDENCE INSUFFICIENT TO SUPPORT REBUTTABLE PRESUMPTION

A. Acute Effects

(1) Humans and Domestic Animals. DBCP does not meet the inhalation or dermal toxicity criteria (Torkelson et al. 1961).

(2) Wildlife. DBCP does not meet or exceed any risk criteria for wildlife.

B. Chronic Effects

(1) *Mutagenicity.* DBCP induces mutations in pol A_1^- in strain TA1530 of *E. coli* (Rosenkranz 1975) and in strain TA1530, TA 1538 of *Salmonella typhimurium* (Prival et al. 1977) and TA100 of *Salmonella* (Blum and Ames 1977). However, these bacterial tests do not constitute adequate multitest evidence to support a rebuttable presumption. A sex-linked recessive lethal test and a heritable translocation test are recommended.

(2) *Wildlife Effects.* Existing information does not suggest significant reductions in non-target organisms could be anticipated. These data are summarized in Table 1.

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**** PRODUCT SEARCH LISTING **** PAGE 1

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

****

REGISTRANT *NAME AND ADDRESS*

* 000148 THOMPSON-HAYWARD CHEMICAL COMPANY
BOX 2383
KANSAS CITY KS 66110

********** PRODUCT NAME **********

**01068* T-H NEMATOCIDE 44-E

**01071* T-H 10% GRANULAR NEMATOCIDE

****

REGISTRANT *NAME AND ADDRESS*

* 000201 SHELL CHEMICAL COMPANY
AGRICULTURAL DIVISION
1025 CONNECTICUT AVE., NW SUITE 200
WASHINGTON, D. C. 20036

********** PRODUCT NAME **********

**00140* NEMAGON C SOIL FUMIGANT

**00145* NEMAGON 8.6 E.C. EMUL. CONC. SOIL FUMIGANT

**00151* NEMAGON 12.1C CONCENTRATE SOIL FUMIGANT

**00203* 17.3% NEMAGON SOIL FUMIGANT GRANULES

**00211* NEMAGON 12.1 E.C. EMULSIBLE CONCENTRATE SOIL FUMIGANT

**00217* SHELL TECHNICAL NEMAGON SOIL FUMIGANT FOR MANUFACTURING PURPOSES ONLY

**** PRODUCT SEARCH LISTING **** PAGE 2

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

****

REGISTRANT *NAME AND ADDRESS*

* 000226 TOBACCO STATES CHEMICAL COMPANY
BOX 479
LEXINGTON KY 40501

********** PRODUCT NAME **********

**00151* TOBACCO STATES BRAND NEMAGON E.C. SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 000239 CHEVRON CHEMICAL COMPANY
OPTHO DIVISION 940 HENSLEY WAY
RICHMOND CA 94804

********** PRODUCT NAME **********

**01935* OPTHO NEMAGON 7C SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 000275 FMC CORP.
AGRICULTURAL CHEM DIV.
2000 MARKET STREET
PHILADELPHIA, PA. 19103

********** PRODUCT NAME **********

**02594* NIAGARA NEMAGON 10 GRANULAR NEMATOCIDE

REGISTRANT *NAME AND ADDRESS*

* 000464 DOW CHEMICAL U S A
PO BOX 1706
MIDLAND MI 48640

********** PRODUCT NAME **********

**00313* FUMAZONE 86

**00322* FUMAZONE 66E

**00371* DOW FUMAZONE SC NEMATOCIDE

**00445* FUMAZONE 70E

**00479* FUMAZONE F

REGISTRANT *NAME AND ADDRESS*

* 000476 STAUFFER CHEMICAL COMPANY LABELING & REGISTRATION
DEPT 1200 SOUTH 47TH ST
RICHMOND, CA 94804

********** PRODUCT NAME **********

**01837* DECP 8.6-E

**01893* NEMAGON 5 GRANULAR

REGISTRANT *NAME AND ADDRESS*

* 000539 SEARS ROEBUCK & COMPANY
SEARS TOWER DEPT. 766/68TH FLOOR
CHICAGO IL 60684

********** PRODUCT NAME **********

**CONTINUE REGISTRANT 000539

**00250* SEARS NEMATODE KILLER GRANULES

REGISTRANT *NAME AND ADDRESS*

* 000557 SWIFT AGRICULTURAL CHEMICAL
CORP.
111 WEST JACKSON BOULEVARD
CHICAGO, IL 60604

********** PRODUCT NAME **********

**01875* SWIFT NEMAGON 66E

REGISTRANT *NAME AND ADDRESS*

* 000635 D-E ELC CHEMICAL CO.
DIV. OF GROWER SERVICE CORP.
P.O. BOX 808
LANSING, MI 48901

********** PRODUCT NAME **********

**00418* NEMAGON SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 000728 SCUTELLARI PEARSON & COMPANY
PO BOX 7151
MOBILE AL 36601

********** PRODUCT NAME **********

**00066* PEARSON'S 10% NEMA-KILL

**00067* PEARSON'S 5% NEMA-KILL

****

REGISTRANT *NAME AND ADDRESS*

* 003769 WOOLFOLK CHEMICAL WORKS INC
PO BOX 536
FT VALLEY GA 31030

********** PRODUCT NAME **********

**00334* SECURITY BRAND 10% HEXAGON GRANULATED

**00344* SECURITY BRAND 25% HEXAGON GRANULATED

****

REGISTRANT *NAME AND ADDRESS*

* 040629 SCOTTS-PBI INSECT INC
PO BOX 278
PALMETTO FL 33561

********** PRODUCT NAME **********

**00156* SA-50 BRAND HEXAGON EMULSIBLE CONCENTRATE

**03157* SA-50 BRAND 17.3% HEXAGON SOIL FUMIGANT GRANULES

****

REGISTRANT *NAME AND ADDRESS*

* 300869 GREEN LIGHT COMPANY
P.O. BOX 17985
SAN ANTONIO, TX 78217

********** PRODUCT NAME **********

**00063* GREEN LIGHT HERBICIDE KILLER

****

REGISTRANT *NAME AND ADDRESS*

* 300904 ETATT E C
DIV GABRIEL CHEM LTD 294 21ST AVE
PATERSON NJ 07509

********** PRODUCT NAME **********

**03154* ETATT HEXAGON SOIL FUMIGANT EMULSIBLE CONCENTRATE

****

REGISTRANT *NAME AND ADDRESS*

* 031722 CHAPMAN CHEMICAL COMPANY
BOX 9758
MEMPHIS TN 38109

********** PRODUCT NAME **********

**00406* CHAPMAN HEXAGON SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 031558 FCX INC
P O BOX 2419
RALEIGH, NC 27602

********** PRODUCT NAME **********

**03152* FCX HEXAGON 17% "G"

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

****

REGISTRANT *NAME AND ADDRESS*

* 001842 TRIANGLE CHEMICAL COMPANY
BOX 4528
MACON GA 31208

********** PRODUCT NAME **********

**00218* TRIANGLE 30% NEMAGON GRANULES

****

REGISTRANT *NAME AND ADDRESS*

* 002342 KEDD-MCGEE CHEMICAL CORP
AGS REG & LABELING
KERR-MCGEE CENTER
OKLAHOMA CITY OK 73102

********** PRODUCT NAME **********

**00602* FASCO NEMAGON 70EC

**00610* FASCO NEMAGON GRANULAR 346

**00612* IDEAL BRAND NEMAGON LIQUID

**00774* GRO-TONE NEMATODE GRANULAR

**00867* 5-10-10 + 1.3% F-NEMATOCIDE

**00868* 6-12-12+1.39%F-NEMATOCIDE

****

REGISTRANT *NAME AND ADDRESS*

* 002455 STEVENS IND INC
E MAIN ST PO BOX 272
DAWSON GA 31742

********** PRODUCT NAME **********

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

**CONTINUED REGISTRANT 002459

**00165* 30% NEMAGON SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 004687 STEPHENSON CHEM COMPANY INC
BOX 67188
COLLEGE PARK GA 30337

********** PRODUCTS NAME **********

**00117* 20% NEMAGON GRANULES

**00119* 10% NEMAGON GRANULES

****

REGISTRANT *NAME AND ADDRESS*

* 005481 AMVAC CHEMICAL CORP
4100 EAST WASHINGTON BLVD
LOS ANGELES, CA 90023

********** PRODUCT NAME **********

**00085* DURHAM NEMATOCIDE SOLUTION 6.6

**00086* DURHAM NEMATOCIDE EM 8.6

**00087* DURHAM NEMATOCIDE SOLUTION 4.3

**00088* DURHAM NEMATOCIDE SOLUTION 12.1

**00092* DURHAM NEMATOCIDE EM 12.1

**00093* DURHAM NEMATOCIDE EM 17.1

**00094* DURHAM NEMATOCIDE EM 15.1

**00104* DURHAM NEMATOCIDE GRANULES 50

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 007481

**00125* DOWBAR NEMATOCIDE EM 8.6 FOR AQUA AMMONIA

**00148* DOWBAR NEMATOCIDE EM 8.6 FOR 8-24-0 FERTILIZER SOLUTION

REGISTRANT *NAME AND ADDRESS*

* 005905 HELENA CHEMICAL CO
CLARK TOWER, 5100 POPLAR AVE, SUITE 2634
MEMPHIS TN 38137

********** PRODUCT NAME **********

**00111* HELENA SPEED NEMAGON 5-1

**00223* NEMAGON EC-2

REGISTRANT *NAME AND ADDRESS*

* 006735 TIDE PRODUCTS INC
ATTN MR MARSH BOX 1020
EDINBURG TX 78539

********** PRODUCT NAME **********

**00219* NEMATIDE

REGISTRANT *NAME AND ADDRESS*

* 007001 OCCIDENTAL CHEMICAL CO
P O BOX 198
LATHROP, CA 95330

********** PRODUCT NAME **********

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 007061

**00010* DBCP EC-12 FOR CONTROL OF PLANT PARASITIC NEMATODES

**00042* DBCP 12-E EMULSIFIABLE LIQUID

REGISTRANT *NAME AND ADDRESS*

* 007401 VOLUNTARY PURCHASING GROUP INC
PO BOX 460
BONHAM TX 75418

********** PRODUCT NAME **********

**00177* DEPT-LOMB NEMATODE KILLER

REGISTRANT *NAME AND ADDRESS*

* 008143 GABRIEL CHEMICALS LTD
204 21ST AVE
PATERSON, NJ 07509

********** PRODUCT NAME **********

**00066* NEMAGON 10 G

REGISTRANT *NAME AND ADDRESS*

* 008590 AGWAY INC
CHEMICAL DIV BOX 1333
SYRACUSE NY 13201

********** PRODUCT NAME **********

**00159* AGWAY NEMAGON 10G

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

REGISTRANT *NAME AND ADDRESS*

* 009369 TILGHMAN BR. COMPANY INC
PO BOX 195
SALISBURY MI 21801

********** PRODUCT NAME **********

**00001* TILGHMAN'S FERTILIZER-PESTICIDE MIXTURE 5-10-10 WITH NEMAGON

REGISTRANT *NAME AND ADDRESS*

* 005775 RIVERSIDE CHEM COMPANY
P.O. BOX 171199 695 RIDGE LAKE BLVD
MEMPHIS TN 38117

********** PRODUCT NAME **********

**00078* RIVERSIDE FUMAZONE 4.3

**00079* RIVERSIDE NEMAGON 4.3

**00113* RIVERSIDE 30% NEMAGON GRANULE

**00154* FUMAZONE 3% NEMATICIDE GRANULES

REGISTRANT *NAME AND ADDRESS*

* 009859 LANDIS CHEMICAL COMPANY
1601 W. OLIVE ST
LANSING IL 33801

********** PRODUCT NAME **********

**00056* NEMAGON GRANULES 35

08/31/77 FEDERALLY REGISTERED PRODUCTS CONTAINING DBCP

REGISTRANT *NAME AND ADDRESS*

* 010163 GOWAN COMPANY
P.O. BOX 5696
YUMA, AZ 85364

********** PRODUCT NAME **********

**00016* BROMIL NEMATOCIDE EM 12.1

REGISTRANT *NAME AND ADDRESS*

* 010655 OCCIDENTAL CHEMICAL COMPANY
BOX 1165
HOUSTON TX 77001

********** PRODUCT NAME **********

**00006* OXY BBC 12-E EMULSIFIABLE LIQUID

**00007* OXY BBC 12

REGISTRANT *NAME AND ADDRESS*

* 011656 WESTERN FARM SERVICE INC SHELL CHEM COMPANY
1025 CONNECTICUT AVE-STE 200
WASH DC 20036

********** PRODUCT NAME **********

**00023* WESTERN FARM SERVICE NEMATOX 8.68 EMULSIFIABLE SOIL FUMIGANT

**00024* WESTERN FARM SERVICE NEMATOX SOLUTION 8.6 SOIL FUMIGANT

**00025* WESTERN FARM SERVICE NEMATOX SOLUTION 4.3 SOIL FUMIGANT

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08/31/77            FEDERALLY REGISTERED PRODUCTS CONTAINING DDCP

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  *REGISTRANT*      *NAME AND ADDRESS*

  *  014775       ASHTON FLORIDA COMPANY
                  PO DRAWER I
                  PLANT CITY FL 33566

     ********** PRODUCT NAME **********

   **00017*  NEMA-KIL 70 E SOIL FUMIGANT


*******************************************************************************

  *REGISTRANT*      *NAME AND ADDRESS*

  *  015298       EXCHIM CORPORATION LTD
                  C/O SCICOCH 415 MADISON AVE
                  NEW YORK NY 10017

     ********** PRODUCT NAME **********

   **00001*  DIDECHC-CHLORDECONE DDCP *
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08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING EDCP

REGISTRANT *NAME AND ADDRESS*

* 000201 SHELL CHEMICAL COMPANY
AGRICULTURAL DIVISION
1025 CONNECTICUT AVE., NW SUITE 200
WASHINGTON, D. C. 20036

********** PRODUCT NAME **********

**05879* MIRAGON 12.1 EC EMULSIBLE CONCENTRATE SOIL FUMIGANT

**05881* MIRAGON 12.1 EC SOIL FUMIGAN TANK MIX WITH VAPAM

**05882* MIRAGON 12.1 EC EMULSIBLE CONCENTRATE SOIL FUMIGANT

**05947* MIRAGON 12.1 C CONCENTRATE SOIL FUMIGANT

**05949* MIRAGON 8.6 EC EMULSIBLE CONCENTRATE SOIL FUMIGANT

**05951* I-I MIRAGON SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 000464 DOW CHEMICAL U S A
PO BOX 1706
MIDLAND MI 48640

********** PRODUCT NAME **********

**06852* FUMAZONE 86E

**06854* FUMAZONE 86E

**06855* FUMAZONE 86E

**06856* FUMAZONE 86E

**06857* FUMAZONE 86E

**06858* FUMAZONE 86E

**06859* FUMAZONE 86E

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING EDCP

**CONTINUE REGISTRANT 000464

**06860* FUMAZONE 86E

**06861* FUMAZONE 86E

**06862* FUMAZONE 86E

**06863* FUMAZONE 86E

**06864* FUMAZONE 86

**06865* FUMAZONE 86E

REGISTRANT *NAME AND ADDRESS*

* 000535 SEARS ROEBUCK & COMPANY
SEARS TOWER DEPT. 766/6TH FLOOR
CHICAGO IL 60684

********** PRODUCT NAME **********

**09225* SEARS MIRAGON GRANULES

**09227* SEARS MIRAGON LIQUID

REGISTRANT *NAME AND ADDRESS*

* 000909 COOKE LABORATORY PRODUCTS
4759 S DUPREE AVE
PICO RIVERA CA 90660

********** PRODUCT NAME **********

**04691* COOKE GARDEN-RITE

**** PRODUCT SEARCH LISTING **** PAGE 3

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING DBCP

REGISTRANT *NAME AND ADDRESS*

* 001202 FUMIGPC CCMPANY
1052 W 6TH ST
LOS ANGELES CA 90017

********** PRODUCT NAME **********

**05092* FUMIGRO DBCP 12.1 SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 002013 DOLAN LABS
ST LOUIS MO

********** PRODUCT NAME **********

**05880* 34.6% NEMAGON SOIL FUMIGAN GRANULES

REGISTRANT *NAME AND ADDRESS*

* 002015 TOLCHEMI CHEMICAL CORPORATION
WEST PALM BEACH FL

********** PRODUCT NAME **********

**05948* NEMAGON 12.1 EC EMULSIBLE CONCENTRATE SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 002342 KERR-MCGEE CHEMICAL CORP
AGR PKG & LABELING
KERR-MCGEE CENTER
OKLAHOMA CITY OK 73102

********** PRODUCT NAME **********

**06949* IDEAL GOLDEN 6-8-8 W-28 PDS. 34.6% NEMAGON GRANULAR PER TON

**06951* IDEAL GOLDEN 4-6-8 W-20 PDS. 34.6% NEMAGON GRANULAR PER TON

**06952* IDEAL GOLDEN 4-8-8 W-20 PDS. 34.6% NEMAGON GRANULAR PER TON

**06953* IDEAL GOLDEN 4-8-8 W-12 LBS. 34.6% NEMAGON GRANULAR PER TON

**06954* IDEAL GOLDEN 4-8-8 W-83 LBS. 34.6% NEMAGON GRANULAR PER TON

**06955* IDEAL CROMASTER 4-8-8 W-100 LBS. 34.6% NEMAGON GRANULAR PER TON

REGISTRANT *NAME AND ADDRESS*

* 002535 WILBUR ELLIS CO.
P. O. BOX 1286
FRESNO, CA 93715

********** PRODUCT NAME **********

**06643* WIL-GRO PLANT FOODS WITH 2.5% NEMAGON SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 003122 SUPERIOR FERTILIZER & CHEM COMPANY ATTN R BASS
BOX 1021
TAMPA FL 33603

********** PRODUCT NAME **********

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 002122

**07571* SOILPRIDE NEMAGON EC-2

REGISTRANT *NAME AND ADDRESS*

* 005326 AGRICO CHEMICAL CO.
CPCP INSECTICIDE CHEMICAL DIV.
BOX 3451
TULSA, OK 74101

********** PRODUCT NAME **********

**08552* STANDARD NEMAGON (F) 50 SOIL FUMIGANT

**08993* STANDARD NEMAGON (F) 75 SOIL FUMIGANT

REGISTRANT *NAME AND ADDRESS*

* 003286 FMC CORPORATION
P.O. BOX 2360
SAN ANTONIO TX 78298

********** PRODUCT NAME **********

**08087* STAUFFER'S NEMA MIX EMULSION

**08103* STAUFFER'S NEMA-MIX SOIL FUMIGANT GRANULES

REGISTRANT *NAME AND ADDRESS*

* 003501 MOBIL CORPORATION
ATTN V MEIS 316 & 46TH ST
NEW YORK NY 10036

********** PRODUCT NAME **********

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 003501

**05946* AGCO NEMAGON 6.6 - G

REGISTRANT *NAME AND ADDRESS*

* 003743 SOUTHERN AGRICULTURAL CHEMICALS INC
PO BOX 527
KINGSTREE SC 29556

********** PRODUCT NAME **********

**07018* ROYAL GUARD 34.6% NEMAGON GRANULE

REGISTRANT *NAME AND ADDRESS*

* 005481 AMVAC CHEMICAL CORP
4100 EAST WASHINGTON BLVD
LOS ANGELES, CA 90023

********** PRODUCT NAME **********

**07499* DOWFUME NEMATOCIDE SOLUTION 12.1

**07500* DOWFUME NEMATOCIDE EB 12.1

REGISTRANT *NAME AND ADDRESS*

* 005719 CHACON CHEMICAL CORP
2600 YATES AVENUE
CITY OF COMMERCE, CA 90040

********** PRODUCT NAME **********

**04902* CHA-KEM-CO SOIL PEST-C-CIDE

REGISTRANT	*NAME AND ADDRESS*
* 007001	OCCIDENTAL CHEMICAL CO P O BOX 156 LATHROP, CA 95330

********** PRODUCT NAME **********

**07673* DBCP 25-E

**07675* BEST CARROT SPECIAL NEMATOCIDE

**07681* DBCP 50-E

**07692* CCSIOS STABILIZED NEMATOCIDE

**07717* DBCP 33-E

**07722* COMMERCIAL FERTILIZER WITH 4.4% NEMATOCIDE

**07724* DBCP 25-S

**07726* DBCP 50-LP

**05752* DBCP 15-E

REGISTRANT	*NAME AND ADDRESS*
* 007478	CHEM SAK COMPANY P.O. BOX 630757 SOUTH MIAMI FL 33157

********** PRODUCT NAME **********

**07927* NEMAGON SOIL FUMIGANT GRANULES

**07578* NEMAGON-70-SOIL FUMIGANT

**08019* KLEEN ROOT - 7C - SOIL FUMIGANT

REGISTRANT	*NAME AND ADDRESS*
* 005505	HELENA CHEMICAL CO CLARK TOWER, 5100 POPLAR AVE, SUITE 2904 MEMPHIS TN 38137

********** PRODUCT NAME **********

**03015* NEMAGON EC-2

**07697* NEMAGON EC-2

**07953* SOIL FUMIGANT 12.1 E.C.

REGISTRANT	*NAME AND ADDRESS*
* 006720	SOUTHERN MILL CREEK PRODUCTS COMPANY INC BOX 1096 TAMPA FL 33601

********** PRODUCT NAME **********

**03410* SMCP NEMAGON SOIL FUMIGANT EC-2

**03411* SMCP GRANULAR DBCP SOIL FUMIGANT

REGISTRANT	*NAME AND ADDRESS*
* 006973	SOILSERV INC PO BOX 1617 SALINAS CA 93901

********** PRODUCT NAME **********

**04411* NEMAGON O 8.6 EC

**04605* I

REGISTRANT	*NAME AND ADDRESS*
* 008127	AGGIE CHEMICAL INDUSTRY PC BOX 8335 SAN ANTONIO TX 78208

********** PRODUCT NAME **********

**03912* NEMA X GRANULES

**03913* NEMA X LIQUID

REGISTRANT	*NAME AND ADDRESS*
* 009404	CRASE & COMPANY BOX 1697 SANFORD FL 32771

********** PRODUCT NAME **********

**03481* SUNNILAND NEMAGON FILE SYMBOL: 9404-FL

**03482* SUNNILAND NEMAGON GRANULES FILE SYMB: 9404

REGISTRANT	*NAME AND ADDRESS*
* 005782	OCCIDENTAL CHEMICAL COMPANY PC BOX 4375 PRINCETON FL 33030

********** PRODUCT NAME **********

**03605* NEMAGON 12.1 E.C.

REGISTRANT	*NAME AND ADDRESS*
* 009859	LANDIA CHEMICAL COMPANY 1601 W. CLIVE ST LAKELAND FL 33801

********** PRODUCT NAME **********

**05634* NEMAGON GRANULES 3%

**06212* LANCO 10% NEMAGON GRANULES

REGISTRANT	*NAME AND ADDRESS*
* 010659	OCCIDENTAL CHEMICAL COMPANY BOX 1185 HOUSTON TX 77001

********** PRODUCT NAME **********

**06192* CRY BBC 92-E

REGISTRANT	*NAME AND ADDRESS*
* 010593	CORONA CHEMICAL COMPANY PC BOX 784 CORONA CA 91720

********** PRODUCT NAME **********

**05224* CORONA DBCP 70 E

REGISTRANT	*NAME AND ADDRESS*
* 011049	BUGBEE SPRAY CHEMICAL INC PO BOX 436 ICEE CA 95240

********** PRODUCT NAME **********

**05851* BUGBEE FUMAPORE 43

REGISTRANT	*NAME AND ADDRESS*
* 011169	SAN JOAQUIN SULPHUR COMPANY PO BOX 127 LODI CA 95240

********** PRODUCT NAME **********

**04604* VALOR BRAND PRODUCTS NEMAGON 4.2 E.C.

REGISTRANT	*NAME AND ADDRESS*
* 011656	WESTERN PEST SERVICE INC SHELL CHEM COMPANY 1025 CONNECTICUT AVE-SUI 200 WASH DC 20036

********** PRODUCT NAME **********

**05662* NEMAGON 8.6 E

**05663* NEMAGON SOLUTION 4.2

REGISTRANT	*NAME AND ADDRESS*
* 014775	ASGROW FLORIDA COMPANY PO DRAWER D PLANT CITY FL 33566

********** PRODUCT NAME **********

**10457* NEMAGON 10% GRANULES

**10541* NEMAGON GRANULES 34.6%

REGISTRANT	*NAME AND ADDRESS*
* 014815	SOIL FUMIGANTS COMPANY PO BOX 7801 ORLANDO FL 32804

********** PRODUCT NAME **********

**05229* NEMAGON 75

**05230* NEMAGON GRANULES (FINE GRIT)

**05231* NEMAGON GRANULES "25"

**05233* NEMAGON 50

**07415* FLAW SPECIAL NEMAGON GRANULES

REGISTRANT	*NAME AND ADDRESS*
* 015575	SOUTHLAND AGRICULTURAL CHEMICAL COMPANY PO BOX 6207 MONTGOMERY AL 36106

********** PRODUCT NAME **********

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 035575

**05334* REPAGON 12.1 EC

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REGISTRANT *NAME AND ADDRESS*

* 021275 SPAULDING INC
1921 5TH AVE S
ST PETERSBURG FL 33733

********** PRODUCT NAME **********

**04352* K-CEL NEMAGON GRANULES

**05466* K-CEL NEMAGON LIQUID

****

REGISTRANT *NAME AND ADDRESS*

* 035222 SOUTHERN CHEMICALS, INC.
104 S. ELM AVE, BOX 1480
SANFORD, FL 32771

********** PRODUCT NAME **********

**07155* REPAGON L.P. SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 037105 SHORE FERTILIZER CO.
307 S. EWING STREET
PLANT CITY, FL 33566

********** PRODUCT NAME **********

**08455* DRY MIX FERTILIZER W-NEMAGON

08/31/77 APPLICANTS FOR REGISTRATION OF PRODUCTS CONTAINING DBCP

**CONTINUE REGISTRANT 037105

**08456* DRY MIX BULK FERTILIZER W-NEMAGON

**08457* DRY MIX FERTILIZER NEMAGON

****

REGISTRANT *NAME AND ADDRESS*

* 037817 LINDEN AGRI. SERV., INC.
17725 E. HIGHWAY 26 BOX 507
LINDEN, CA 95236

********** PRODUCT NAME **********

**08418* L.A.S. BRAND DBCP 6.6 EC SOIL FUMIGANT

**08420* L.A.S. BRAND DBCP 4.3 EC SOIL FUMIGANT

****

REGISTRANT *NAME AND ADDRESS*

* 037843 UNIVERSITY OF HAWAII-CO-OP
EXTENSION SERV-ENTOMOLOGY RSRCH
HONOLULU, HI 96822

********** PRODUCT NAME **********

**08577* 1,2-DIBROMO-3-(ELCHCHBO)ANE (DBCP)

**08578* 1,2-DIBROMO-3-(ELCHCHBO)ANE (DBCP)

**08580* 1,2-DIBROMO-3-CHLOROBROMANE (DBCP)-EC

**08585* 1,2-DIBROMO-3-(ELCHCHBO)ANE

[FR Doc.77-27218 Filed 9-21-77;8:45 am]

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federal register

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THURSDAY, SEPTEMBER 22, 1977
PART VII

PRIVACY ACT ISSUANCES, ANNUAL PUBLICATION

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AMERICAN BATTLE MONUMENTS COMMISSION

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 39217 and 39218, continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Fred D. Clarke, Jr.,
Colonel, Infantry, Assistant Secretary.

TABLE OF CONTENTS

ABMC—1 Official Personnel Records.
ABMC—2 General Financial Records.
ABMC—3 Informal Personnel Files.
ABMC—4 Conflict of Interest Files.
Appendix

ABMC-1

System name: Official Personnel Records-ABMC

System location: American Battle Monuments Commission, 4C014 Forrestal Building, 1000 Independence Ave., SW, Washington, DC 20314.

Categories of individuals covered by the system: ABMC Civil Service Employees

Categories of records in the system: Official Personnel Folders

Authority for maintenance of the system: Federal Personnel Manual, USCSC, Chapter 293

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In house. Records are released to USCSC for audits; see appendix.

Storage: Paper

Retrievability: Manual-By name and Social Security Number

Safeguards: Stored in locked metal file containers in guarded building; released only to authorized personnel.

Retention and disposal: Retained while individual employed by Commission; transferred to new agency if employee leaves Commission for reemployment with another agency; transferred to Federal Records Center, St. Louis, Missouri, 30 days after individual is separated from government service or retires.

System manager(s) and address:

Director, Personnel and Administration
American Battle Monuments Commission
4C014 Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20314

Notification procedure: Contact individual listed above or Officer-in-Charge of field office appropriate to individuals' area of employment.

Record access procedures: ABMC access procedures are contained in 407.3

Contesting record procedures: Contesting Procedures are contained in 407.9

Record source categories: The subject individual; the American Battle Monuments Commission.

ABMC-2

System name: General Financial Records-ABMC

System location: American Battle Monuments Commission, 4C014 Forrestal Building, 1000 Independence Ave., SW, Washington, DC 20314.

Categories of individuals covered by the system: Past and present ABMC employees

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; travel vouchers; official travel authorizations; comprehensive listing of employees; health benefits records; requests for deductions; tax forms; W2 forms; overtime requests; leave data; retirement records. Records are used by the ABMC employees to maintain adequate payroll information for ABMC employees and otherwise by the ABMC employees who have a need for the records in the performance of their duties.

Authority for maintenance of the system: 31 USC generally and Pub. L. 91-175

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In house; see appendix. Records also are released to GAO for audits and to the Internal Revenue Service for investigation.

Storage: Paper

Retrievability: Manual. Identifier-By name and Social Security Number

Safeguards: Stored in metal file containers in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Chief, Accounting Division
Operations and Finance
American Battle Monuments Commission
4C014 Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20314

Notification procedure: Contact individual listed above, or Director, Operations and Finance, American Battle Monuments Commission, 4C014 Forrestal Building, Washington, DC 20314.

Record access procedures: ABMC access procedures are contained in 407.3

Contesting record procedures: Contesting Record Procedures are contained in 407.9

Record source categories: The subject individual; the American Battle Monuments Commission.

ABMC-3

System name: Informal Personnel Files-ABMC

System location: American Battle Monuments Commission, 4C014 Forrestal Building, 1000 Independence Ave., SW, Washington, DC 20314.

Categories of individuals covered by the system: Members of the Commission and Employees

Categories of records in the system: General personnel information including position descriptions, training records, performance appraisals, security clearances, employment history, home address, titles, date of birth, grade and salary, age, social security number, home telephone number, resume, letters of recommendation, personal qualifications statement or recommendation for performance recognition.

Authority for maintenance of the system: 44 USC 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In house; see appendix.

Storage: Paper

Retrievability: Manual. Identifier-Name

Safeguards: Filed in locked, steel cabinets; records available to authorized persons only.

Retention and disposal: Destroyed after three years of inactivity

System manager(s) and address:

Director, Personnel and Administration
American Battle Monuments Commission
4C014 Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20314

Notification procedure: Contact individual listed above

Record access procedures: ABMC access procedures are contained in 407.3 Rules Safeguarding Personal Information in ABMC records.

Contesting record procedures: Contesting Record Procedures are contained in 407.9

Record source categories: Individual himself; education institutions; previous employers; letters of recommendations named by individual himself.

ABMC-4

System name: Conflict of Interest Files-ABMC

System location: American Battle Monuments Commission, 4C014 Forrestal Building, 1000 Independence Ave., SW, Washington, DC 20314.

Categories of individuals covered by the system: ABMC Employees

Categories of records in the system: Title: 'Confidential Report of Employment and Financial Interests' required of certain employees contains a statement of the financial interests of the employee and the members of his immediate family and the employment of the immediate family or any other employment by the ABMC employee.

Authority for maintenance of the system: 44 USC 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In house; see appendix.

Storage: Paper

Retrievability: Manual. Identifier-Name

Safeguards: Filed in locked, steel cabinets; records available to authorized persons only.

Retention and disposal: Destroyed after two years of inactivity

System manager(s) and address:

Director, Personnel and Administration
American Battle Monuments Commission
4C014 Forrestal Building
1000 Independence Avenue, SW
Washington, DC 20314

Notification procedure: Contact individual listed above

Record access procedures: ABMC access procedures are contained in 407.3 Rules Safeguarding Personal Information in ABMC records.

Contesting record procedures: Contesting Record Procedures are contained in 407.9

Record source categories: Individual himself and people named by individual to supply information.

APPENDIX 'Routine Uses'

1. In the event that a system of records maintained by this agency 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 the system or 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 statuteor rule, regulation or order issued pursuant thereto. 2. 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. 3. 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 employee, the letting of a contract, or the issuance of a license, grantor or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter. 4. A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management. 5. A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

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CENTRAL INTELLIGENCE AGENCY

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

The purpose of this document is to give notice that the Central Intelligence Agency systems of records as published in the Federal Register at 41 FR 37692 through 37716 dated September 7, 1976 continue in effect, except as changed in the notice published in the Federal Register at 42 FR 24759, 24760, 24761 dated May 16, 1977. Also, notice is hereby given that the following Central Intelligence Agency systems of records, subject to the Privacy Act, are amended. A change in Storage is stated for CIA—8. NARS (GSA) has approved the Retention and Disposal schedules for CIA records systems 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 24, 27, 28, 32, 38, 39, 40, 43, 44, 46, 47, 58, and 59. In addition, all systems of records, except CIA—21, are amended to show a new title to whom inquiries should be sent in the Notification Procedure section. These amendments are effective upon date of publication in the Federal Register. Two new records systems, CIA—60 and 61, are proposed and shall become active, in the absence of any negative comments from the public, on or before October 25, 1977. Any data, views, or arguments concerning these new systems of records may be submitted in writing to the Information and Privacy Coordinator, Central Intelligence Agency, Washington, D.C. 20505.

Michael J. Malanick,
Acting Deputy Director for Administration.

STATEMENT OF GENERAL ROUTINE USES

The following routine uses apply to, and are incorporated by reference into, each system of records set forth below.

1. In the event that a system of records maintained by the Central Intelligence Agency 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 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.

2. 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 Central Intelligence Agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, or the letting of a contract.

3. 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.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record from this system of records may be disclosed to the Office of Management and Budget in connection with the review of private release 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.

6. A record from a system of records may be disclosed as a routine use to NARS (GSA) in records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

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CIA—1

System name: Applications Tracking System.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency and contract employees, employees of contractor supporting Office of Data Processing, currently or formerly assigned to computer software development or maintenance projects in Applications.

Categories of records in the system: Documentation of hours logged on each assigned programming or overhead project.

Authority for maintenance of the system: Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Applications staff for periodic reporting to management man-hours expended to develop assigned programming projects and overhead hours. Used for tracking the usage and scheduling of all resources for developing software.

Used to substantiate hours spent by contractor personnel on billable contractual activity.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk.

Retrievability: Name and employee number.

Safeguards: Limited to specifically designated and cleared personnel.

Retention and disposal: Records are erased when hours of activity are no longer needed by management.

System manager(s) and address:

Director, Office of Data Processing
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency employees, contract employees, employees of contractor supporting the Office of Data Processing.

CIA—2

System name: Office of Data Processing Training and Skills Inventory.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees, contract employees, and employees of contractors assigned to the Office of Data Processing (ODP).

Categories of records in the system: Documentation of CIA-funded training for each individual assigned to the Office of Data Processing.

Documentation submitted by each individual assigned to ODP, indicating his self-evaluation of his programming skills.

Authority for maintenance of the system: Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Assist D/ODP in ascertaining what additional training personnel should receive.

Assist D/ODP in the management of personnel assignments to new programming tasks.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk.

Retrievability: By Name.

Safeguards: Access to and use of these records is limited to those persons whose official duties require such access.

Retention and disposal: Records are purged as employees separate from ODP via periodic updates.

System manager(s) and address:

Director, Office of Data Processing
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency personnel and employees of contractors.

CIA—3

System name: Computer Access File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency employees having special access to Office of Data Processing computer systems.

Agency cleared contractors who have been granted access to Office of Data Processing computer systems.

Categories of records in the system: Individual's name, office, user identification code, badge number and computer systems to which the individual has access.

Authority for maintenance of the system: Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Office of Data Processing Security Officers, computer system and data base managers, and Automated Data Processing Control Officers use the system to:

Determine computer system(s), if any, to which an individual at CIA has access.

Control access to computer systems through automated computer system verifications of individual's authorization for access to computer which he/she is attempting to use.

Determine the name, office, room number and badge number associated with the user identification code of an individual suspected of a possible violation of computer systems security procedures.

Identify individuals listed in audit trail records as having accessed a particular computer system or computer-based system of records.

Produce mailing lists of ODP computer users.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic disk packs with "back-up" records on tapes and controlled hard copy computer listings used for reference. Applications and approval for access are maintained in paper files.

Retrievability: Name and user identification code.

Safeguards: Access to these records is limited to cleared persons whose official duties require such access. Personnel screening and computer system security protective mechanisms are employed to prevent unauthorized disclosure. Hard copy computer listings and paper files are maintained in combination lock safes or vaulted areas.

Retention and disposal: Records of individuals who no longer have access to Office of Data Processing systems are deleted from computer-based system of records.

As changes are made and new master computer listings are generated, the paper listings are destroyed by burning and the records on magnetic media are degaussed. There is no retention of these records.

System manager(s) and address:

Director, Office of Data Processing
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employees.

Contractor employees.

CIA—4

System name: Private Attorney Panel.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Attorneys in private practice.

Categories of records in the system: Name, address, date and place of birth, education, law firm (if any), State(s) admitted to Bar, and date and type of clearance.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide a list of private attorneys for use on CIA classified projects.

To provide a referral list for those employees whose employment with CIA must be protected.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Records are stored in a combination lock-safe and access is only by personnel in the Office of General Counsel.

Retention and disposal: Records on cleared but never used attorneys are destroyed 1 year after clearance is cancelled. Records of cleared and used attorneys are destroyed when deceased or when services are no longer of interest whichever is earlier. Destruction is by pulping.

System manager(s) and address:

General Counsel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Attorneys, CIA employees and former employees,

Martindale-Hubbell Law Directory.

CIA—5

System name: Legal Subject Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency employees, defectors, individual plaintiffs in litigation cases, individuals asserting claims against CIA, contractors and consultants, authors, journalists and other individuals who become involved in legal relationships or matters with CIA.

Categories of records in the system: Correspondence, affidavits, briefs and other legal documents, reports of investigation, Government forms, cables and internal CIA memoranda.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide factual information for legal opinions.

To provide factual information for litigation reports prepared for the Department of Justice.

To provide factual information for dealing with Agency contractors and consultants.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Records are stored in combination lock safes and access is only by personnel in the Office of General Counsel.

Retention and disposal: Permanent retention.

System manager(s) and address:

General Counsel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individuals identified in

Categories of individuals covered by the system: above, Federal agencies and other CIA records systems.

CIA—6

System name: Career Trainee Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Applicants and employees selected for Career Training Program.

Categories of records in the system: Name, biographic data, test results of applicant being considered for Career Training Program. Employee name, biographic data, test results, training evaluations, correspondence, trainee progress reports and supervisor reports on trainees during their interim assignments, and memoranda for the record.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials to determine an individual's selection for the Career Training Program.

Used by Agency officials for monitoring training activity after selection.

Used by Agency officials for job placement after completion of training program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microforms.

Retrievability: By name.

Safeguards: Stored in combination lock safe; access is limited to Career Trainee Program Officers, and Personnel Officers.

Retention and disposal: Files are retained for duration of the employee's participation in the Career Training Program, then transferred to the Office of Personnel. Official transcripts are filed in the official personnel folders; remaining material is incorporated into individual's supplemental personnel (soft) file. Unsuccessful applicant records are returned to the Office of Personnel.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The sources of information in these files are Program Officers, educational institutions, and the individual.

CIA—7

System name: Off-Campus Instructor Applicant Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency employees who are applicants for part-time instructor positions in the Agency Off-Campus Program sponsored by University of Virginia.

Categories of records in the system: Applicant forms for teaching in the Off-Campus Program.

Correspondence with University of Virginia including application approvals and rejections and documents concerning contract administration.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials to administer Instructor Program for Off-Campus college courses provided to employees.

Recommendations to University of Virginia for employing instructors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name and discipline.

Safeguards: Stored in combination lock safes. Access by CIA officials on need-to-know basis.

Retention and disposal: Records are destroyed by pulping 3 years after termination of Agency employment.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee, educational institutions, student evaluation of the instructor and the University of Virginia.

CIA—8

System name: Agency Training Record.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency employees and other Federal employees who have completed Office of Training courses, Agency-sponsored external training, and other Agency component-conducted training programs.

Categories of records in the system: A machine run which lists the individual's transcript of Agency-sponsored training.

Authority for maintenance of the system: Title 5, USC, Chapter 41.

Central Intelligence Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by Agency officials for processing employee requests for Agency-sponsored training.

Used by Agency officials to evaluate training requirements in connection with a proposed assignment.

Agency Career Management and Training Officers use this record as a management tool in counseling employees concerning their career development.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Machine listing on COM.

Retrievability: By name.

Safeguards: Stored in combination lock safes. Access is restricted to Training Officers, Personnel Officers, Supervisors and the TSS/OTR Staff.

Retention and disposal: Superseded COM reels are destroyed by burning upon receipt of updated reels.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Transcripts from educational institutions, certificates of successful completion from the training facility and training reports from the individual.

CIA—9

System name: Language Learning Center Student Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees enrolled in the Language Learning Center.

Categories of records in the system: Biographic data, test scores, training reports from instructors, training requests from sponsoring office and attendance reports.

Authority for maintenance of the system: Title 5, U.S.C. Chapter 41.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials to monitor student performance. Transcript is entered in the Agency Training Record.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Records stored in secure areas. Access on a need-to-know basis.

Retention and disposal: Retained for duration of student enrollment. Files are cut off at completion of training; all but final report is destroyed 90 days after cut off; final report is destroyed 5 years after cut off. Records are destroyed by pulping.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employees and instructors.

CIA—10

System name: Language Qualifications Register.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees who claim a foreign language proficiency.

Categories of records in the system: Employee claim of foreign language proficiency, and identifying biographic data.

Authority for maintenance of the system: Title 5, U.S.C, Chapter 41.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency personnel for processing requests for foreign language training and for language proficiency cash awards.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and magnetic tape.

Retrievability: Name and language.

Safeguards: Maintained in combination lock safes. Access on a need-to-know basis.

Retention and disposal: Record updated semiannually. Papers are destroyed by pulping and tapes are erased upon inclusion of information in employee's official record.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employees.

CIA—11

System name: Modern Language Aptitude Test Scores (MLAT).

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Selected applicants and employees who have taken the Modern Language Aptitude Test.

Categories of records in the system: Name, biographic data and test scores.

Authority for maintenance of the system: Title 5, U.S.C. Chapter 41.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Language Learning Center personnel to evaluate student potential for learning a foreign language.

Used by Personnel Officers in deciding appointment and job placement.

Aptitude test scores are provided to Foreign Service Institute when employee is enrolled in their language program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Stored in combination lock safes; access on a need-to-know basis.

Retention and disposal: Destroyed upon termination of Agency employment. Unsuccessful applicant records are destroyed after 12 months. Destruction of records is by pulping.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual.

CIA—12

System name: External Training Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees sponsored full-time external training programs.

Categories of records in the system: Employee biographic data, correspondence with public and private educational institutions, transcript and grades, training requests and administrative documents related to enrollment, employees evaluation of training course and employee Training Obligation Agreement.

Authority for maintenance of the system: Title 5, USC, Chapter 41.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials to determine employee's eligibility for Agency sponsored training.

Used by Agency officials to enroll employees in private and public educational institutions.

Used by Agency officials to evaluate courses for future enrollment of employees.

Data for Agency Training Record.

Notification of funds advanced and accountings are proved to the Office of Finance.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and punch cards.

Retrievability: Name and employee number.

Safeguards: Stored in combination lock safe; access on need-to-know basis.

Retention and disposal: Destroyed 1 year after employee completes all course commitments. Destruction by pulping.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The sources of information are from the individual, his sponsoring office, and the external training facility.

CIA—13

System name: Guest Speakers.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals under consideration for guest speaker engagements in CIA training courses. Individuals include members of the academic journalistic and business world as well as present and former senior Agency and other Government officials.

Categories of records in the system: Name, biographic data including academic credentials, published materials, correspondence and administrative records.

Authority for maintenance of the system: Section 506(a), Federal Records Act of 1950, (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Assist Training Officers in curriculum development and selection of speakers for scheduled training courses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name and area of expertise.

Safeguards: Files are stored in a combination lock safe. Use of material is restricted to Training Officers involved in course development.

Retention and disposal: Records are destroyed by pulping when Agency no longer has interest in speaker.

System manager(s) and address:

Director, Office of Training
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual, Agency officials, academic and private institutions, Federal agencies.

CIA—14

System name: Equal Employment Opportunity Complainant Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former contract, staff or detailed military personnel of the Agency as well as applicants for employment.

Categories of records in the system: Data collected by an EEO Investigator which bears on the charges of discrimination brought by the complainant. File contains sworn affidavits from the complainant, the alleged discriminating officer(s), and other individuals directly involved, as well as other documents, records, or other statistical evidence considered pertinent to the case or which assists the Agency in making its decision.

Authority for maintenance of the system: Equal Employment Opportunity Act of 1972, Public Law 92-261.

Executive Orders 11478 and 5 C.F.R., Part 713.222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information in the adjudication of complaints.

To provide information for review by the Civil Service Commission.

To provide information for Federal court review.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By complainant name.

Safeguards: Filed in combination lock safes; limited access by staff only.

Retention and disposal: Cases resolved within Agency are destroyed by pulping after resolution of case.

System manager(s) and address:

Director, Equal Employment Opportunity
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Information obtained from the complainant, the alleged discriminating official, and other individuals as well as documents, records, and statistics gathered in the investigation.

CIA—15

System name: Employee Grievance Folders.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employee. Grievance generally filed by IG Case Number assigned by Office of Inspector General.

Categories of records in the system: Data from employees coming to Inspector General with grievances re nature of grievance, circumstance that caused grievance and how settled.

Authority for maintenance of the system: Executive Order 10987, By Regulation.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by members of the Office of the Inspector General to investigate grievance to its conclusion.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By case number.

Safeguards: Materials are stored in combination lock safe; access limited to OIG staff members.

Retention and disposal: Closed cases involving litigation or those establishing precedence of policy are permanent. Closed routine cases are transferred to Records Center for 10 years and returned for review by custodian for cases selected for further retention and inclusion with other permanent cases. Those no longer needed are destroyed by pulping. Index cards assume disposition of case files. File system logs for assigning case numbers are permanent.

System manager(s) and address:

Inspector General
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules. HP Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Information obtained from complainant and other employees when grievances are investigated.

CIA—16

System name: Parking Permit Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees.

Categories of records in the system: Records include name, vehicle license number, office designation, location, and extension.

Authority for maintenance of the system: Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Federal Property Management Regulation D-47 (GSA).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency employees responsible for allocation and control of parking spaces at the Headquarters Building.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name, vehicle license number, assigned parking space number and assigned reference number.

Safeguards: Stored in safes, vaults or secure area. Access limited to staff employees.

Retention and disposal: Records marked void upon updating of information or upon cancellation of parking permit. Files destroyed upon overall reallocation of parking permits done periodically (approximately once a year).

System manager(s) and address:

Director, Office of Logistics
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Indentification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employees.

CIA—17

System name: Vehicle Operators File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees.

Categories of records in the system: Name, medical qualification forms, score sheets for driver's test, registers of permits issued and records regarding accidents. Accident report records include police data and investigation reports in addition to information on vehicle involved.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency employees for issuing official U.S. Government driver's licenses and renewals.

For review by CIA officials in accident cases.

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 any 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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Individual name or driver's permit number.

Safeguards: Physically protected in a secure area. Access is limited to employees who have the need-to-know.

Retention and disposal: Destroyed by burning three years after license is no longer valid. Accident reports are destroyed six years after case is closed.

System manager(s) and address:

Director, Office of Logistics
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual.

Agency officials.

Federal, State and local law enforcement agencies in cases when employee is involved in an auto accident.

CIA—18

System name: Personal Property Claim Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees and former employees.

Categories of records in the system: Claimant name, address, nature and loss or damage to personal effects, including inventory of items.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Claims Review Board determines amount of financial loss sustained by claimant.

Reimbursement for property loss.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Information is stored in safes or secure areas. Access is limited to staff employees working on such cases.

Retention and disposal: Records are destroyed by burning two years after final action on case.

System manager(s) and address:

Director, Office of Logistics
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual concerned and various Agency staff elements involved in processing and adjudication of claims.

CIA—19

System name: Equipment and Supplies Accountability Records

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Employees.

Categories of records in the system: Name, signature, office location, telephone extension and item of government equipment on loan or charged to the employee.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials who control and account for government nonexpendable items.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Physically protected in secure areas. Only employees charged with the responsibility of controlling government property have access.

Retention and disposal: Signature card is returned to individual charged upon return of item. Record is destroyed by burning after inventory adjustment to property records.

System manager(s) and address:

Director, Office of Logistics
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual concerned and appropriate accountable property officers.

CIA—20

System name: Logistics Security Clearance Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Commercial contractors and vendors, persons in the private sector associated with the Agency, and individuals in other government agencies contacted for liaison purposes.

Categories of records in the system: Biographic data including name, address, position, and security clearance held.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff employees in conducting Agency business with the commercial sector and liaison with other government agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By individual or company name.

Safeguards: Information stored in safes, vaults or secure areas. Access is limited to staff employees with the need-to-know.

Retention and disposal: Records destroyed upon expiration of clearance. Clearances may be revalidated three years after initial approval.

System manager(s) and address:

Director, Office of Logistics
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Information obtained from individual concerned and certification of clearance from Office of Security.

CIA—21

System name: Privacy and Freedom of Information Acts Requesters.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals who make requests to CIA under provisions of the Privacy Act, the Freedom of Information Act, and Executive Order 11652.

Categories of records in the system: Files contain all correspondence and other documents related to the receipt, processing, and final disposition of requests received by the Agency for information under the Privacy Act, the Freedom of Information Act, and Executive Order 11652.

Authority for maintenance of the system: Privacy Act of 1974—Public Law 93-579; Freedom of Information Act of 1974, as Amended; and Executive Order 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff employees for reference purposes in formulating responses to Privacy Act, Freedom of Information Act, and Executive Order 11652 requests, and for reference in processing cases under appeal and litigation; to provide documentation for referral to other Federal agencies for their review pursuant to Executive Order 11652, and the Third Agency Rule; and, as a source of information for compiling reports required by the Acts.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, electronic index and log.

Retrievability: By name, case number.

Safeguards: Paper files are stored in combination lock safes; automatic data processing index and log files need coded identifier for activation. Access on need to know basis.

Retention and disposal: From the date of last entry, Freedom of Information Act requests are destroyed after two years, and Privacy Act requests are destroyed after five years. Records are destroyed by burning.

System manager(s) and address:

Chief, Information and Privacy Staff
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency,
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Requests received pursuant to the Privacy Act, the Freedom of Information Act and Executive Order 11652.

CIA—22

CIA—23

System name: Polygraph Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Applicants for employment, employees, and certain individuals considered for assignment to the Agency.

Categories of records in the system: Polygraph report, charts, and notes.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.
Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Office of Security to make determinations of security eligibility for employment pursuant to Executive Order 10450.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape cassettes.

Retrievability: By name.

Safeguards: Files are maintained in a vault; access is permitted only while in the custody of polygraph staff members.

Retention and disposal: Indefinite. Records are destroyed by burning when they become inactive.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The source of all information obtained is from the polygraph interviews.

Systems exempted from certain provisions of the act: Pursuant to authority granted in Section (j) of the Act (5 U.S.C. 552a(j)), the Director of Central Intelligence has determined to exempt polygraph records from all sections of the Act except 552a (b), (c)(1) and (2), (e)(1), (e)(4) (A) through (F), (e)(5), (6), (7), (9), (10), and (11), and (i). These records are exempted to prevent access, accountability, and judicial review of records which intimately reveal an Agency security method.

CIA—24

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operational significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.
Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a supplement to the official personnel folders by authorized operating officials to facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, and magnetic disc.

Retrievability: By name, office and end date of assignment.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials. Access to information on magnetic disc is on limited need-to-know basis using controlled password identifier.

Retention and disposal: Upon intra-Agency transfer, transfer file to gaining component personnel office. Upon separation from Agency, transfer material for inclusion in Official Personnel Folder to Office of Personnel; maintain remaining file 6 months and destroy. Destruction is by pulping for paper. Magnetic discs are erased upon completion of reassignment.

System manager(s) and address:

Chief, DDI Administrative Staff
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee.

Career Service Panel.
Agency officials.

CIA—25

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operational significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a supplement to the official personnel folders by authorized operating officials to facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and magnetic media.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: Retained one year after separation from the Agency when material of soft file is reviewed to determine and destroy any duplicate records which are contained in the official personnel folder, and ensure filing of material in operational files, as appropriate.

System manager(s) and address:

Chief, Personnel Officer, DDS&T
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee.

Career Service Panel.
Agency officials.

CIA—26

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operational significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a supplement to the official personnel folders by authorized operating officials to facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and magnetic media.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: Retained one year after separation from the Agency when material of soft file is reviewed to determine and destroy any duplicate records which are contained in the official personnel folder, and ensure filing of material in operational files, as appropriate.

System manager(s) and address:

Career Management Officer/DDA
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee.

Career Service Panel.
Agency officials.

CIA—27

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operational significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a supplement to the official personnel folders by authorized operating officials to

facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: Upon intra-Agency transfer, transfer file to gaining component personnel office. Upon separation from the Agency, maintain in Division for 2 years then transfer material for inclusion in Official Personnel Folder to Office of Personnel; hold remaining file 6 months and destroy. Destruction is by pulping.

System manager(s) and address:

Chief, Career Management Staff, DDO.
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee.

Career Service Panel.
Agency officials.

CIA—28

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operational significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a supplement to the official personnel folders by authorized operating officials to facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: After intra-Agency transfer, resignation, or retirement, screen folder immediately transferring items that should be filed in the Official Personnel file, operational items to appropriate operating files, and process the remaining material as follows: Intra-Agency transfer—forward file to gaining office; retirement from Agency—hold retirement cases 18 months and destroy; and, resignation from Agency—hold resignation cases 1 year and destroy.

System manager(s) and address:

Administrative Officer, Office of the DCI
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee.

Career Service Panel.
Agency officials.

CIA—29

System name: Manpower Control System.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current and former Agency personnel and military or civilian personnel on detail to the Agency.

Contract employees since January 1969.

Applicants in process for employment for whom clearance has been requested.

Recipients of Agency awards.

Participants, and beneficiaries designated by deceased employees who were participants, in the Agency's retirement system and Voluntary Investment Plan.

Categories of records in the system: Data on employment history, fitness reports, qualifications and skills, insurance and medical benefits, retirement status, Voluntary Investment Plan accounts, emergency designees, home and work addresses, Agency awards, military reserve data, cases in process for employment, ceilings, position and staffing patterns.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as Amended—Public Law 88-643.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide statistical reports for CIA management on strength, distribution and utilization of manpower, average grades and salaries, minorities, projected retirements, profiles of Agency skills and qualifications, comparative rates on promotions, separations, new employees, reasons for separations.

To provide rosters and statistics for heads of Career Services to assist them in administering their career development and evaluation programs, including promotion rates and headroom, fitness report ratings, qualifications, changes in their Career Services.

To provide staffing patterns, grade and salary data for office heads required for staffing and budget projections.

To provide salary, leave, benefits and entitlements for the payroll system.

To provide rosters and statistics for components within the Office of Personnel responsible for administering recruitment, hospitalization, insurance, retirement, and Volunteer Investment Programs.

To provide records of employees entering on duty and employee separations and current status tapes or rosters to Agency components of concern.

To provide statements of accounts to employees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and disk.

Retrievability: By name, employee number, organization code, social security number, or position number.

Safeguards: Tapes and disks are maintained in a special room in a vaulted area with access only by special badge. All tapes are under control of a tape librarian. Each tape has a "security" profile which the requester of the tape must match. All requests for recurring or special reports must be approved by the Chief of the Statistical Reporting Branch or his authorized designee. Data is released only as related to personnel under the requester's direct supervision and control or to individuals responsible for administering a particular Agency program. On-line query to the system is limited to personnel responsible for the maintenance, update, and preparation of input data to the system and to employees in the Statistical Reporting Branch by controlled password.

Retention and disposal: Permanent retention of subsystems currently in operation. When system is fully operational, a record schedule, including disposal, will be implemented.

System manager(s) and address:

Director, Office of Personnel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Applicants, employees and parent Federal agency of detailee.

CIA—30

System name: Applicant Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Persons who apply for employment with CIA.

Categories of records in the system: Personal, medical and employment history statements, educational transcripts, personal references, interview reports, test results, correspondence, photographs, review comments, and processing records.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

National Security Act of 1947, As Amended—Public Law 80-253.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to review applicant's qualifications for CIA position; for security background investigation; and for medical screening for determination by authorized Agency official to offer employment.

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 benfit.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Approved containers or area when not in use—controlled loans to authorized officials.

Retention and disposal: Applicant files placed in process for employment but subsequently cancelled are retained up to two years and destroyed by burning. Files on applicants who may be of interest at a later date are retained indefinitely.

System manager(s) and address:

Director, Office of Personnel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Applicant.

Educational institutions.
Physicians.
Letters of Reference.
Agency officials.
Federal agencies.

CIA—31

System name: Current Employees and Former Employees (official Personnel files and records related thereto).

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current or former staff or contract employees and detailed military and civilian personnel, and current and former members of Advisory Groups.

Categories of records in the system: Personal and employment history statements, personnel actions, fitness reports, commendations, biographic profile, retirement status, training, emergency/casualty cases, awards, travel arrangements, medical and insurance claims, correspondence, qualification registers, photographs, and information relating to the suitability and fitness of the individual, complaints and grievances, external employment assistance, Voluntary

Investment Plans, financial and educational assistance, recreation programs, exit processing, United Givers and Savings Bond, blood donors.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as Amended—Public Law 83-643.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To administer personnel assignments, performance evaluations, promotions, adverse actions, counseling, retirement determinations of qualifications, separations, medical or insurance claims, statistical reports, and otherwise make decisions on the rights, benefits or entitlements, and utilizations of individuals.

To prepare transcripts in response to a request from another government agency relative to employment considerations by that agency. Employment and credit verifications. To update the Agency Qualifications Record System. To refer or provide information in response to or by direction of court order or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature to the appropriate agency 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.

To provide a data source for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; or to locate specific individuals for personnel research or other personnel management functions.

To respond to inquiries from attorneys and insurance companies relative to litigation of an accident claim.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: Agency portion of the official file is destroyed by burning 75 years after birth of employee or 60 years after date of earliest document.

System manager(s) and address:

Director, Office of Personnel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Other government agencies.

Educational institutions.
Employee.
Agency officials.

CIA—32

System name: Consultant and Independent Contractor Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Consultants and independent contractors who are generally self-employed and who are engaged under contract to provide technical, management and scientific advice and services to the Agency.

Categories of records in the system: Performance evaluations, administrative documents on compensation and benefit commitments, termination agreements and correspondence, biographic data, appointment or contract data.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To administer contractual provisions—benefits, compensation, transportation, termination; performance evaluation, references, and to otherwise make decisions on the rights, benefits or entitlements and utilizations of the individual.

As a source for managerial statistical and analytical studies, and other related personnel management functions or manpower studies.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials, maintained during active employment and retained after separation in accordance with established record disposal schedules.

Retention and disposal: Records are destroyed by pulping 75 years after birth of individual or 60 years after date of earliest document.

System manager(s) and address:

Director, Office of Personnel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual.

Agency officials.
References as indicated by the individual.

CIA—33

System name: Prospective Contributors for the Collection of Foreign Intelligence.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals who voluntarily indicate a willingness to contribute to Foreign Intelligence.

Categories of records in the system: Psychological assessment data.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Agency officials use the psychological assessment data to assist them in reaching a decision concerning an affiliation with the Agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper form; converted to microfilm after two years.

Retrievability: By name.

Safeguards: Files are stored in security approved containers. Access is on a need-to-know basis.

Retention and disposal: Files are maintained for two years then microfilmed. Files are destroyed by burning after microfilming.

System manager(s) and address:

Director, Office of Technical Service
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individuals and Agency officials.

CIA—34

System name: Clinical and Psychiatric Files (Employees).

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: CIA employees and their dependents; military and Federal civilian employees to CIA detailees and their dependents; and retired or separated employees and their dependents.

Categories of records in the system: Contains all physical examinations, laboratory data, X-rays, private physician reports, reports of on-the-job injuries and illnesses; results of psychiatric screening and testing; reports of psychiatric interviews; records of immunizations, and related medical material.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Title 5, U.S.C., Section 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By Agency personnel for evaluation of suitability for assignment, fitness-for-duty, health maintenance and in reviewing applications for medical disability retirement.

By the Civil Service Commission in the case of an employee under that system who applied for medical disability.

By the Office of Workers' Compensation Programs, Department of Labor, in the case of an employee who applies for its compensation.

To provide information to Federal agencies for employees who are being assigned or detailed to those agencies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are maintained in paper form filed in an identifying jacket. Certain information—medical history, laboratory and assignment data—are contained on magnetic tape and punch cards. Printouts from the automated data processing are filed in the subject's medical file.

Retrievability: Access is by a file identification number which is, in turn, cross referenced to a name.

Safeguards: Files are stored in vaulted main file room. During periods when files are undergoing active processing they are secured in locked safes. Unauthorized entry into the vaulted file room is controlled via an alarm system. Access to computer information is controlled by limiting the number of medical personnel approved for such access by an identifying password. Access to the main vault file room, locked safes and the Agency Records Center is controlled by limiting the number of personnel authorized such access.

Retention and disposal: Files are retained until such time as the employee retires or separates from the Agency—at which time, they are retired to the Agency Records Center. To meet statutory requirements, they are then retained for a period of 75 years from date of birth. Destruction of records will be accomplished through burning. Magnetic tapes are degaussed.

System manager(s) and address:

Director, Office of Medical Services
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The individual supplies his/her medical history and additional information is developed through routine medical processing.

Reports from private physicians and/or medical facilities when permission is granted by the individual concerned.

CIA—35

System name: Clinical and Psychiatric Files (Applicants).

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Applicants for Agency Employment.

Categories of records in the system: Contains all physical examinations, laboratory data, X-rays, private physician reports, reports of previous on-the-job injuries and illnesses, results of psychiatric screening and testing, reports of psychiatric interviews, records of immunizations, and related medical material.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Title 5, U.S.C., Section 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Office of Medical Services to evaluate the medical suitability of applicants for employment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and X-ray film.

Retrievability: By name.

Safeguards: Files are stored in vaulted main file room. During periods when files are undergoing active processing they are secured in locked safes. Unauthorized entry into the vaulted file room is controlled by an alarm system. Access to computer information is controlled by limiting the number of medical personnel approved for such access by an identifying password. Access to the main vault file room, locked safes and the Agency Record Center is controlled by limiting the number of personnel authorized such access.

Retention and disposal: Successful applicant files are converted to employee files. Files are retained until such time as the employee retires or separates from the Agency—at which time, they are then retired to the Agency Record Center. To meet statutory requirements, they are then retained for a period of 75 years from date of birth. Destruction of records is accomplished through burning. Applicant files not processed are retained for a period of two years; records are then destroyed by burning.

System manager(s) and address:

Director, Office of Medical Services
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The individual supplies his/her medical history and additional information is developed through routine medical processing. Reports from private physicians and/or medical facilities when written permission is granted by the individual concerned.

CIA—36

System name: Medical Facilities and Physicians.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Lists of medical facilities and names of physicians in the Metropolitan Washington area.

Categories of records in the system: Name, business address, and phone numbers of physicians and medical facilities.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Title 5, U.S.C., Section 7901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information to employees upon request for external medical referral.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name, facility, and medical specialty.

Safeguards: Maintained in locked file cabinets. Access on a need-to-know basis.

Retention and disposal: Lists are continuously maintained. When updated, old lists are destroyed by burning.

System manager(s) and address:

Director, Office of Medical Services
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules. Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency physicians and contract medical personnel.

CIA—37

System name: Psychological Test Data Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Applicants, CIA employees and dependents, detailees and dependents, retired or separated employees and dependents.

Categories of records in the system: Results of psychological testing and assessment reports.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the case of employees, dependents and detailees, to determine the individual's skills and aptitudes and suitability for a particular assignment or training as distinct from his general suitability for employment (psychiatric screening).

Data developed to validate new tests and techniques as part of on-going research efforts.

To prepare reports which summarize test results and to assist Agency officials in selection of candidates for employment and career management planning for employees.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microfilm, magnetic tape and punch cards.

Retrievability: By name.

Safeguards: Medical files are stored in vaulted main file room. During periods when files are undergoing active processing they are secured in locked safes. Access to computer information is controlled by limiting the number of medical personnel approved for such access by an identifying password. Access to the main vault file room, locked safes and the Agency Records Center is controlled by limiting the number of personnel authorized such access.

Retention and disposal: Files on employees, dependents and detailees are retained in Headquarters until retirement or separation at which time they are retired to the Agency Records Center, where they are retained 30 years and then destroyed by the Records Center by burning. Successful applicants' files are treated the same as employees. Unsuccessful applicant files are retained for a period of five years and then destroyed by burning.

System manager(s) and address:

Director, Office of Medical Services
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The individual through the completion of a variety of psychological tests and interview sessions with Agency medical officers.

CIA—38

System name: Congressional Liaison Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Matters of liaison with Congressional Offices are filed in the name of the member of the Office involved.

Categories of records in the system: Liaison record.

Correspondence file.
Newspaper and publication clippings.

Authority for maintenance of the system: Section 506(a), Federal Records Act 1950 (44 U.S.C, Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Handle requests from members and Committees.

Coordinate Agency position on proposed legislation.
Prepare Agency position papers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and magnetic media.

Retrievability: By the name of the Member of Congress.

Safeguards: All records are stored in a combination lock safe; access is restricted only to OLC personnel.

Retention and disposal: Records for which OLC is office of record are permanent. Non-record or temporary items are cut off annually, transferred to Records Center, recalled after 5 years and screened for selected files which are incorporated into permanent records. Residual material is destroyed by pulping.

System manager(s) and address:

Legislative Counsel
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency officials.

Offices of Members of Congress, Congressional committees and other Government agencies.

CIA—39

System name: Publications About CIA.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Authors of publication, CIA employees, and other individuals mentioned in newspaper articles about CIA.

Categories of records in the system: Newspaper articles:

By-lined articles mentioning CIA.
Articles mentioning CIA.

Correspondence concerning arrangements for press interviews with CIA officers.

Authority for maintenance of the system: Section 506(a), Federal Records Act 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Agency officials researching articles on the CIA.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Files are stored in a vaulted room; access upon request on a need-to-know basis.

Retention and disposal: Permanent.

System manager(s) and address:

Assistant to the Director for Public Affairs
Office of the Director
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Newspaper articles and correspondence.

CIA—40

System name: CIA Authors File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: CIA employees (current and past) who have published commercially.

Categories of records in the system: Name of author and title and source of publication.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for author display exhibit in CIA Library.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual card file.

Retrievability: By name of author.

Safeguards: Located in limited access building.

Retention and disposal: Records destroyed when obsolete or no longer needed by pulping.

System manager(s) and address:

Director, Office of Central Reference
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individual authors.

CIA—41

System name: Intelligence in Public Literature File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals who have written on the general topic of intelligence and have been reviewed in the public media; individuals identified as being involved in intelligence activities.

Categories of records in the system: Media articles on personalities and events relating to subject of intelligence.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide Agency and other USIB components a ready-reference file on open literature relating to intelligence.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and archives boxes of media articles.

Retrievability: By name of author or general topics.

Safeguards: File is open to any Agency or Intelligence Community employee on an official task; requests for access to classified portions are screened on the basis of official "need-to-know."

Retention and disposal: Articles and topics are discarded when no longer used.

System manager(s) and address:

Director, Office of Central Reference
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Foreign and domestic news media; intelligence reports.

CIA—42

System name: Library Open Literature Ready Reference File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals appearing in news media.

Categories of records in the system: Articles concerning individuals of intelligence interest.

Authority for maintenance of the system: National Security Act of 1949, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide traditional library reference service to Agency officials. It serves as an adjunct to standard published reference works and supplies information not otherwise readily available.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy file of media articles.

Retrievability: By subject, organization or personal name; some are retrievable by a manual or a computer index to the file.

Safeguards: Requests for information are screened for appropriateness.

Retention and disposal: Articles and categories are discarded when no longer needed.

System manager(s) and address:

Director, Office of Central Reference
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Foreign and domestic news media.

CIA—43

System name: Briefing Program File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Those individuals, both foreign and U.S., who have visited CIA for official briefings under the CIA Briefing Program.

Categories of records in the system: Names, dates of visits, and parent organizations of visitors.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in planning briefing programs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 x 5 index cards.

Retrievability: By name.

Safeguards: Kept in secure area; only authorized officials have access to the file.

Retention and disposal: Destroy 5 years after cut-off. Cut off at end of each calendar year. Screen. Destroy duplicate copies and housekeeping records. Maintain remainder in current file area for 5 years and destroy. Destruction by pulping.

System manager(s) and address:

DDI Executive Officer
and Assessments Staff
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Official correspondence from parent organizations of individuals to be briefed.

CIA—44

System name: Foreign Map Sources Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Selected U.S. and foreign individuals and firms having a potential to provide foreign maps.

Categories of records in the system: Names, extracts from open literature, intelligence reports, records of map acquisitions.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information in support of foreign map acquisition.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Kept in secure area; only authorized personnel have access.

Retention and disposal: Destroy data on individual source when procurement action is complete or source potential is ended. Destruction by pulping.

System manager(s) and address:

Director, Office of Geographic and
Cartographic Research
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individuals, intelligence reports, open literature.

CIA—45

System name: Soviet-U.S. Contacts File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Prominent U.S. citizens, such as members of Congress and high-ranking government officials, who have met prominent Soviets at meetings reported in the press.

Categories of records in the system: Names and titles of individuals, dates and places of meetings, subjects discussed as reported in the Soviet and U.S. press.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to prepare briefing material for U.S. officials who plan to visit the USSR or hold discussions with Soviets in the United States.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer tapes and paper.

Retrievability: Name of Soviet or U.S. participants, date, general subject, and locations of meetings.

Safeguards: Requests for information are screened for appropriateness. Files are stored in combination locked safes.

Retention and disposal: File started in 1974 and still considered experimental; continuation will depend upon utility; no file destruction to date.

System manager(s) and address:

Director, Office of Central Reference
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13).

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Soviet and U.S. press.

CIA—46

System name: Academic Relations File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Scholars with whom the DDI maintains contact for the purpose of exchanging research and analyses.

Categories of records in the system: Names and addresses.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference for correspondence; mailing of unclassified Agency publications.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 x 8 index cards.

Retrievability: By name.

Safeguards: Kept in secure area; only authorized officials have access.

Retention and disposal: Reviewed every 2 years and records are destroyed on individuals no longer associated with the program. Destruction is by pulping.

System manager(s) and address:

Coordinator for Academic Relations
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Correspondence and personal contact.

CIA—47

System name: Professors and Placement Officers of Selected Colleges.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Those key individuals in selected colleges who may be able to assist the Office of Economic Research in its professional recruiting effort for economics analysts.

Categories of records in the system: Names and parent organizations.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in Office of Economic Research recruiting program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: List.

Retrievability: By name.

Safeguards: Kept in secured area; only authorized officials have access.

Retention and disposal: Review annually and destroy records on individuals no longer associated with the activity. Destruction is by pulping.

System manager(s) and address:

Director, Office of Economic Research
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Professional contacts established by the Office of Economic Research and Agency recruiters.

CIA—48

System name: Cryptographic Access File.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency staff personnel, contract employees, and contractor employees who have been authorized access to cryptographic information.

Categories of records in the system: Biographic information including name, date of birth, social security number, and Agency component or commercial employer and date of clearance of person being granted access.

Authority for maintenance of the system: Executive Order 10450.

Public Law 81-513, dated 13 May 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Control and accountability of cryptographic access clearances.

Certify to Agency officials and to other agencies and private contractors names of individuals who possess a cryptographic clearance.

Users of this information are the Office of Security and Office of Communications.

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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and computer.

Retrievability: By name.

Safeguards: Information on paper media is stored in combination lock safes or in a secure area; access is limited to authorized employees on a need-to-know basis. Information stored on the computer system is subject to safeguards established by the Office of Security.

Retention and disposal: Paper files are retained until the clearance is rescinded. Destruction of paper records is accomplished through burning. Computer records are revised when clearance is rescinded.

System manager(s) and address:

Director, Office of Communications
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA

concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: The source of biographic information is the Office of Security or official correspondence notifying Office of Communications of a change in the individual's status.

Employee.

CIA—49

System name: Directorate of Operations Records System.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals who are of foreign intelligence or foreign counterintelligence interest to the CIA, either because of their actual, apparent, or potential association with foreign intelligence or foreign counterintelligence activities, or because they are of actual or potential use to CIA.

Categories of records in the system: Categories of records include administrative, management and policy, personality, operational, and impersonal subjects based primarily on foreign intelligence and foreign counterintelligence reports.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Immigration and Nationality Act, as Amended—Public Law 82-414.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information within CIA and to selected Federal agencies and military departments for the conduct of foreign intelligence operations.

To provide information within CIA and to the FBI, other selected Federal agencies, and military departments for the conduct of foreign counterintelligence operations.

To conduct national Agency name checks for other agencies as required by National Security Council Directive and the Immigration and Nationality Act of 1952 in the interest of the security of the United States.

To provide information to the Immigration and Naturalization Service.

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.

To provide information to U.S. and, through established liaison channels, selected foreign government agencies in national security or criminal cases.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microforms, and magnetic media.

Retrievability: By name.

Safeguards: Strict controls have been imposed to minimize the risk of compromising information held. Employees are allowed access to the index and files only after undergoing special training. There are degrees of compartmentation which are designed to limit access to information on a strict "need-to-know" basis. Records are kept of each disclosure of a record to another agency as required by this act.

Retention and disposal: Retention is based on approved records disposition schedules. Destruction is by pulping, degaussing, or burning.

System manager(s) and address:

Chief, Information Services Staff, DDO
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Other U.S. agencies and organizations.

Foreign sources and individuals.
Predecessor organizations.
Overt publications.
Private citizens.
State and local agencies.

CIA—50

System name: Financial Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current and former Agency staff personnel, contract personnel, consultants, independent contractors, detailed military and civilian personnel, and survivors of deceased CIA retirement system annuitants

Categories of records in the system: Records required to administer compensation payments, payments to CIA Retirement System (CIARDS) annuitants, authorized or required payroll deductions or contributions for Federal, state and city income tax, retirement, insurance, Credit Union, etc., and leave entitlements. Personnel actions, contracts, W-4s, W-2s, withholding authorizations, banking instructions for dissemination of employees' salary checks.

Official travel orders, record of funds advanced and transportation furnished, copies of travel claims and accountings.

Records and statements concerning the status of funds advanced to individuals for official purposes.

Correspondence and copies of all financial documentation accumulated in the collection and settlement of amounts due the Agency from former employees.

Financial accounts and records concerning employees'/former employees' participation in the Voluntary Investment Plan. Membership application, payroll deduction authorization, quarterly status statement, funds withdrawal requests.

Certifying officers; contracting officers; and authorizing letter and signature card.

Authority for maintenance of the system: Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as Amended—Public Law 88-643.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by CIA personnel to fulfill statutory requirements with regard to the computation, payment, and recording of compensation due Agency personnel and annuities due to CIARDS annuitants and to report Federal, state, and local taxing authorities tax information as required by law; used by CIA officials to report and remit to appropriate Federal, state, and local agencies tax withholdings, individual and CIA contributions for retirement, life and health insurance programs, and other deductions as required or authorized by the individual.

Used by CIA personnel concerned with the administration, processing, audit and certification of travel and transportation accounts.

Used by CIA personnel as an administrative control to ensure that official funds advanced to individuals are properly and fully accounted for.

Used by CIA personnel to pursue and document efforts made to collect amounts due the Agency from former Agency personnel.

Used by CIA personnel in the financial administration of the Voluntary Investment Plan and to inform participants of their equity in the Plan.

Used within CIA by Agency personnel charged with responsibility for determining that the commitment and expenditure of Agency

funds is authorized, approved, and certified by officials to whom such authority has been delegated.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, punch cards, microfilm, magnetic tape and disks.

Retrievability: By name, employee number, and component of assignment.

Safeguards: Records are located in either vaulted, limited access areas or in combination lock safes. Access to the records is strictly limited to Agency personnel who either work with the records or have an official need for the information.

Retention and disposal: Method of disposal is by burning, degaussing or shredding, whichever is the most appropriate for the particular medium in which the record is maintained. Records are retained in accordance with established record disposal schedules.

System manager(s) and address:

Director, Office of Finance
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Individuals and Agency officials.

CIA—51

System name: Security Duty Office Event Reports.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Individuals who contact the Security Duty Office.

Categories of records in the system: Name, date and subject matter of contact by individual.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Brief senior Security Officers concerning contacts made by individuals and events involving the Agency and Agency facilities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Records are maintained in office which is manned on a 24-hour basis. Information is disclosed to Agency officials on a need-to-know basis.

Retention and disposal: Records are maintained only for time period when subject is of interest to the Agency. Records are destroyed by burning.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: General public, employees and Federal, state and local officials.

CIA—52

System name: Special Clearance System.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Federal, civilian and military personnel and representatives from private industry who possess special access clearances.

Categories of records in the system: Name, date of birth, social security number, date of background investigation, organization, and clearances held.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To certify throughout the Intelligence Community and related industry the individuals whose names are contained in this Special Register for purposes of controlling access to special classified materials.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, computer tapes and paper.

Retrievability: By name, social security number, and organization.

Safeguards: The records are stored in a secure area. Access to the storage area is restricted to those who have the proper clearances and have a need-to-know.

Retention and disposal: The records are kept as long as an individual possesses special access clearances. Records are destroyed when individual is debriefed of special clearance(s). Paper records are burned; magnetic tapes are degaussed.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency personnel, and other Federal agencies, and private industry.

CIA—54

System name: Central Badge System.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency employees and individuals who required building access badges.

Categories of records in the system: Name, date and place of birth, social security number, photographs and fingerprints.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

National Security Act of 1947, as Amended—Public Law 80-253.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Office of Security to identify and control access to Agency facilities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, photographs and magnetic media.

Retrievability: Name and badge number.

Safeguards: Records are maintained in vault. Access is limited to individuals on need-to-know basis.

Retention and disposal: Retained for duration of employment or association with the Agency. Records are destroyed by burning two years after resignation or termination of the association.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee records and/or the individual requesting identification badge.

CIA—56

System name: Security Analysis Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Any individual who comes to the attention of the Agency because of a counterintelligence interest that concerns Agency personnel or Agency security.

Categories of records in the system: Biographic information and data concerning an individual's involvement in specific intelligence and counterintelligence activities.

Authority for maintenance of the system: National Security Act of 1947, as Amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Inform Agency officials of potential or actual CI information involving Agency personnel or facilities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: All records are maintained in a vaulted area. Access is limited on a need-to-know basis.

Retention and disposal: Permanent retention.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employees.

U.S. Government agencies.
Foreign intelligence sources.

CIA—57

System name: Security Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Applicants, staff and contract employees, former employees, consultants, contractors, military detailees, individuals of security interest, persons of substantive affiliation with or service to the Agency, persons on whom the Agency has conducted an investigation, Agency employees and other individuals associated with the Agency who have completed an accident report form, and Federal, civilian and military personnel with whom the Agency conducts liaison.

Categories of records in the system: Investigation requests.

Biographic data (name, sex, D/POB, social security number, and employer and employee address at time record was created).

Authorizations for the release of high school and college transcripts and copies of those transcripts.

Investigative reports.

Appraisal summaries reflecting the rationale for granting or refusing a security clearance.

Documentation of the final action taken by the Office of Security concerning any given investigation.

Secrecy agreements.

Documentation concerning the granting or refusing of special clearances; levels of clearances held; approvals for personnel reassignments; notations that polygraph or other special interviews were performed; memoranda concerning security violations; notices of termination of affiliation with the Agency.

Report of accidents and investigative reports.

Authority for maintenance of the system: National Security Act of 1947, as amended—Public Law 80-253.

Central Intelligence Agency Act of 1949, as Amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Executive Order 10450.

Executive Order 11807.

Section 19(a), Occupational Safety and Health Act of 1970—Public Law 91-596.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used to ascertain whether there is any existing information concerning a person who is of immediate interest to the CIA. The system is routinely used when:

a person applies for CIA employment;

a person is a candidate or associated with a candidate for some project or assignment;

a question arises as to whether a certain individual has been security approved, or considered for security approval by the CIA;

there is a need to obtain the security file of an individual who is known (or assumed) to be the subject of a file; and

CIA receives a request for investigative information from another Federal agency.

Records from this system are also used to prepare briefings on Agency accident experience; to determine accident causes and recommend remedial action; and to prepare quarterly and annual statistical reports for the Department of Labor.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper, microfilm, computer disks and magnetic tapes.

Retrievability: By name.

Safeguards: Records are safeguarded by combination lock security containers, or are stored within a vaulted area. Access is restricted to individuals who are certified on an "Access List." The Access List is validated each month and published so that responsible officials can insure that records are accessed only for official purposes.

Retention and disposal: Files which contain Agency-developed investigative reports on an individual are retained a maximum of 50 years, then destroyed by burning or pulping. Liaison contact files are kept for three years and then destroyed by burning or pulping, except where there is a documented request to continue the liaison.

System manager(s) and address:

Director, Office of Security
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Current and former employees, consultants, contractors, contract employees, military detailees, applicants for employment, persons of substantive affiliation with or service to the Agency, Federal, state and local agencies, educational institutions, employers, personal and business references provided by the individual under investigation and acquaintances of the individual.

CIA—58

System name: Inspector General Research Records.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Agency personnel and other individuals whose names appear in documents assembled primarily from other Agency records systems by the Inspector General in relation to an Executive commission and Legislative committee reviews of Agency activities conducted between 1972 and 1976.

Categories of records in the system: CIA documents that are pertinent to an Executive commission and Legislative committee reviews of Agency activities.

Authority for maintenance of the system: Central Intelligence Act of 1949, as amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by Agency officials for reference use in connection with Executive and Legislative reviews of Agency activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: Name or subject.

Safeguards: Information is stored is safes. Access is limited to Agency personnel.

Retention and disposal: Permanent.

System manager(s) and address:

Inspector General
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Requests from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual record, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Agency employees.

CIA—59

System name: Unsolicited Correspondence from the General Public Addressed to the Director or Deputy Director of Central Intelligence.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Members of the General public who have written to the Director or Deputy Director of Central Intelligence.

Categories of records in the system: Correspondence from the general public and Agency letters of response.

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as amended—Public Law 81-110.

Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by the Executive Secretary, Office of the Director, to insure that correspondence is acknowledged. Certain correspondence is forwarded to other Government agencies for appropriate action.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Records are in a vaulted area; access is controlled by the Executive Secretary.

Retention and disposal: Subject file of substantive correspondence requiring action beyond acknowledgment reply is permanent. Routine correspondence and acknowledgments are reviewed at 2 year intervals and destroyed by pulping when no longer needed, or destroyed 5 years after original contact if no interest activated within 5 years, or incorporated into Subject file if interest is activated and case warrants. Employment applications: originals referred to Office of Personnel; duplicates so noted and files cut off annually and destroyed by pulping when 2 years old.

System manager(s) and address:

Executive Secretary
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains their correspondence should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Requests from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

CIA—60

System name: Personal and Professional Associates of the Director of Central Intelligence.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Personal and professional associates of the Director of Central Intelligence.

Categories of records in the system: Home and business addresses; home and business phone numbers; category of association with the DCI (e.g. personal/professional).

Authority for maintenance of the system: Central Intelligence Agency Act of 1949, as amended—Public Law 81-110. Section 506(a), Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The system is used by administrative personnel, Office of the Director, to insure that information pertaining to the Director's associates is maintained in a current manner.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy computer print-out and magnetic disc pack.

Retrievability: By name, city, or type of association.

Safeguards: Hard copy computer print-out stored in a vaulted area; access is controlled by the Director's immediate office staff. Automatic data processing disc pack requires coded identifier for activation. Access on a need-to-know basis.

Retention and disposal: The hard copy computer print-out is stored in the Office of the Director and becomes a part of the Director's personal correspondence/files. This hard copy is replaced as changes occur and the preceding copy destroyed by burning. Magnetic disc pack is corrected as changes occur and when no longer of use it is erased.

System manager(s) and address:

Executive Assistant to the Director
Central Intelligence Agency
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains their name and address should direct inquiries to:

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Requests from individuals should be addressed as directed in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promugated in the CIA rules section of the Federal Register.

Record source categories: Selected public by category of relationship with the DCI.

CIA—61

System name: Supplemental Personnel (Soft) Files.

System location:

Central Intelligence Agency
Washington, D.C. 20505.

Categories of individuals covered by the system: Current and former staff or contract employees and detailed personnel.

Categories of records in the system: Memoranda of discussions, working copies of personnel and contract actions including procedural checklists, performance appraisals, travel and shipping orders. Information concerning conduct, training, special qualifications or restrictions, dependency and residence, emergency notifications, biographic data, Letters of Instruction. Also, cables and dispatches of administrative and operations significance, and photographs.

Authority for maintenance of the system: National Security Act of 1947, as amended—Public Law 80-253. Central Intelligence Agency Act of 1949, as amended—Public Law 81-110. Section 506(a) Federal Records Act of 1950 (44 U.S.C., Section 3101).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Used as a supplement to the official personnel folders by authorized operating officials to facilitate and expedite processing or procedural requirements and transactions of employees.

Serves as a management tool for administrative and operating officials for purposes of employee assignment, promotion, and career development considerations and determinations.

To refer or provide information in response to or by direction of a court order, or where there is an indication of a violation or potential violation of law whether civil, criminal, or regulatory in nature, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute or law, regulation or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper.

Retrievability: By name.

Safeguards: Files are maintained in vaulted areas or approved metal filing cabinets; file release is on a controlled-loan basis to authorized officials.

Retention and disposal: After transfer, resignation or retirement, screen folder immediately transferring items that should be filed in the Official Personnel file, operational items to appropriate operating files, and process the remaining material as follows: Transfer—Forward file to gaining office; retirement—hold retirement cases 18 months and destroy; and, resignations—hold resignation cases 1 year and destroy.

System manager(s) and address:

Chief, Support Staff
Intelligence Community Staff
Washington, D.C. 20505.

Notification procedure: Individuals seeking to learn if this system of records contains information about them should direct their inquiries to:

Information and Privacy Coordinator
Central Intelligency Agency
Washington, D.C. 20505.

Identification requirements are specified in the CIA rules, published in the Federal Register (32 CFR 1901.13). Individuals must comply with these rules.

Record access procedures: Request from individuals should be addressed as indicated in the notification section above.

Contesting record procedures: The Central Intelligence Agency's regulations for access to individual records, for disputing the contents thereof, and for appealing an initial determination by CIA concerning access to or correction of records, are promulgated in the CIA rules section of the Federal Register.

Record source categories: Employee, Career Service Panel, IC officials.

[FR Doc.77-27832 Filed 9-21-77;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PRIVACY ACT OF 1974

Annual Records System Notice

As required by the Privacy Act (Pub. L. 93-579, section 552a(e)(4)), that all agencies shall publish " * * * in the Federal Register at least annually a notice of the existence and character of systems of records * * *", following are the systems of records for the Committee for Purchase from the Blind and Other Severely Handicapped.

C. W. Fletcher,
Executive Director.

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CBH—1 General Personnel File
CBH—2 General Financial Records
CBH—3 Payroll Records

CBH—1

System name: General Personnel File for Committee for Purchase from the Blind and Other Severely Handicapped—CBH—1.

System location:

Executive Director
2009 14th Street North, Suite 610
Arlington, Virginia 22201

Categories of individuals covered by the system: Committee members and employees (past and present).

Categories of records in the system: General personnel information, including, among other data, photographs, applications, position description, request for and notification of personnel action, training records, security clearances, titles, service computation date, date of birth, grade, salary, employment history, home address, age, marital status, social security number, home telephone number, resume, letter of recommendation, and short biographical sketches. System contains copies of Civil Service Commission personnel forms including, among other: data for nonsensitive or noncritical-sensitive position, and payroll change slip. Information is used by authorized Committee employees in the performance of their duties.

Authority for maintenance of the system: 5 U.S.C., generally, and Public Law 92-28.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper

Retrievability: Manual and by name.

Safeguards: Files locked in office; records are available to authorized persons only.

Retention and disposal: In accordance with General Records Schedule FPMR 101-11.4.

System manager(s) and address:

Executive Director
2009 14th Street North, Suite 610
Arlington, Virginia 22201

Notification procedure: Contact individual listed above.

Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.

Record source categories: Official personnel records and the individual.

CBH—2

System name: General Financial Records for Committee for Purchase from the Blind and Other Severely Handicapped—CHB—2.

System location: General Services Administration, Central Office, copies held by the Committee. (GSA holds records for Committee under contract).

Categories of individuals covered by the system: Committee employees.

Categories of records in the system: SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Committee who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally and Public Law 92-28.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Executive Director
2009 14th Street North, Suite 610
Arlington, Virginia 22201.

Notification procedure: Contact system manager listed above.

Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.

Record source categories: The subject individual; the Committee.

CBH—3

System name: Payroll records for Committee for Purchase from the Blind and Other Severely Handicapped—CBH—3.

System location: General Services Administration, Region 3 Office; copies held by the Committee (GSA holds records for Committee under contract).

Categories of individuals covered by the system: Past and present Committee employees.

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards, payment vouchers, comprehensive listing of employees, health benefits records, requests for deductions, tax forms, W-2 forms, overtime requests, leave data, retirement records. Records are used by Committee and GSA employees to maintain adequate payroll information for Committee employees and otherwise by Committee and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.

Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed 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 the Treasury pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Executive director, Committee for Purchase from the

Blind and Other Severely Handicapped, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

The request must include a copy of the applicable statute or ordinance 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.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped 2009 14th Street North, Suite 610, Arlington, Virginia 22201.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Public Law 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building, released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Executive Director
2009 14th Street North, Suite 610
Arlington, Virginia 22201

Notification procedure: Contact system manager listed above.

Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.

Record source categories: The subject individual; the Committee.

APPENDIX (CBH)

In the event that a system of records maintained by this agency 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 of 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 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 in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purpose of audit.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a Member of Congress or to a congressional staff member in response to an inquiry of the Congressional Office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

[FR Doc.77-18852 Filed 9-21-77;8:45 am]

EXPORT-IMPORT BANK OF THE UNITED STATES

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

The Privacy Act of 1974, 5 U.S.C. 552a(e)(4) requires that each agency publish in the Federal Register at least annually a notice of the existing Systems of Records it maintains.

The systems were originally published in the Federal Register on August 27, 1975, Volume 40, No. 167, pages 39201-39213. Notice of an amendment to said Systems of Records was published on March 4, 1976, Federal Register Volume 41, No. 44, page 9420. No comments were received with respect to either notice. Consequently the Systems of Records and the amendment were adopted by Federal Register Volume 41, No. 132 dated July 8, 1976. The Annual Report of the Systems of Record was published in the Federal Register Volume 41, No. 223 on November 17, 1976. The following changes have been made to those Systems of Record:

EIB—1 through EIB—39 item "Safeguards" wherever shown has been changed to read "GSA Contractor guard."

The wording Senior Vice President and Treasurer-Controller wherever it appears has been changed to read "Treasurer-Controller."

The wording Advisory Committee member should be deleted wherever it appears.

EIB—3 System Manager has been changed to "General Counsel."

EIB—5, 17, 19, 20, 34 and 36 retention and disposal has been changed to "3 years."

EIB—8 Systems Manager has been revised to include "Office Services."

EIB—10 Part III Treasury FRM as authority for maintenance of the system has been deleted.

EIB—14 authority for maintenance of the system has been changed to read "Treasury Department, Bureau of Accounts."

EIB—15 FPM Supplement 296-31 has been deleted.

EIB—16 categories of individuals covered by the system has been changed to read "All Eximbank past and present employees, except day laborers."

EIB—21 categories of individuals covered by the system has been changed to read "All Eximbank employees employed by the General Accounting Section."

EIB—26 the title of the system has been changed to read "EIB personnel security records" and the security classification has been changed to "Confidential."

EIB—31 systems manager has been changed to read "Special Assistant to the President and Chairman and Office of Personnel," and the authority for maintaining the system has been changed to read "Civil Service Commission."

EIB—33 authority for maintaining the system has been changed to read "Treasury Department, Bureau of Accounts."

EIB—37 authority for maintaining the system has been changed to read "General Accounting Office."

The Export-Import Bank of the U.S. at this time is adding seven new Systems of Records to its Annual Report for 1977, identified as EIB—40, EIB Service Cards (SF-7); EIB—41, EIB Training Records; EIB—42, EIB Awards; EIB—43, EIB positions and incumbents, except attorneys, in Schedules A, B, and C positions; EIB—44, EIB Positions and incumbents in GS-16, 17, and 18; EIB—45, EIB Employees eligible for retirement; and EIB—46, EIB Secondary skills.

August 31, 1977.

Francis P. Collins,
Vice President—Administration.

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EIB—23 Personnel Action, Notification SF-50.
EIB—24 Personnel files.
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EIB—26 Personnel security records.
EIB—27 Personnel roster.
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EIB—41 Training Records.
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EIB—43 Positions and incumbents, except attorneys, in Schedules A, B, and C positions.
EIB—44 Positions and incumbents in GS-16, 17, and 18.
EIB—45 Employees eligible for retirement.
EIB—46 Secondary skills.

EIB—1

System name: EIB Applicant File, SF-171's and resumes.

Security classification: None.

System location:

Primary
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Secondary
Various offices and divisions
within the Eximbank.

Categories of individuals covered by the system: Individuals who have sent in their resumes and forms requesting employment with the Eximbank.

Categories of records in the system: Personnel qualification statement and employment history.

Authority for maintenance of the system: Civil Service Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use whenever a vacancy becomes available and one is qualified for said position. By officials and employees of the Eximbank in the performance of their official duties. By representatives of the Civil Service Commission and by officials and employees of other components of the Federal government and departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folders.

Retrievability: alphabetically.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: if applicant selected for position, file maintained indefinitely; otherwise returned to applicant.

System manager(s) and address:

Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—2

System name: EIB biographical sketches on Eximbank employees.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Officers and professionals of the Eximbank.

Categories of records in the system: Name, date of birth, place of birth, educational and work experience.

Authority for maintenance of the system: Eximbank personnel management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and personnel of the Eximbank for public appearance. By news media in connection with speeches, public appearance, newspapers, etc. By departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: maintained in binder books and file folders.

Retrievability: alphabetically.

Safeguards: bookcases and desks and in a building that has a GSA contractor guard.

Retention and disposal: retained while employed by the Eximbank or until appointment expires.

System manager(s) and address:

Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual and miscellaneous personnel forms.

EIB—3

System name: EIB Confidential Statement of Employment and Financial Interest.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All Eximbank past and present employees above a certain grade level unless exempted by the Ethics Committee.

Categories of records in the system: Name, title of position, date of appointment in present position, office or division, employment and financial interest, creditors, interests in real property and information requested of other persons, signature and date.

Authority for maintenance of the system: Required by Section 402 of Executive Order 11222 dated May 8, 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reviewed by members of the Ethics Committee regarding conflicts of interest. By officials and employees of the Eximbank in the performance of their official duties and by other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

General Counsel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Reques" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—4

System name: EIB Driver's License file.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: SF-46, U.S. Government Motor Vehicle Operator's Identification Card for issuance to those present and past employees authorized to drive an official Government car in the performance of their assigned duties.

Categories of records in the system: Name, card number, date issued, expiration date, signature of operator, sex, date of birth, color of hair, color of eyes, height, weight, birthplace, social security number, signature of issuing official, title, name and location of issuing unit.

Authority for maintenance of the system: In accordance with FPM 930.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By the Department of Motor Vehicles, D.C. Police Department, Justice Department and insurance companies in the performance of their official duties. By other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: numerically.

Safeguards: locked desk drawer and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual and the completion of EIB Form 74-2 and SF-47.

EIB—5

System name: EIB Earnings and Tax Statement.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank past and present employees yearly earnings.

Categories of records in the system: Name, social security number, home address, gross earnings for the year, federal and state tax deductions for the year and marital status.

Authority for maintenance of the system: Internal Revenue Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used at the end of the calendar year by the Payroll Unit. By officials and employees of the Eximbank in the performance of their official duties. By representatives of the CSC, Comptroller General, Attorney General, Treasury and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file cabinet.

Retrievability: alphabetical.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 3 years.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual and payroll records.

EIB—6

System name: EIB Employee Records (relocation site).

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Current Eximbank employees.

Categories of records in the system: Service records cards, retirement deductions, bond balances, annual and sick leave balances.

Authority for maintenance of the system: Vital Records Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records maintained for reference and backup for main records. By officials and employees of the Eximbank in the performance of their official duties. By employees and officials of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: expandable envelope.

Retrievability: alphabetically within the envelope.

Safeguards: locked safe file at relocation site.

Retention and disposal: records are updated quarterly, and out-of-date records destroyed.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Office of Personnel and Payroll Unit.

EIB—7

System name: EIB Equal Employment Opportunity, grievance.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank employee filing a grievance.

Categories of records in the system: Name and type of grievance.

Authority for maintenance of the system: Executive Order 10590, Government Employment Policy.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By persons of the Eximbank in the performance of their official duties. By Justice, CSC, duly authorized representatives of the complainant in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 2 years after the case has been resolved.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Investigator, individual and employees of the division of office where the complainant was/is employed.

EIB—8

System name: EIB Financial Assistance Request for (under Federal Employee Training Act).

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: EIB employees requesting financial assistance for training and text books.

Categories of records in the system: Application for training.

Authority for maintenance of the system: Federal Employees Training Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as official authorization to justify payment for training expenses. By officials and employees of the Eximbank in the performance of their official duties and by CSC, GAO and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: folders.

Retrievability: alphabetical by period.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 3 years.

System manager(s) and address:

Treasurer Controller and Office Services
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—9

System name: EIB Financial Organization, Credit to Account (Checking).

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: EIB employees complete when they want their salary check to be sent directly to a financial organization of their choice.

Categories of records in the system: Employees application for deposit of salary check to the financial organization (checking) of their choice.

Authority for maintenance of the system: Treasury Department Fiscal Service.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Treasurer Controller and his staff and officials and employees of the Eximbank in the performance of their official duties. By representatives of the CSC, Comptroller General, Treasury, financial institutions and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: filed in folders.

Retrievability: alphabetical.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: until employee cancels.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—10

System name: EIB Financial Organization, Credit to Account (Savings).

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: EIB employees complete when they want their salary check or a portion to be sent to a savings financial organization of their choice.

Categories of records in the system: Employees application for the deposit of salary check or a portion to be sent to a savings financial organization of their choice.

Authority for maintenance of the system: Department of the Treasury, Bureau of Accounts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Treasurer Controller and his staff and officials and employees of the Eximbank in the performance of their official duties. By representatives of the CSC, Comptroller General, Treasury, financial institutions and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked combination safe and in a building that has a GSA contractor guard.

Retention and disposal: until employee cancels.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—11

System name: EIB Garage Space Application.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: EIB employees and other employees in federal agencies within the area holding parking spaces in the building.

Categories of records in the system: Name, address, license number, telephone number, make and license tag number of car, building location and room number and signature and date.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained as the current list of current and potential garage space holders and alternates. By officials and employees of the Eximbank in the performance of their official duties. By representatives of the GSA and insurance companies in the performance of their official duties and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folders.

Retrievability: alphabetical.

Safeguards: file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: yearly update.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—12

System name: EIB immunization request.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank past and present employees who travel abroad on official business requiring immunization for such travel.

Categories of records in the system: Name and countries to be visited.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By State Department, Health, Education and Welfare, and private physicians in the performance of their official duties, and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: chronogical.

Safeguards: 2 drawer unlocked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: indefinitely.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—13

System name: EIB Passport request file.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank employees required to travel overseas in an official capacity who request an Official Passport.

Categories of records in the system: Name, title, approximate dates of travel, destination, purpose of travel and date of security clearance.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By State Department and embassies in the performance of their of-

ficial duties and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: chronogical.

Safeguards: 2 drawer unlocked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: indefinitely.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—14

System name: EIB Payroll Certification.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All present Eximbank employees.

Categories of records in the system: Payroll summary.

Authority for maintenance of the system: Treasury Department, Bureau of Accounts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Treasurer Controller and his staff and officials and employees of the Eximbank in the performance of their official duties. By representatives of the CSC, GAO, Justice in the performance of their official duties and by other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: numerical.

Safeguards: combination safe and in a building that has a GSA contractor guard.

Retention and disposal: retained 3 years.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Time and attendance cards and personnel notification.

EIB—15

System name: EIB Payroll Change Slip, SF-1126.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank present and past personnel.

Categories of records in the system: Employee payroll summary showing notification of basic pay change, data on unpaid absence, payroll change data and remarks.

Authority for maintenance of the system: U.S. Civil Service Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Treasurer Controller and his staff and officials and employees of the Eximbank in the performance of their official duties. By representatives of the CSC, GAO, Comptroller General, Attorney General, Treasury and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folders.

Retrievability: by date of changes.

Safeguards: combination safe and in a building that has a GSA contractor guard.

Retention and disposal: maintained 2 years and then destroyed by burning.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Office of Personnel and payroll records.

EIB—16

System name: EIB Payroll Coding Sheet, magnetic tape.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All Eximbank past and present employees, except day laborers.

Categories of records in the system: Master payroll employee record.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties.

By GSA, Justice, Treasury, GAO, Comptroller General and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: magnetic tape.

Retrievability: pay period.

Safeguards: locked fire-proof safe and in a building that has a GSA contractor guard.

Retention and disposal: 15 years.

System manager(s) and address: Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:
Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Payroll Unit and related personnel files.

EIB—17

System name: EIB Payroll Information Employee.

Security classification: None.

System location:
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All present and past Eximbank employees.

Categories of records in the system: Employee payroll summary, i.e., name, social security number, marital status, grade and step, annual hourly and overtime rate, etc.

Authority for maintenance of the system: GAO Policy and Procedures Manual for Guidance of Federal Agencies for controls over automated payroll system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By CSC, GAO, IRS, HUD, Department of Labor and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: filed in binders.

Retrievability: numerically.

Safeguards: locked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained 3 years.

System manager(s) and address:
Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:
Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Office of Personnel and individual.

EIB—18

System name: EIB Payroll Listing.

Security classification: None.

System location:
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank past and present employees.

Categories of records in the system: Name, net pay and check.

Authority for maintenance of the system: Treasury Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a check list to distribute pay check to employees. By officials and employees of the Eximbank in the performance of their official duties. By Treasury, GAO, Comptroller General, CSC and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: by pay period.

Safeguards: file cabinet in a building that has a GSA contractor guard.

Retention and disposal: retained 2 years and then destroyed.

System manager(s) and address:
Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:
Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Time and attendance cards and related personnel forms.

EIB—19

System name: EIB Payroll Master Record.

Security classification: None.

System location:
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All new Eximbank employees and changes to old employees.

Categories of records in the system: Employee payroll summary, i.e., name, social security number, hourly rate, overtime rate, etc.

Authority for maintenance of the system: GAO Policy and Procedures Manual for Guidance of Federal Agencies Title 6 for controls over automated payroll system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to enter new employees and making any changes effecting old employees. By officials and employees of the Eximbank in the performance of their

official duties. By Social Security, CSC, GAO, Comptroller General, IRS and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: binders.

Retrievability: office or division.

Safeguards: locked cabinets in a building that has a GSA contractor guard.

Retention and disposal: retained 3 years.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration 811 Vermont Avenue, N.W., Room 1031 Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Office of Personnel and individual.

EIB-20

System name: EIB Payroll Control Manual

Security classification: None

System location: 811 Vermont Avenue, N.W., Washington, D.C. 20571

Categories of individuals covered by the system: All new employees and present and past employees making deductions and pay changes.

Categories of records in the system: Control covering the biweekly payroll including such information as name, base pay and any deductions such as FICA, retirement, bond, insurance, health, charity, optional insurance and savings.

Authority for maintenance of the system: GAO Policy and Procedures Manual for Guidance of Federal Agencies for controls over automated payroll system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By CSC, Justice, IRS, Comptroller General and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: according to pay period.

Safeguards: locked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained 3 years.

System manager(s) and address: Treasurer Controller, 811 Vermont Avenue, N.W., Washington, D.C. 20571

Notification procedure: Vice President—Administration, 811 Vermont Avenue, N.W., Room 1031, Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Contesting record procedures: Same as above

Record source categories: Office of Personnel and individual.

EIB—21

System name: EIB Performance Appraisals.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All Eximbank employees employed by the General Accounting Section.

Categories of records in the system: Performance factors such as quality and quantity of work rated according to level of performance.

Authority for maintenance of the system: Administrative discretion.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Chief Accountant to evaluate changes or improvements in yearly performance ratings. By officials and employees of the Eximbank in the performance of their official duties. By CSC and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked cabinet and in a bulding that has a GSA contractor guard.

Retention and disposal: retained for one year and disposed of at time individual ceases to be an employee.

System manager(s) and address:

Treasurer Controller
Chief Accountant's Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Data based on supervisors evaluation.

EIB—22

System name: EIB Periodic Step Increase File.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All current Eximbank employees.

Categories of records in the system: Contains name, social security number, current GS grade, current step of grade and date of next equivalent increase.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Office of Per-

sonnel to insure all step increases are given at the correct time. By officials and employees of the Eximbank in the performance of their official duties. By CSC and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: cabinet.

Retrievability: alphabetical by due dates.

Safeguards: unlocked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: as long as employee is employeed by the Eximbank.

System manager(s) and address:

Vice President—Administration
Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Based on information contained in the official personnel file of each Eximbank employee.

EIB—23

System name: EIB Personnel Action, Notification SF-50.

Security classification: None.

System location:

Primary
811 Vermont Avenue, N.W.
Washington, D.C. 20571
Secondary
Various divisions or offices
within the Bank.

Categories of individuals covered by the system: All personnel of the Eximbank.

Categories of records in the system: Name, social security number, date of birth, grade, step, salary, location of job, FICA or retirement deductions, health and life insurance eligibility and effective date.

Authority for maintenance of the system: Civil Service Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked file cabinet and in a bulding that has a GSA contractor guard.

Retention and disposal: until employee is terminated or transfers.

System manager(s) and address:

Vice President—Administration
Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: From personnel records.

EIB—24

System name: EIB Personnel Files.

Security classification: None.

System location:

Primary
811 Vermont Avenue, N.W.
Washington, D.C. 20571
Secondary
Various divisions and offices within the Bank.

Categories of individuals covered by the system: Past and present employees of the Eximbank.

Categories of records in the system: Letters, forms and anything that pertains to an individual assigned to an office or division.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the supervisor of the offices or divisions for quick reference for the reassignment or promotion of their employees. By officials and employees of the Eximbank in the performance of their duties and by other agencies and departments in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: binders.

Retrievability: alphabetical.

Safeguards: locked filing cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Related personnel forms and from the individual.

EIB—25

System name: EIB Personnel Listing.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All current Eximbank employees.

Categories of records in the system: Name, grade, title, salary and next salary change.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for staffing requirements, promotions and by officials and employees in the performance of their official duties. By other agencies and departments in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: loose leaf binders or file folders.

Retrievability: alphabetically by office.

Safeguards: locked cabinet or desk drawer in a building that has a GSA contractor guard.

Retention and disposal: each time a new listing comes out the previous one is destroyed.

System manager(s) and address:

Treasurer Controller
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Eximbank Data Processing Center and payroll records.

EIB—26

System name: EIB Personnel Security Records.

Security classification: Confidential.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank employees, applicants, consultants, and former employees who have been dismissed, retired, transferred and/or resigned from the Eximbank.

Categories of records in the system: Personnel investigations of current and former employees including actual investigations, summary investigations from other Federal agencies, security forms and correspondence relating to security.

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personnel security records are maintained in order to determine the level of clearance Eximbank employees permitted regarding access to classified materials and meetings in accordance with Executive Order 10450. By officials and employees of the Eximbank in the performance of their official duties. By CSC, FBI and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: combination security locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license,identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Investigations received from Federal investigative agencies and correspondence generated by other departments and agencies containing information from employers, references, schools, neighbors, police, credit agencies and other Federal investigative agencies.

EIB—27

System name: EIB Personnel Roster.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All current Eximbank employees.

Categories of records in the system: Alphabetical listing of employees by name, home address and telephone number.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by officials and employees of the Eximbank in the performance of their official duties. By officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical.

Safeguards: locked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: each calendar year.

System manager(s) and address:

Vice President—Administration
Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or

amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee official personnel file and individual.

EIB—28

System name: EIB Personnel Security Correspondence.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Present Eximbank employees, applicants and terminated or transferred employees.

Categories of records in the system: Letters of transmittal to CSC requesting an NAC or full field and memorandum to office and/or division heads regarding clearance. Letters of transmittal returning file to CSC or other investigative agencies.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: chronologically.

Safeguards: combination locked security cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 2 years, destroyed by burning.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual and various personnel forms.

EIB—29

System name: EIB Personnel Summary.

Security classification:

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All employees of the Eximbank at the time period the record covers.

Categories of records in the system: Name, grade and division of all employees at the time period the records were kept.

Authority for maintenance of the system: Periodic requests from OMB, Congress, GAO, etc., for justifying additional personnel needs and productivity studies of the Bank.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By officials and employees of the Eximbank in the performance of their official duties. By OMB, GAO and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: by fiscal year, by office.

Safeguards: file cabinets in area accessed to authorized personnel and in a building that has a GSA contractor guard.

Retention and disposal: maintained for historical data.

System manager(s) and address:

Treasurer Controller
Budget and Audit Section
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Various payroll records.

EIB—30

System name: EIB Position Description File.

Security classification: None.

System location:

Primary
811 Vermont Avenue, N.W.
Washington, D.C. 20571
Secondary
Various divisions within
the Eximbank

Categories of individuals covered by the system: Individuals who are assigned to the different offices and divisions of the Eximbank.

Categories of records in the system: Name, grade, title, location, series and description of duties.

Authority for maintenance of the system: Civil Service Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the officials and employees of the Eximbank in the performance of their official duties and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: binder books.

Retrievability: by division or office.

Safeguards: locked file cabinet and in a building, that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record

pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Office of Personnel.

EIB—31

System name: EIB Referrals for Non-Career Assignments.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Applications, personal resumes and personnel memoranda on individuals requesting non-career assignments.

Categories of records in the system: Personal resumes, personnel memoranda and applications.

Authority for maintenance of the system: Civil Service Commission.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use whenever a vacancy becomes available to be filled by a non-career assignment. By officials and employees of the Eximbank in the performance of their official duties. By representatives of the Civil Service Commission, White House, Congress of the United States and by officials and employees of other components of the Federal government and departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folders.

Retrievability: alphabetical.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: one year from date of receipt.

System manager(s) and address:

Special Assistant to the President and Chairman, and Office of Personnel
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—32

System name; EIB Retirement Record Cards.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Record maintained on every Eximbank employee paid by the computer system.

Categories of records in the system: Name, date of birth, social security number and pay rates during employment by the Eximbank. Primary record is cumulative retirement deductions.

Authority for maintenance of the system: Civil Service Commission requirement of all Federal agencies.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Updated for each salary changes and yearly total of retirement deductions. Original sent to CSC when employees leave Eximbank. By officials and employees of the Eximbank in the performance of their official duties and by CSC and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: steel file cabinet.

Retrievability: alphabetical.

Safeguards: steel file cabinet with combination lock and in a building that has a GSA contractor guard.

Retention and disposal: retained until the employee leaves the Eximbank either by transfer to another agency, retirement or resignation.

System manager(s) and address:

Treasurer Controller
Payroll Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: SF-50 and payroll computer printout.

EIB—33

System name: EIB Savings Bond Authorization.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Employees of Eximbank who have signed up to purchase bonds.

Categories of records in the system: Application for the purchase of savings bonds.

Authority for maintenance of the system: Treasury Dept., Bureau of Accounts.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For ordering bonds, changing inscription, allotment and beneficiary. Used by officials and employees of the Eximbank in the performance of their official duties. By Treasury, IRS, CSC, GAO, Comptroller General and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file cabinet.

Retrievability: according to bond subscriber number.

Safeguards: 2 drawer horizontal file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: maintained 1 year after termination.

System manager(s) and address:

Treasurer Controller
Payroll Unit

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee complete SF-1192.

EIB—34

System name: EIB Savings Bond file.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank present and past employees.

Categories of records in the system: Employee name, amount of bond and bond serial number.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a check list to distribute bonds to employees. By officials and employees of the Eximbank in the performance of their official duties. By IRS, Treasury, CSC, GAO, Comptroller General and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: by pay period.

Safeguards: file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 3 years and destroyed.

System manager(s) and address:

Treasurer Controller
Cash Control Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Payroll Unit.

EIB—35

System name: EIB Tax Exemption Certificate.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Maintained on each present and past employee of the Eximbank.

Categories of records in the system: Name, address, social security number and the number of withholding exemptions an employee claims on his/her taxes.

Authority for maintenance of the system: IRS regulations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used when a new employee enters employment or when a present employee wishes to make a change. By officials and employees of the Eximbank in the performance of their official duties. By CSC, Treasury, IRS, GAO, state governments and by other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file cabinet.

Retrievability: alphabetical.

Safeguards: single drawer file and in a building that has a GSA contractor guard.

Retention and disposal: 1 year after employee transfers, retires or resigns.

System manager(s) and address:

Treasurer Controller
Payroll Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—36

System name: EIB Time and Attendance Card.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All Eximbank present and past employees.

Categories of records in the system: Number of hours worked, i.e., regular, overtime, compensatory time, holiday, night differential, leave taken, annual, sick, compensatory time, LWOP and other.

Authority for maintenance of the system: GAO Policy and Procedures Manual for Guidance of Federal Agencies, Title 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to determine payment to all Eximbank employees on duty. By officials and employees of the Eximbank in the performance of their official duties. By CSC, GAO, Treasury, Justice, agent of an employee in connection with a grievance and by other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file folder.

Retrievability: alphabetical by division.

Safeguards: steel file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: 3 years.

System manager(s) and address:

Treasurer Controller
Payroll Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Time and attendance files.

EIB—37

System name: EIB Travel Advance Application.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank employee travelling on official business requesting travel advance.

Categories of records in the system: Name, agency, bureau/division, office, authorization number, date, address to where check should be mailed, signature of applicant, amount applied for, balance due on previous advance, signature of approving officer and date, appropriation number and any remarks.

Authority for maintenance of the system: General Accounting Office.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Travelers making a request for an advance. By officials and employees of the Eximbank in the performance of their official duties. By GAO, Comptroller General, Attorney General, Treasury and by officials and employees of other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: cards.

Retrievability: alphabetical.

Safeguards: file box and in a building that has a GSA contractor guard.

Retention and disposal: 4 years.

System manager(s) and address:

Treasurer Controller
Travel and Administrative Expense Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—38

System name: EIB Travel Ledger.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Persons travelling on official business for the Eximbank.

Categories of records in the system: Travelers name, travel order number, place travelling to, voucher number, accurals of expenses, payments broken into 2 parts (P. D. and carrier), and the balance of accurals for particular trip.

Authority for maintenance of the system: Eximbank management practices.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To control accounting of travel expenses. By officials and employees of the Eximbank in the performance of their official duties and by GAO, and other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: ledger.

Retrievability: period basis.

Safeguards: cabinet and in a building that has a GSA contractor guard.

Retention and disposal: until audited.

System manager(s) and address:

Treasurer Controller
Travel and Administrative Expense Unit
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Disbursement vouchers and related travel forms.

EIB—39

System name: EIB Visa Request File.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Eximbank employees who travel on official business and go to countries that require a visa to be applied to their Official Passport.

Categories of records in the system: Name, title, passport number and approximate dates of travel.

Authority for maintenance of the system: State Department and regulations of foreign countries.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by officials and employees of the Eximbank in the performance of their official duties and by State Department, embassies and by other departments and agencies in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: file binder.

Retrievability: chronological.

Safeguards: 2 drawer unlocked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: indefinitely.

System manager(s) and address:

Vice President—Administration
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure:

Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Access Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Individual.

EIB—40

System name: EIB Service Cards (SF-7).

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Past and present employees of Eximbank.

Categories of records in the system: Name, date of birth, social security number, date of appointment or transfer, organization to which assigned, position title, position number, grade/step/salary, and date of separation.

Authority for maintenance of the system: Civil Service Commission

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by personnel clerical employees in the processing of official personnel actions.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Kardex.

Retrievability: by organization for current employees, alphabetically for former employees.

Safeguards: locked cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration

811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Official Personnel Folder.

EIB—41

System name: EIB Training Records.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All employees who request training.

Categories of records in the system: All information called for on Optional Form 170, including but not limited to, name, amount of current continuous service, name of course, where taken, and the cost.

Authority for maintenance of the system: Civil Service Commission

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Is used by the employee to request training, by various levels of supervisors for recommendation, by the Office of Administration for approval, and by other officials and employees of Eximbank in the performance of their duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: bookbinder.

Retrievability: alphabetically and by date.

Safeguards: unlocked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration

811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee.

EIB—42

System name: EIB Awards.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Employees who have been nominated for any kind of award or who have submitted a suggestion under the Awards Program.

Categories of records in the system: Name of the proposed awardee and all supporting information required to pass judgment on and to implement the award.

Authority for maintenance of the system: Eximbank management practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by supervisors and others for appropriate review, by the Personnel Committee for approval, and by the Office of Administration for implementation.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: folder.

Retrievability: alphabetically and by date.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Recommendations made by supervisors, suggestions submitted by employees, and minutes of actions by the Personnel Committee.

EIB—43

System name: EIB Positions and Incumbents, except attorneys, in Schedules A, B, and C positions.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Past and present incumbents of positions in Schedules A, B, and C (other than attorneys).

Categories of records in the system: Position description (including Optional Form 8), legal authorization for establishment of position, and the name of the incumbent.

Authority for maintenance of the system: Eximbank management practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Personnel Office in maintaining record control over the filling of the cited positions. By officials and employees of Eximbank in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: bookbinder.

Retrievability: numerically and alphabetically.

Safeguards: unlocked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee, Civil Service Commission authorizations, and Official Personnel Folder.

EIB—44

System name: EIB Positions and Incumbents in GS-16, 17, and 18.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Past and present individuals of the Eximbank assigned to positions at the GS-16, 17, and 18 level.

Categories of records in the system: Position descriptions (including Optional Form 8), legal authority for the establishment of the position, and the name of the individual encumbering the position.

Authority for maintenance of the system: Eximbank management practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Personnel Office in maintaining record control over the filling of the cited positions and by officials and employees of Eximbank in the performance of their official duties.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: bookbinder.

Retrievability: alphabetically.

Safeguards: unlocked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained indefinitely.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee, Civil Service Commission authorizations, and Official Personnel Folder.

EIB—45

System name: EIB Employees Eligible for Retirement.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: All current employees who will be eligible for retirement by the end of December of the current year.

Categories of records in the system: Name, service computation date, and age.

Authority for maintenance of the system: Eximbank management practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Personnel Office and top management to anticipate recruiting needs.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: folder and bookbinder.

Retrievability: alphabetically.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained on current employees only.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Official Personnel Folder.

EIB—46

System name: EIB Secondary Skills.

Security classification: None.

System location:

811 Vermont Avenue, N.W.
Washington, D.C. 20571

Categories of individuals covered by the system: Current employees who special skills, e.g., knowledge of foreign languages, special licenses.

Categories of records in the system: Data elements indicating special qualifications.

Authority for maintenance of the system: Eximbank management practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Personnel Office for quick reference in identifying employees who possess special skills needed by management.

Disclosure may be made to a Congressional Office from the record of an individual in response to an inquiry from the record of an individual in response to an inquiry from the Congressional Office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: folder.

Retrievability: alphabetically.

Safeguards: locked file cabinet and in a building that has a GSA contractor guard.

Retention and disposal: retained on current employees only.

System manager(s) and address:

Vice President—Administration
Personnel Office
811 Vermont Avenue, N.W.
Washington, D.C. 20571

Notification procedure: Vice President—Administration
811 Vermont Avenue, N.W., Room 1031
Washington, D.C. 20571

Record access procedures: Same as Notification. A request for information as to whether a Systems of Record contains a record pertaining to an individual and all requests for access to a record from the system shall be in writing with the letter and envelope clearly marked "Privacy Act Request" and stating full name and address of individual. For personal visits the individual should be able to provide some acceptable identification, i.e., driver's license, identification card, etc. Individuals desiring to contest or amend information maintained in the system should direct their request to the Notification listed above.

Record source categories: Employee.

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FEDERAL COMMUNICATIONS COMMISSION

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

Pursuant to provisions of the Privacy Act Public Law 93-579, U.S.C., 552a, the Federal Communications Commission is republishing its systems of records.

The Federal Communications Commission last amended its original publication on September 22, 1976.

With this publication the Commission is adding one new system of records to be inserted as follows: FCC/OED-13.

FCC/OED—13

System name: Employee Locator System—FCC/OED-13

System location: Federal Communications Commission, 1919 "M" Street, N.W.; 2025 "M" Street, N.W.; 1229 20th Street, N.W., Washington, D.C. 20554

Categories of individuals covered by the system: Current FCC headquarters employees.

Categories of records in the system: Include name of employee; office address; mailing address; home address and telephone number; name, address and telephone number of an emergency contact.

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: System will be used by employee's division to contact individual designated by employee in case of an emergency involving employee. Information contained in the system will also be used to update payroll master records, administrative records and to provide office location of employees for outside telephone callers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3" x 5" paper.

Retrievability: Indexed alphatetically by last name of employee.

Safeguards: Stored in the standard file box. Access limited to individuals within the division who require the information in an emergency situation. Office is locked at close of each business day.

Retention and disposal: Retained for the duration of an employee's employment in the division. Information is manually shredded within 30 days of employee's depature from the division or in accordance with existing records control schedules.

System manager(s) and address: Executive Director, Office of the Executive Director, 1919 "M" street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FEDERAL COMMUNICATIONS COMMISSION
Vincent J. Mullins,
Secretary.

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FCC/BCB—1

System name: Broadcast Station Ownership Interest File—FCC/BCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Owners of all licensed broadcast stations and officers, directors, and stockholders of corporate owners.

Categories of records in the system: Forms 323 and 323E Ownership Reports which identify who has ownership interests and the extent of such interests.

Authority for maintenance of the system: Section 308, 309, 310 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff attorneys to determine other broadcast interests, if any, of broadcast applicants; used as a cross check against new ownership reports to see whether any improper transfers of interest have taken place. If the records indicate a possible violation of law, they may be referred to the appropriate agency charged with the responsibility of prosecuting the violation and enforcing the statute or rule.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards, magnetic tape.

Retrievability: By call letters of broadcast stations, by names of owners.

Safeguards: Available to public during business hours.

Retention and disposal: Records are retained approximately 7 years and are then sent to Archives.

System manager(s) and address: Chief, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Licensees.

FCC/BCB—2

System name: Complaints against Broadcast Stations, Licensees, Officers, employees—FCC/BCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individual broadcast licensees, partners, owners; directors and officers of corporate licensees; employees of broadcast stations.

Categories of records in the system: Complaints filed by the public. Commission responses to such correspondence.

Authority for maintenance of the system: Section 303(m), Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff attorneys in the Broadcast Bureau to make a determination as to the seriousness of the complaint; to decide whether any cause exists, based on a complaint filed, for investigation or delaying a renewal, transfer, or assignment request. If the records indicate a possible violation of law, they may be referred to the appropriate agency charged with the responsibility of prosecuting the violation and enforcing the applicable statute or rule.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: By broadcast station call letters.

Safeguards: Access controlled by staff during business hours; locked room at other times.

Retention and disposal: Retained for at least three years and then sent to Archives.

System manager(s) and address: Chief, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Informants.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(4)(G), (H) and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to section 552(k)(2) of the Act.

FCC/BCB—3

System name: Employee Activity Report—FCC/BCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of the Broadcast Bureau, professional and non-professional.

Categories of records in the system: Summaries of the total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: Sections 4 and 5 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To record the total number of hours put forth in a specific category of work; and to document how an individual uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by division and then by employee name and reporting period.

Safeguards: Records are kept in file cabinets in offices which are secured at the end of each business day.

Retention and disposal: Division records are kept for 1 year, then they are transferred to Budget Office; individual records are kept 6 months and are then destroyed.

System manager(s) and address: Chief, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual employee who is the subject of the record.

FCC/BCB—4

System name: Employee Records—FCC/BCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Broadcast Bureau, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birthdate, service computation date, emergency telephone number; memoranda in support of promotions or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards; internal classification and management records.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 200k, Section 2061, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief—to provide personal data and career history; to support requests for personnel actions: e.g., appointment, separation, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and quality awards and to justify disapproval of same, to define and improve bureau and division organization.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card files.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are stored in unlocked cabinets and secured in office after business hours.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed.

Time and attendance records are maintained for a minimum of 2 years, then thrown out.

System manager(s) and address: Chief, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employees, supervisors, and other bureau personnel.

FCC/CTB—1

System name: Applicant Position—FCC/CTB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Applicants for professional and non-professional positions.

Categories of records in the system: Personal data, education, past experience, interest in Communications work.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by administrative personnel to determine the qualifications and suitability of job applicants for future vacancies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder.

Retrievability: Records are first retrieved by the type of desired employment, e.g., legal, engineering, clerical, etc., then by applicant's name.*

Safeguards: Records are maintained in locked file cabinets in office of Bureau Administrative Officer which is locked at the end of each business day.

Retention and disposal: Records are retained until the administrative need is completed, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. *Individuals seeking access to records in this system should specify the type of position requested: e.g., legal, engineering, clerical.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Interviewers in Cable Television Bureau.

FCC/CTB—2

System name: Employee Activity Report—FCC/CTB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of the Cable Television Bureau, professional and non-professional.

Categories of records in the system: The total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Summary report sent to Budget Office for their use in computing manpower hours; to report to the Commission total number of hours put forth in a specific category of work; individual reports to document how an employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Individual activity records are retrieved by employee name and by reporting period. Summary activity reports by name of Division and by reporting period.

Safeguards: Records are kept in locked file cabinets in the office of Bureau and Division Chiefs which are secured at the close of each business day.

Retention and disposal: Records are kept a minimum of two years, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/CTB—3

System name: Employee Records—FCC/CTB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Cable Television Bureau, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; letters of reference written on behalf of employees, or concerning them; memoranda in support of promotions or ingrade increases, or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports including special working hours; training records; recommendations for awards.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 2001, Section 2061, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief—to provide personal data and career history; to support requests for personnel action: e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine productivity in a variety of job assignment categories; to provide models for writing letters of reference; to determine the days and hours during which annual or sick leave is taken; to document a work schedule that differs from normal duty hours; to log and document recommendations for training courses, incentive and hi quality awards and to justify disapproval of same; to designate representatives for specified program activities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders or card files.

Retrievability: Some records are retrievable by name, some records are also retrievable by the date employee is eligible for promotion or within grade increase.

Safeguards: Records are maintained in locked file cabinets and/or desk drawers, all Bureau Offices are locked at the close of each business day.

Retention and disposal: Most records in this system are retained until the administrative need is completed, then destroyed by tearing into pieces; certain performance records are retained temporarily at the Bureau, then forwarded to the Personnel Office; time and attendance records are maintained at the Bureau for a minimum of 2 years, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee Supervisors, other bureau personnel.

FCC/CTB—4

System name: Staff Travel Records—FCC/CTB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Staff members who have taken trips for the Bureau.

Categories of records in the system: Name of traveler, date of trip, where, and for what purpose.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by Administrative personnel as an up-to-date list of those who have represented the Bureau at Conferences and meetings thereby making it easier to distribute future trips on the basis of experience and subject matter expertise among staff members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Travel report is kept in the locked desk drawer of the Bureau Chief, the Bureau Chief's office is secured at the end of each business day.

Retention and disposal: The length of retention has not been determined yet.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information for the report is gathered from the Bureau's secretaries who keep all travel information for their particular Division or Branch.

FCC/CTB—5

System name: Cable Operator Ownership File (AOR).

System location: 1919 M St. NW., Washington, D.C.

Categories of individuals covered by the system: For each corporate operator of a cable television system or each corporation owning 25 percent or more of the stock of such a corporate operator: (A) Officers, (B) Directors, (C) Stockholders owning 3 percent or more of the stock.

Categories of records in the system: (A) Owner Record—consisting of information furnished on FCC Annual Report of Cable Television Systems form 325, Schedule 3, blocks 1 thru 6.

(B) Controlling Person Record—consisting of information furnished on FCC Annual Report of Cable Television Systems form 325, Schedule 3, block 7, and Schedule 4.

Authority for maintenance of the system: 47 U.S.C. secs. 151-155, 301, 302a, 303, 307, 308 & 403.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (A) Commission staff—utilize records to monitor communications media ownership configurations and monopolies which are not in the public interest. Records are routinely reviewed during processing of authorizations to ascertain that the record is current and that the applicant for the authorization is entitled under the Commission's Rules to its grant.

(B) Members of the public—pursuant to Commission rule, members of the public are allowed to access data system file listings or the source forms, if necessary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Permanent magnetic tape file, temporary magnetic disc file, and temporary physical file for FCC 325 source forms.

Retrievability: Data system records are retrievable by any specified characteristic of any data field or character. FCC 325 source forms are retrievable alphabetically by owner or controlling person name.

Safeguards: Not applicable. Files are available for public inspection.

Retention and disposal: Magnetic tape files are kept permanently. FCC 325 source forms are transferred to WNRC after 3 years and destroyed 10 years later.

System manager(s) and address:

Chief
Cable Television Bureau
1919 "M" St., NW.
Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures:

Cable Television Public Reference Room
2025 "M" St., NW.
Washington, D.C. 20554
(202) 632-9797.

Contesting record procedures:

Chief
Cable Television Bureau
1919 "M" St., NW.
Washington, D.C. 20554.

Record source categories: Cable television operators who file FCC Form 325; individuals named in Schedules 3 and 4 of Form 325.

FCC/COMM—1

System name: Applicant for Position—FCC/COMM

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Applicants for positions with the staff of a Commissioner.

Categories of records in the system: Resume, personal references, Form 171 (personal qualifications statement).

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records used to select qualified applicants for positions with the staff of a Commissioner.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by subject matter.

Safeguards: Records are maintained in cabinets which are secured after working hours.

Retention and disposal: Records are retained indefinitely and when disposed of, are destroyed by shredding.

System manager(s) and address: Office of the Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Applicant; Personal References.

FCC/COMM—2

System name: Employee Records—FCC/COMM

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of a Commissioner's Office, professional and non-professional.

Categories of records in the system: Personal data, time and attendance, job descriptions.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for job description purposes and sometimes for the tabulation of sick and annual leave.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by subject matter.

Safeguards: Records are maintained in cabinets and secured after working hours.

Retention and disposal: Records are retained indefinitely and, when disposed of, are destroyed by shredding.

System manager(s) and address: Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee; Personnel Division.

FCC/CCB—1

System name: Alphabetical Complaint and Inquiry File—FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individuals who have made complaints or inquiries.

Categories of records in the system: Complaints and related supporting information, company replies to complaints, letters of inquiry and Commission letters regarding such complaints and inquiries.

Authority for maintenance of the system: Section 208 of the Communications Act; FCC Rules Section 1.711 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for handling individual letters of inquiry and complaint.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinets.

Retrievability: Records are retrieved by individual name.

Safeguards: Stored in unlocked files and secured in office after hours.

Retention and disposal: The records are retained in the Commission's offices for five years and then retired to the Federal Records Center.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Complaints and subject carriers.

FCC/CCB—2

System name: Applicant for position-FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Applicants who seek permanent positions with the Bureau.

Categories of records in the system: Resumes, federal personnel Forms 171, writing samples, etc.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by administrative and supervisor personnel to determine the qualifications and suitability of job applicants for positions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrievable by applicant's name.

Safeguards: Records are kept in file cabinets in offices that are locked at the close of each business day.

Retention and disposal: Records are maintained as long as administratively useful and then destroyed by tearing.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Previous employers, personal and business references.

FCC/CCB—3

System name: AT&T Witness file—FCC/CCB

System location: 1229 20th Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Persons chosen by the Bell system for particular expertise in various aspects of telecommunication whose testimony is presented at the current AT&T rate hearing.

Categories of records in the system: Printed or typed testimony; resume's; attorney notes, internal memoranda, and correspondence; witness background information, e.g., papers written, career history.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by members of the AT&T Task Force to prepare cross-examination materials and, in general, to keep up to date with the current rate proceedings.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Material is retrieved by name of witness, by date testimony was offered into evidence.

Safeguards: Material is kept in filing cabinets or desk drawers in offices which are secured at the end of each working day. The AT&T Task Force is a small staff and only they have cause to access the information contained in the system. Therefore, unauthorized examination of the material would be readily detected.

Retention and disposal: The system will be retained until the close of the AT&T rate proceedings, then transferred to the National Archives.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: AT&T Task Force.

FCC/CCB—4

System name: Contracts for Personal Services—FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554; 1229 20th Street, N.W., Washington, D.C. 20554*.

Categories of individuals covered by the system: Professional people who bid or are recommended as experts, and whose services are requested for a specific study or case.

Categories of records in the system: Background histories, resumes of previous services provided the Commission, work contracts, salary requests, internal memoranda.

Authority for maintenance of the system: Section 4(g) of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record is used by administrative personnel and the AT&T Task Force staff to secure qualified persons to serve as expert witnesses or as consultants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Information in this system is retrieved by name.*

Safeguards: Records are kept in file cabinets in the bureau administration office and in the offices of the AT&T Task Force. These offices are locked at the close of each business day.

Retention and disposal: Those records are retained until their administrative need has ended, then destroyed.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: FCC procurement office, previous employers, college or university officials. *In order to expedite the processing of requests for notification, those individuals who have served as expert witnesses at the request of the AT&T Task Force should communicate this fact in the request.

FCC/CCB—5

System name: Correspondence Associated with Docketed Matters—FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individuals with whom the bureau.s trial staff corresponds while the docket remains active.

Categories of records in the system: All correspondence to and from individuals concerning a specific docketed matter, e.g., information requests, intercounsel correspondence, correspondence to gather information for use in hearing proceedings.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Trial Staff for reference during the course of the proceeding. The records may be referred, as a routine use, to the appropriate agency charged with the responsibility of implementing or enforcing applicable statutes or rules or charged with investigating some aspect of a docketed matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are first retrieved by docket or file number, then by individual name.*

Safeguards: Stored in unlocked files and secured in office after working hours.

Retention and disposal: The records are maintained until the Docket is closed. The records are then turned over to Dockets Office which retains them indefinitely.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: *Individuals seeking access to records in this system should associate a docket or file number with the request.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: None.

FCC/CCB—6

System name: Employee Records—FCCCCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Common Carrier Bureau.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, life insurance and retirement coverage, telephone number; recommendations and memoranda in support of promotions, in-grade increases and awards including recommendations for outstanding or unsatisfactory performance rating; requests and notices of personnel actions; job descriptions; performance evaluations; supervisor's complaints; discrimination complaints and other employee-filed grievances; nominations for employee training courses; time and attendance reports including special working hours.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 1101, Section 2001, Section 2061.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel office of Bureau chief—to provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, and annual performance rating; to provide a ready reference for employee job descriptions, award nominations, and training recommendations; to determine the days and hours during which annual or sick leave is taken, to keep track of paid overtime being worked in the Bureau, and to document work schedules that differ from normal duty hours.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders or card files.

Retrievability: All records are retrievable by name, some records are retrieved by the date employee is eligible for promotion or within grade increases or by course title (in the case of training records).*

Safeguards: Records are maintained in file cabinets or desk drawers, all Bureau offices are locked at the close of each business day.

Retention and disposal: Most records in this system are retained until the administrative need is completed, then destroyed by tearing; performance ratings and time and attendance reports are retained for one year, then destroyed; records of personnel actions are retained for three years, then destroyed by tearing.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: (Same as in above record systems.) *Individuals seeking access to records having to do with nominations for training should identify the specific training courses of interest by title and year of offering.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, personnel office, payroll office.

FCC/CCB—7

System name: Employment Discrimination Complaints Against Common Carriers—FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All individuals who send complaint letters to the FCC concerning alleged employment discrimination by common carriers.

Categories of records in the system: Complaint letters, responses of the Bureau, any materials gathered in investigating the complaints, and correspondence to other governmental agencies regarding complaints.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by EEO counsel, members of the Hearing and Legal Division staff to investigate the complaint, to refer the complaint to the subject company, and to take part in the resolution of the matter. The record system may also be referred as routine to the appropriate agency charged with the responsibility of investigating or prosecuting a possible violation of law or charged with enforcing the applicable statutes or rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: All records are retrieved by complainant's name.

Safeguards: Records are maintained in file cabinets in offices that are locked at the close of each business day.

Retention and disposal: Indefinitely.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Common Carrier officials.

FCC/CCB—8

System name: Public Land Mobile Radio Operators File—FCC/CCB

System location: 2025 M Street, N.W., Washington, D.C. 20554; 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Users of mobile units and applicants for service in the Public Land Mobile Radio Service.

Categories of records in the system: Applications for land mobile radio licenses, copies of licenses; a computerized list of licensees by name and by call sign.

Authority for maintenance of the system: Section 307 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by Mobile Service Division staff to grant, dismiss or revoke applications.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders (computer printout).

Retrievability: Records are retrieved by licensee name.

Safeguards: None, records are open to public inspection.

Retention and disposal: Records are maintained on open shelves for as long as the station is in existence. Files are held for one year after service is terminated, then destroyed by shredding.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals making applications.

FCC/CCB—9

System name: Staff Travel Records—FCC/CCB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All Common Carrier Bureau personnel authorized to travel on government business.

Categories of records in the system: Name of traveler, number of days travel time authorized, departure date, destination, purpose for travel, mode of travel, cost of travel, and any other information pertinent to the trip.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record is used by Administrative personnel to authorize official travel by Bureau personnel and to document monies spent from travel budget.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in a filing cabinet in the Bureau administrative office which is secured at the close of each business day.

Retention and disposal: Records are kept on file for a period of two years, then destroyed by tearing.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Authorizing supervisor.

FCC/FOB—1

System name: Employee Records—FCC/FOB

System location: Primary: 1919 M Street, N.W., Washington, D.C. 20554. Secondary: various field facilities (for addresses see Appendix I).

Categories of individuals covered by the system: Employees and former employees of the Field Operations Bureau.

Categories of records in the system: Performance appraisals and reviews, recommendations for awards, time and attendance reports, position descriptions, training records.

Authority for maintenance of the system: 5 U.S. Code, Section 2001, Section 2061, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief and in the various field installations—to provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and high quality awards and to justify approval or disapproval of such recommendations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: All records in this system are retrievable by employee name.

Safeguards: All records are kept in file cabinets, in Bureau offices that are secured at the end of each business day.

Retention and disposal: Records are retained in accordance with the FCC records control system, destruction occurs one year after the departure of the employee.

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supervisors.

FCC/FOB—2

System name: Radio Operator Records—FCC/FOB

System location: Primary: 1919 M Street, N.W., Washington, D.C. 20554. Secondary: various field facilities (for addresses see Appendix A).

Categories of individuals covered by the system: Individuals who have applied for radio operator licenses.

Categories of records in the system: Applications for radio operator licenses, examination papers, records of documents issued, correspondence, etc.

Authority for maintenance of the system: Geneva Radio Regulations; 47 U.S. Code, Section 303(l), and (m), 318.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in connection with the administration of the Commission's radio operator program including examinations, applications, and determinations of license applicant qualifications. Limited file material concerning licensed radio operators is forwarded to the Office of Executive Director for inclusion of the material in the agency's central computer facility. If the records maintained indicate a possible violation of law, they may be referred, as routine, to the General Counsel and to the appropriate agency charged with the responsibility of investigating or prosecuting such violation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, microfilm (applicants' names only).

Retrievability: All records in this system are retrievable by applicant name.

Safeguards: All records are kept in file cabinets, in offices that are secured at the close of each business day.

Retention and disposal: Applications are retained for a period of six years, transferred to the Federal Records Center for an additional five years, then destroyed. (Exception: Restricted Permits are issued for "life" and those applications are therefore retained indefinitely.)

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: FOB field employees engaged in radio operator application processing.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to Section (k)(2) of the Act.

FCC/FOB—3

System name: Violators File (records kept on individuals who have been subjects of FCC field enforcement actions)—FCC/FOB

System location: Primary: 1919 M Street, N.W., Washington, D.C. 20554. Secondary: various field facilities (for addresses see Appendix A).

Categories of individuals covered by the system: Individuals who have been subjects of FCC Field enforcement actions (monitoring, inspection, investigation) for violations of radio law, FCC Rules and Regulations, or International Radio Treaties.

Categories of records in the system: Inspection reports, complaints, monitoring reports, investigative cases, referral memos, correspondence, discrepancy notifications, warning notices, etc.

Authority for maintenance of the system: 47 U.S. Code, Sections 1, 2, 4, 301, 312, 315, 318, 386, 401, 404, 501, 502, 510.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in connection with the Commission's field enforcement programs to determine levels of compliance among radio users; to issue marine certificates of compliance; to prepare requests for sanction action. Where sanctions are requested, file material is forwarded to appropriate offices within the Commission. If the records indicate a possible violation of law, they may be referred, as a routine use, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing the applicable statutes or rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: All records in this system are retrievable by name and by FCC issued call sign.

Safeguards: All records are kept in file cabinets, in offices which are secured at the close of each business day.

Retention and disposal: All violation notices are maintained for a period of four years, then destroyed (classified material is destroyed by burning or shredding).

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts are maintained as a protective service for individuals described in Section 3056 of Title 18, and because they are necessary for Commission employees to perform their duties, pursuant to sections (k)(1), (2) and (3) of the Act.

FCC/OALJ—1

System name: Employee Activity Report—FCC/OALJ

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of the Office of Administrative Law Judges, professional and non-professional.

Categories of records in the system: Summaries of the total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Budget Office uses the report to compute manpower hours, the Commission uses it to record the total number of hours put forth in a specific category of work; the office uses it to document how an individual used his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name and reporting period.

Safeguards: Records are kept in a locked file cabinet in an office which is secured at the end of each business day.

Retention and disposal: Records are kept for three years, then destroyed.

System manager(s) and address: Office of Administrative Law Judges, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the records are maintained.

FCC/OALJ—2

System name: Employee Records—FCC/OALJ

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Office of Administrative Law Judges, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotion or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 2001, Section 2061, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and certain administrative personnel to provide personal data and career history; to support requests for personnel actions: e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and hi quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, Kardix, Time and Attendance cards.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are maintained in locked file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Records are retained for a period of one year after an individual leaves the Commission's employ, then destroyed. Time and attendance records are retained for two years, then destroyed.

System manager(s) and address: Office of Administrative Law Judges, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, other personnel.

FCC/OALJ—3

System name: Staff Travel Records—FCC/OALJ

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Office staff authorized to travel on government business.

Categories of records in the system: Traveler's name, number of days travel time authorized, departure date, destination, purpose for travel, mode of travel, cost of travel, and any other information pertinent to the trip.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by administrative personnel to authorize official travel by office personnel and to document monies spent from travel budget.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder.

Retrievability: Records are retrieved by traveler's name.

Safeguards: Records are maintained in a locked file cabinet in an office which is secured at the close of each business day.

Retention and disposal: Records are kept on file for a period of three years, then destroyed.

System manager(s) and address: Office of Administrative Law Judges, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OCE—1

System name: Employee Activity Report—FCC/OCE

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of the Office of Chief Engineer, professional and non-professional.

Categories of records in the system: Summaries of the total number of hours devoted to specific areas of work, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Budget Office uses the report to compute manpower hours; the Commission uses it to record the total number of hours put forth in a specific category of work; the Office uses it to document how an employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name and reporting period.

Safeguards: Records are kept in a locked file cabinet in an office which is secured at the end of each business day.

Retention and disposal: Records are kept for three years, then destroyed.

System manager(s) and address: Office of Chief Engineer, Room 714, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OCE—2

System name: Employee Records—FCC/OCE

System location: 2025 M Street, N.W., Washington, D.C. 20554. Regional Office, 1550 Northwest Highway, Parkridge, Ill. 60068.

Categories of individuals covered by the system: All employees and former employees of the Office of Chief Engineer, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotion or in-grade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 2001, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and certain administrative personnel to provide personal data and career history; to support requests for personnel action: e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and hi quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are maintained in locked file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Records are retained for a period of one year after an individual leaves the Commission's employ, then destroyed. Time and attendance reports are retained for two years, then destroyed.

System manager(s) and address: Office of Chief Engineer, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, other office personnel.

FCC/OCE—3

System name: Experimental Radio Station Licensee File—FCC/OCE

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Experimental Radio Station License holders.

Categories of records in the system: Technical and administrative information regarding the operation, location of the experimental operation and the equipment to be used.

Authority for maintenance of the system: Sections 301, 303 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff engineers and application examiners to determine if a license applicant is qualified and if the experimental station's technical operation is in the public interest.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Information is retrieved by applicant or licensee name, then by call sign.

Safeguards: Records are maintained in locked file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Records are retained for a period of 2 years after the expiration of the license, then sent to the National Archives.

System manager(s) and address: Office of Chief Engineer, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OED—1

System name: Activity Reporting System—FCC/OED

System location: 1919 M Street, N.W.; 2025 M Street, N.W.; and 1229 20th Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees whose bureau or office is a participant in the system.

Categories of records in the system: Individual activity reporting forms containing a person's name, social security number, organization code, activity code and number of hours spent working on the reported activity during a semimonthly reporting period. Monthly reporting forms listing total Bureau/Office output of selected production measures.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Bureau and Office management personnel use data to measure time expended on various programs, services or activities and productivity at Divisional or Bureau level. Financial Management Division used data to develop future budget estimates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 inches by 8 inches and 8 inches by 10 inches original forms are stored in file cabinets by reporting period and organizational unit. Data is also contained on magnetic tapes stored in computer room, also denoted by reporting period.

Retrievability: Forms and tapes are maintained by semimonthly or monthly reporting period to facilitate aggregation for monthly report. Error listings from the computer are indexed by social security number to facilitate correction on an individual basis. Data is not retrieved for an individual, only for various organizational levels and program, service or activity codes. Forms will be filed in each participating bureau to facilitate location for correction purposes only.

Safeguards: Records are maintained in file cabinets in an office that is locked at the end of each business day. Access to tapes is controlled by computer room personnel.

Retention and disposal: Original forms are retained for three months and then destroyed by tearing into pieces. The only purpose in maintaining the original input document for three months before destruction is to facilitate correction of error listings. Tapes are retained for up to two years.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual Activity Reports of employees participating in the system. Monthly Output Measures Reports from Bureau/Office management personnel.

FCC/OED—2

System name: Alcoholism and Drug Abuse Case Files—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: FCC employees who seek guidance and counseling through the agency Alcoholism and Drug Abuse Program.

Categories of records in the system: Personal history as it relates to the employee's problem. Records on employees referred for counseling.

Authority for maintenance of the system: FPM 792.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for the use of the Program Administrator and Counselors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in locked metal cabinets in the Program Administrator's Office.

Retrievability: Records are filed and retrieved by name of employee.

Safeguards: Records are maintained in an office that is locked when not occupied by the Program Administrator. They are maintained in strict confidence and are accorded the same security and accessibility restrictions provided for medical records.

Retention and disposal: Records are kept indefinitely or until the employee leaves the FCC, at which time they are destroyed by tearing into pieces.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee, employee's supervisor, and counselors.

FCC/OED—3

System name: Docket History Cards—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Licensees whose applications have been designated for hearing and Petitioners who request an amendment of Commission's Rules.

Categories of records in the system: Docket History cards and cross-reference cards.

Authority for maintenance of the system: Section 0.45e of the Commission's Rules.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Commission employees and general public use records to locate pleadings that have been filed, pertinent dates, and Commission actions that are filed in the public reference room.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 inches by 8 inches history card file cabinets; 3 inches by 5 inches alphabetic card file cabinets.

Retrievability: History cards are maintained by numerical docket numbers; and cross-reference cards are maintained alphabetically. Cross-reference cards contain the name of an individual and the docket number thus permitting access to the docket history card.

Safeguards: Public access is controlled by Commission employees who provide necessary reference services.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is secured from pleadings and actions taken by Commission officials.

FCC/OED—4

System name: Employee Relations Case File—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: FCC employee.

Categories of records in the system: Correspondence of an employee relations nature including debt complaints and supervisory generated warnings or other forms of admonishment regarding disciplinary matters.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Employee Relations Officer for reference and the development of an effective employee relations program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folder.

Retrievability: Records are filed alphabetically and retrieved by name of employee.

Safeguards: Records are maintained in a file located in the office of the Employee Relations Officer, Personnel Division. The office is locked at the end of each business day.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supervisors, employees, private citizens.

FCC/OED—5

System name: Financial Disclosures by Employees—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All Commission regular and special employees.

Categories of records in the system: Confidential Statements of Employment and Financial Interests required to be filed by all Commission regular and special employees (Section 19.735-403, FCC Rules and Regulations) initially upon employment, and supplementarily each year thereafter. Correspondence with the employee, the General Counsel, or research documents concerning any holdings requiring clarification as to their compatibility with Government employment.

Authority for maintenance of the system: Executive Order 11222; Chapter 735, Federal Personnel Manual (Section 1-5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is reviewed by designated employees to establish proper compliance with the Executive Order and FCC Rules and Regulations. The General Accounting Office may require access to these records. As determined for good cause shown, referral may be made to the Civil Service Commission and to the Department of Justice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of employee.

Safeguards: Records are held in confidence in an access-controlled and alarmed area, with access restricted to reviewing officials (Section 19.735-405, FCC Rules and Regulations) and processing personnel of the Security Office. Access by other Commission officials is limited to those who are required to provide a legal opinion or interpretation.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The records may contain data extracted from financial publications or obtained directly from companies or corporations whose stock is held by the employee. Submitting employee.

FCC/OED—6

System name: Index of Commission Agenda Items—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: When an agenda item pertains to an individual, an index card is made out in the name of that person.

Categories of records in the system: Index cards contain name of individual, agenda item number(s), dates, minute numbers and a digest of action taken by the Commission on the subject matter.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by employees to determine when a particular matter was considered by the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 inches by 8 inches card file cabinets.

Retrievability: Index cards are filed alphabetically. When the name of an individual is mentioned in a Commission Agenda item, it is filed alphabetically and is accessible.

Safeguards: Information in these records is available to the public. Commission employees, however, maintain control over access and provide necessary reference service. Records are maintained in file cabinets in an office that is locked at the end of each business day.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is secured from Commission Agendas, Notations and Minutes by Commission employees.

FCC/OED—7

System name: National Industry Advisory Committee (NIAC) Membership—FCC/OED

System location: 1229 20th Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Members of the National Industry Advisory Committee and its Subcommittees.

Categories of records in the system: Information showing individual name, business address, business and home telephone numbers, title and occupation.

Authority for maintenance of the system: Public Law 92-463, October 6, 1972, Federal Advisory Committee Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute information to members of the committee, convene meetings, and conduct general committee business.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of committee members.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained indefinitely while individual is a member of the committee; when member resigns or retires from business, individual file material is destroyed.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Committee member.

FCC/OED—8

System name: Personnel Investigations of Employees—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All Commission regular and special employees.

Categories of records in the system: Reports of investigations conducted pursuant to Executive Order 10450 by the U.S. Civil Service Commission, FBI, or other authorized government agency; results of National Agency Check and Inquiries (NACI); suitability information as defined in Chapter 731, Federal Personnel Manual; results of investigations conducted pursuant to Section 19.735-107, FCC Rules and Regulations (Employee Responsibilities and Conduct), and the results of inquiries conducted in the administration of the FCC's Merit System. Certificates of Clearance issued for the individual's access to classified information. Card Index.

Authority for maintenance of the system: Executive Order 10450. 18 U.S.C. 203, 205, 208, and 209.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to establish qualification for government employment and to determine whether employee should be permitted access to classified information. As necessary, referral is made to law enforcement authorities for investigation and possible criminal prosecution, or to the Civil Service Commission in the case of suitability matters under its jurisidction. Referral may be made to the following agencies when there is need for the granting of access to classified information in their custody or to briefings including classified matters: Defense Communications Agency, Interagency Communications System, Department of State, Secret Service, Central Intelligence Agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card index.

Retrievability: Records are filed and retrieved by name of employee.

Safeguards: Records are maintained within a secure, access-controlled area, and stored in approved security containers. Access is limited to cleared Security Office personnel and to Commission officials on a "need to know" basis when required to take decisional action on the records.

Retention and disposal: Records are retained during employment; records are returned to investigating agencies after employment terminates.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Previous employers; listed and developed character and credit references; neighbors; educational institutions; law enforcement agencies; birth records; fellow employees.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material pursuant to sections 3(k)(2) and 3(k)(5) of the Act as applicable.

FCC/OED—9

System name: Personnel Investigations of Members of Advisory Committee. (Maritime Communications Subcommittee, National Industry Advisory Committee)—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Members of the Maritime Communications Subcommittee of the FCC National Industry Advisory Committee (NIAC).

Categories of records in the system: Reports of investigations conducted pursuant to Executive Order 10450 by the U.S. Civil Service Commission, FBI, or other authorized government agency; results of National Agency Checks and Inquiries (NACI).

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is reviewed by designated employees to determine an individual's qualifications for access to classified information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of individual.

Safeguards: Records are maintained within a secure, access-controlled area, and stored in approved security containers. Access is limited to cleared Security Office personnel and to Commission officials on a "need to know" basis when required to take decisional action on the records.

Retention and disposal: Records are retained as long as the individual is a member of the committee; when no longer connected with the committee, the records are returned to the issuing agency.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Previous employers; listed and developed character and credit references ; neighbors; educational institutions; law enforcement agencies; birth records; fellow employees.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act because they embody investigatory material pursuant to sections 3(k)(2) and 3(k)(5) of the Act as applicable.

FCC/OED—10

System name: Project Management of the Data Automation Division—FCC/OED

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All Data Automation Division employees.

Categories of records in the system: A description of tasks performed by Division employees, coded and filed in a Task File. A description of individuals assigned to the Division by pay rate, number of normal work hours, job classification, and supervisor, coded and filed in a Resource File.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by Division supervisory employees to monitor expenditure of hours and dollars by employees on various tasks and projects, and to plan scheduling of employees on projects.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Permanent disk and magnetic; punched card input data is retained for backup.

Retrievability: Computer print-outs are prepared as needed and are distributed within the Division.

Safeguards: Access to data is limited to division employees and is controlled by a project management system coordinator; all information is retained within the division.

Retention and disposal: Computer print-outs are destroyed when no longer needed. Other information is retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained from Division supervisors and individuals to whom the information pertains.

FCC/OED—11

System name: State and Operational Areas Emergency Communications Committees—FCC/OED

System location: 1229 20th Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Chairmen and Vice Chairmen of State and Operational Area Emergency Communications Committees.

Categories of records in the system: Information showing individual name, business address, business telephone number and title.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to forward appropriate information to State Committee members, each broadcast station in the State and to Federal, State and local government officials for Emergency Communications planning.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed by state and by name of committee member within the state.

Safeguards: Records are maintained on a division level in file cabinets which are locked at the end of each business day.

Retention and disposal: Records are retained indefinitely while the individual is a member of the committee; when member resigns, individual file material is destroyed.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. Name of state must be provided with any request for information.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Committee member.

FCC/OED—12

System name: Pay, leave, and travel records—FCC/OED

System location: 1919 M St., NW., Washington, D.C. 20554.

Categories of individuals covered by the system: All Commission employees.

Categories of records in the system: Contains various records required to administer the pay, leave, and travel requirements of the Federal Communications Commission.

Authority for maintenance of the system: 44 U.S.C. 3101, 3102, 3309.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used as indicated below:

A. To authorize payroll deductions for allotments, savings bonds, charitable contributions, union dues, health benefits and life insurance; collect indebtedness for overpayment of salary and unpaid Internal Revenue taxes; pay income tax obligation to Internal Revenue Service; authorize mailing or holding salary checks or savings bonds; authorize issuing of salary checks by Treasury Department; obtain reimbursement of ravel expenss for official business; report gross wages and separation information for unemployment compensation; pay any uncollected compensation due a deceased employee; and provide for a summay of employees payroll data and retirement contributions.

B. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

C. For litigation in a Federal court where required.

D. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, State, or local, charged with the enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

E. To request information from a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information if necessary to obtain relevant information to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or other benefit.

F. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in manual files in folders, cards, magnetic tapes, and loose leaf binders.

Retrievability: Records are indexed by name.

Safeguards: Records are maintained in filing cabinets in an office that is locked when not occupied by staff. Records are available only to authorized personnel whose duties require access.

Retention and disposal: Records are maintained for varying periods of time from one year to permanently. Disposal is by shredding.

System manager(s) and address:

Executive Director
Office of the Executive Director
1919 M St., NW.
Washington, D.C. 20554.

Notification procedure: Same as above. It is necessary to furnish the following information in order to identify the individual whose records are requested:

A. Full name.
B. Date of birth.
C. Social Security Number.
D. Mailing address to which the reply should be mailed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is provided by management officials and by the individual on whom the record is maintained.

FCC/OED—13

System name: Employee Locator System—FCC/OED-13

System location: Federal Communications Commission, 1919 "M" Street, N.W.; 2025 "M" Street, N.W.; 1229 20th Street, N.W., Washington, D.C. 20554

Categories of individuals covered by the system: Current FCC headquarters employees.

Categories of records in the system: Include name of employee; office address; mailing address; home address and telephone number; name, address and telephone number of an emergency contact.

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: System will be used by employee's division to contact individual designated by employee in case of an emergency involving employee. Information contained in the system will also be used to update payroll master records, administrative records and to provide office location of employees for outside telephone callers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3" x 5" paper.

Retrievability: Indexed alphatetically by last name of employee.

Safeguards: Stored in the standard file box. Access limited to individuals within the division who require the information in an emergency situation. Office is locked at close of each business day.

Retention and disposal: Retained for the duration of an employee's employment in the division. Information is manually shredded within 30 days of employee's depature from the division or in accordance with existing records control schedules.

System manager(s) and address: Executive Director, Office of the Executive Director, 1919 "M" street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FCC/OGC—1

System name: Alien Rights under Section 310 of the Communications Act—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individuals who inquire about the right of Aliens to hold amateur radio licenses, and aliens who seek Commission approval to become corporate officers of companies licensed by the Commission.

Categories of records in the system: Correspondence, memoranda, agenda items, public notices, news releases.

Authority for maintenance of the system: Section 310, Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system are used by staff attorneys in the Office of General Counsel as a repository for Commission policy statements concerning Section 310 matters. The staff responds to letters of inquiries, and determines whether waivers of Section 310 provisions are warranted based on information contained in this record system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Information filed by the name of the person making the inquiry or request.

Safeguards: Records are maintained in unlocked file cabinets in an office that is secured at the close of each business day.

Retention and disposal: At present, records are maintained permenently. When file becomes too bulky to maintain on a permanent basis it will be broken and files other than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OGC—2

System name: Alleged Violators File (Ex Parte Rules)—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individuals alleged to have violated the Commission's ex parte rules.

Categories of records in the system: Complaint letters, memoranda, briefs, Commission decisions recommending action, and news releases.

Authority for maintenance of the system: Section 4(i) of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by staff attorney to make a determination whether, in fact, a violation of the ex parte rules has occurred. The records may be referred to the appropriate agency charged with the responsibility of prosecuting such violation or enforcing the applicable statute or rule.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are maintained by the name of the party accused of an ex parte violation.

Safeguards: Records are maintained in unlocked file cabinets in an office that is secured at the end of each business day. Since only one or two office persons have need to routinely access this system, unauthorized examinations would be easily detected.

Retention and disposal: At the present time the records in this system are maintained permanently. However, when the file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Complainants, Security Officer, Bureau Chiefs.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(l), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—3

System name: Alleged Violators File (United States District Court Enforcement Action)—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any person allegedly violating Communications Act, certain specified Federal statutes, treaties, FCC Rules, and FCC Orders. For example: licensees in citizens band or amateur service; unlicensed individuals in citizens band or amateur service; individual owners of broadcast stations (1 person corporation); officers, employees of broadcast stations, cable systems.

Categories of records in the system: Enforcement of Cease and Desist Order; Enforcement of Revocation Order; Enforcement of Administrative Subpoena; Enforcement of Forfeiture Order; Injunction; Criminal Prosecution.

Authority for maintenance of the system: Sections 301, 401(a), 401(b), 409(b), 504 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used internally to decide whether further administrative or judicial enforcement is necessary. Record information may be transmitted to the Department of Justice if judicial action is necessary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by name.

Safeguards: Records are maintained in steel cabinets and secured after working hours.

Retention and disposal: Left to discretion of division staff when to retire files to Archives or when to destroy them.

System manager(s) and address: General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The information comes from inspections of stations and monitoring by FCC Field Office staff and from third party complainants such as competitors, former employees, and neighbors.

Systems exempted from certain provisions of the act: Parts of this system of records are exempted from subsections (c)(3), (d), (e)(1),

(e)(4)(G), (H), and (I), and (f) fo the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission.s Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—4

System name: Attorney Applicants File—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Third year law students and attorneys seeking employment with the Commission.

Categories of records in the system: Law School transcripts, resumes; standard Form 171; interviewer's or Attorney Rating Board report.

Authority for maintenance of the system: 5 U.S.C. 631, 2001, 2061, 2021, 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by recruiting staff in connection with the Commission's attorney hiring process: e.g., as a source of information for use during personal interviews; as a means to evaluate attorney applicants who interview with Commission recruiters or appear before the Board. Information contained in file is occasionally circulated to individual offices or bureaus in order to fill an attorney vacancy. This system of records may also be disclosed to the appropriate agency maintaining enforcement or pertinent information if necessary to obtain information relevant to the hiring of an attorney, in a sensitive position only.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, 3 inches by 5 inches and 5 inches by 8 inches card files.

Retrievability: Information is maintained by applicant's name.

Safeguards: Information is kept in locked file cabinets in Commission offices that are secured at the close of each business day.

Retention and disposal: Information in the file is retained for a period of one year. Records are retained for longer than one year if the applicant up-dates the records or conveys a continued interest in Commission employment.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Applicant; interviewer; Attorney Rating Board.

FCC/OGC—5

System name: Attorney Misconduct Files—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any attorney who appears in a representative capacity before the FCC and who is being charged with attorney misconduct.

Categories of records in the system: Correspondence, briefs, related Commission agenda items, ABA recommendations, investigative findings, complaints of attorney misconduct, memoranda.

Authority for maintenance of the system: 5 U.S. Code Section 500(d)(2).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by staff attorneys to prosecute a case for attorney misconduct before the administrative law judge and the Commission. Record information may be referred, as a routine use, to the appropriate agency charged with the responsibility of enforcing any Commission penalties imposed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by the name of the attorney charged with misconduct.

Safeguards: Records are kept in file cabinets in offices that are secured at the end of each business day. Since only one or two staff persons routinely access this record system, unauthorized examination during business hours would be easily detected.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives, destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Same as above.

Systems exempted from certain provisions of the act: This system of records is exempt from Subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from Sections 0.554-0.557 of the Commission's Rules because it is maintained for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—6

System name: Communications Interception-Section 605—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Anyone against whom a complaint is registered.

Categories of records in the system: Correspondence, FBI reports, DOJ rulings and interpretations.

Authority for maintenance of the system: Section 605 of the Communications Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Attorneys use for reference purposes when assigned a similar case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: The records are chronologically indexed.

Safeguards: Records are maintained within steel file cabinets without locks. The office is locked at 4:30 each night.

Retention and disposal: Records date from 1953 to present. No records have been destroyed.

System manager(s) and address: General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual complaints, FBI Investigation Reports.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—7

System name: Conflicts of Interest by Commission Employees and Prospective Employees—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Commission employees and prospective Commission employees.

Categories of records in the system: Copies of individual's financial statements, memoranda regarding specific assets, correspondence with employee or prospective employee, notes, research reports.

Authority for maintenance of the system: Section 4(b) of the Communications Act of 1934, as amended; 18 U.S. Code Sections 205 and 208.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by General Counsel attorneys to determine whether a potential conflict of interest situation exists among Commission employees and prospective employees, and whether the subject interest is sufficiently substantial so as to affect job performance. Record information may also be used for reference in similar cases.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by name of the individual with the potential conflict of interest.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the close of each business day.

Retention and disposal: At the present time the records in this system are maintained permanently. However, when the file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Brokers are occasionally contacted for information regarding over-the-counter stocks.

FCC/OGC—8

System name: Contracts For Personal Services—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individuals with specialized skills who bid or are recruited to serve as consultants or experts.

Categories of records in the system: Recommendations to grant/deny a proposed contractual agreement; copies of contracts, agreements; memoranda, letters; news releases, pamphlets, booklets.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, 40 U.S. Code Section 471; Section 4(g) of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by personnel of the office of General Counsel: to review proposed contracts for legality; to determine whether a contractor had been hired previously by Commission; occasionally to advise and act on certain breaches of contract.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are maintained by the name of the individual making the bid or recruited for the contract.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the end of each business day. Since only one or two of the staff routinely access this system, unauthorized examination would be easily detected.

Retention and disposal: At the present time records are maintained permenently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: None.

FCC/OGC—9

System name: Convicted Felon Licensees and Suspensions—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Individual licensees and former licensees who have been suspended.

Categories of records in the system: Memoranda, News Releases, Public Notices, Letters, FOB Material.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Counsel Attorneys use the record system for information purposes when working on Commission related assignments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: The records are accessible by name.

Safeguards: Records are maintained in unlocked steel file cabinets and secured in the office after working hours.

Retention and disposal: The records are permanently retained.

System manager(s) and address: General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: FOB Investigative Case Report and other materials; Public Notices; News Releases.

FCC/OGC—10

System name: Employee Claims For Reimbursement—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any Commission employee who files a reimbursement claim for injury to personal property.

Categories of records in the system: Tort claims voucher of damage or injury, voucher for payment, repair receipts, agenda items, documenting FOB reports, memoranda, and correspondence.

Authority for maintenance of the system: Military Personnel and Civilian Employees Claim Act of 1964, 31 U.S.C. Section 240 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Staff attorneys review claims for completeness and recommend either the grant or denial of the claim based on information collected in the system. This recommendation is reviewed by the Executive Director's office and the Finance Branch before a final determination is made.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by the individuals name making the claim.

Safeguards: Records are kept in an unlocked file cabinet in an office that is secured at the close of each business day.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supervisors reports, witness reports.

FCC/OGC—11

System name: Employee Complaint Adjudication—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any Commission employee who is the subject of a complaint investigation involving internal personnel actions or activities, i.e., discrimination, grievance, political activity, separation or adverse action.

Categories of records in the system: Records in this system involve internal personnel disputes that have reached the hearing stage, and may include correspondence, memoranda, transcripts of hearings, brief, investigative reports, decisions of hearing examiners and Commissioners.

Authority for maintenance of the system: 5 U.S. Code Section 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by staff attorneys in the General Counsel's office in pre-hearing settlement negotiations with opposing parties; records are also used in preparation for the actual hearing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by the name of the subject individual in the investigation.

Safeguards: Records are maintained in unlocked file cabinets in an office that is secured at the end of each business day.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, Room 614, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Co-workers, other supervisors, classification experts, other persons involved in the case.

FCC/OGC—12

System name: Employee Records—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covesed by the system: All employees of the Office of General Counsel, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, telephone number; copies of letters of commendation; memoranda in support of promotion or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; job descriptions; training records.

Authority for maintenance of the system: 5 U.S. Code Sections 631, 2001, 2061, 2021, and 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of General Counsel: to provide personal and emergency data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, 5 inch by 8 inch card box.

Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee's departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, personnel office, payroll office.

FCC/OGC—13

System name: Parties Involved in Current Litigation Before Federal Courts—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any person who is a captioned party of record in an appeal from or petition for review of a Commission action, or other court filing.

Categories of records in the system: Litigation Division docket files (duplicate files of those filed with the Court and other parties).

Authority for maintenance of the system: Section 402 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Case preparation and reference.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Indexed by case name.

Safeguards: Records are filed in the Litigation office and secured after working hours.

Retention and disposal: Files are retired when case finally closed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: U.S. Circuit Courts of Appeals and parties to proceedings.

FCC/OGC—14

System name: Parties With Pending Civil Cases Before Any District Court That Affect the Commission—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any individual who has a miscellaneous case before any District Court that involves the Commission.

Categories of records in the system: Letters, Memoranda, Briefs, Bankruptcy papers.

Authority for maintenance of the system: Section 402 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by Commission attorneys to update information or furnish additional data for the Government Agency handling the case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are maintained by the individual's name filing the claim.

Safeguards: Records are maintained in unlocked file cabinets in an office that is secured at the end of each business day.

Retention and disposal: The records are maintained for three years and then sent to the National Archives. The General Counsel recommends to the Record Center that these files be retained for three years before disposal.

System manager(s) and address: Office of the General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Justice Dept., U.S. Attorneys, Other Federal Agencies.

FCC/OGC—15

System name: Private or Civil Injury Claimants—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Any individual who files a tort claim against the Commission or commits a tort against a Commission employee.

Categories of records in the system: Accidents reports, tort claim vouchers, correspondence, memoranda, medical and payment receipts, repair and payment receipts, pictures.

Authority for maintenance of the system: Federal Tort Claims Act, 28 U.S.C. Section 2672.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by attorneys in the Office of General Counsel to determine whether a tort claim filed against the Commission should be paid and for reference when assigned a similar case. If it is determined that the claim should not be paid or in cases when, pursuant to the limitations set out in 28 U.S.C. Section 2672, the Commission cannot make the final determination whether or not to pay a claim, the record is routinely transferred to the appropriate agency charged with the responsibility of disposition.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by the name of the individual who filed the claim.

Safeguards: Records are kept in an unlocked file cabinet in an office that is locked at the end of each business day. Since only one

or two office persons routinely access this system, unauthorized examination during business hours would be easily detected.

Retention and disposal: Records are maintained for up to 3 years, then sent to National Archives; they are destroyed 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Witnesses, General Counsel, Executive Director.

FCC/OGC—16

System name: Recess and Interim Appointments of Employees—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Commissioners and other employees who have been considered for short term or long term appointments.

Categories of records in the system: Memoranda, letters.

Authority for maintenance of the system: Sections 4(f)(1) and (2) and (g) of the Communications Act of 1934, as amended; 5 U.S. Code Section 56.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by General Counsel Attorneys and the Chairman's office for reference purposes when working on a similar case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in file cabinets in offices that are secured at the end of each business day.

Retention and disposal: At present, records are maintained permanently. After the file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years will be sent to National Archives. Destruction will occur 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OGC—17

System name: Witness Appearance Request File—FCC/OGC

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Commission employees requested to appear as witnesses and to testify on Commission matters or to testify on knowledge obtained through Commission work.

Categories of records in the system: Witness subpoenas, orders, other demands, memoranda; investigative reports; official notices of violations; copies of licenses.

Authority for maintenance of the system: Section 409 of the Communications Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record Information is used by staff attorneys to determine whether or not to grant a request for appearance and to determine when an employee.s appearance is repeatedly requested.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are maintained by the name of employee requested to appear.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the end of each business day. Certain members of the secretarial staff are always present in this office; thus, unauthorized examination of records would be easily detected.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and information older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Party requesting appearance, e.g., U.S. Attorneys, private law firms.

FCC/OOR—1

System name: Employee Records—FCC/OOR

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Office of Opinion and Review, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotions or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

Authority for maintenance of the system: U.S. Code Sections 631, 2001, 2061, 2121, and 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the office of Chief: to provide personal data and career history; to support requests for personnel actions, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and hi quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card files.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are kept in a locked file cabinet in the office of the chief which is locked at the close of each business day.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed. Time and attendance records are maintained for a minimum of 2 years, then destroyed.

System manager(s) and address: Chief, Office of Opinions and Review, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, other office employees.

FCC/OPP—1

System name: Employee Records—FCC/OPP

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Office of Plans and Policy, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotions or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendation for awards.

Authority for maintenance of the system: 5 U.S. Code Sections 631, 2001, 2061, 2121, and 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the office chief and certain administrative personnel: to provide personal data and career history; to support requests for personnel actions, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations

for training courses, incentive and hi quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card file.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are maintained in a locked file cabinet in the Office of Plans and Policy in an office which is locked at the end of each business day.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed. Time and attendance records are maintained for a minimum of 2 years, then destroyed.

System manager(s) and address: Chief, Office of Plans and Policy, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, other office employees.

FCC/RB—1

System name: Employee Records—FCC/RB

System location: 1919 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Review Board, professional and nonprofessional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotions or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

Authority for maintenance of the system: 5 U.S. Code Sections 631, 2001, 2061, 2121, and 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Chairman, Review Board and certain administrative personnel: to provide personal data and career history; to support requests for personnel actions, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and hi quality awards and to justify disapproval of the same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card files.

Retrievability: All records are retrievable by employee name.

Safeguards: Records are kept in a locked storage cabinet in the Office of the Review Board. The Chairman of the Review Board, the Chief for Law and the administrative assistant are the only ones who routinely access this system. Thus, unauthorized examination would be easily detected.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed by tearing into pieces.

System manager(s) and address: Chairman of the Review Board, 1919 M Street, N.W. Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors, other office employees.

FCC/SSRSB—1

System name: Amateur and Citizen License Fees, Refunded or Uncollected—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Applicant who was issued a refund by Gettysburg Field Office or Washington, D.C. Office. Applicant whose check was returned by bank for such things as: insufficient funds, account closed, payment stopped, etc.

Categories of records in the system: Information substantiating a refund issued to applicant; or information indicating remittance was returned by bank as unnegotiable.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by administrative personnel as reference material.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of applicant involved in the transaction.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for two years, then forwarded to Federal Records Center.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: For refunds information is initiated and supplied by applicant and by bureau employees. For uncollected fees, information is furnished by banks; Fee Unit, Financial Management Division, or Washington Processing Section of the Amateur and Citizens Division act as collectors.

FCC/SSRSB—2

System name: Application and License File—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Radio service applicants and licensees under Parts 81, 87, 89, 91, 93, 95, and 99 of the Commissions Rules.

Categories of records in the system: Applications, licenses, and correspondence maintained by various radio categories: Aeronautical and Fixed Group, Aircraft Group, Alaskan Group, Amateur, Automobile Emergency, Aviation Auxiliary Group, Aviation Radio Navigation Land, Business, Citizens Class A, Citizens Class C and D, Civil Air Patrol, Coastal Group, Disaster, Fire, Forest Products, Forestry Conservation, Highway Maintenance, Industrial Radio Location, Interurban Passenger (Motor Carrier), Interurban Property (Motor Carrier), Local Government, Manufacturers, Marine Auxiliary Group, Marine Radar Land, Motion Picture, Operational Fixed Microwave, Petroleum, Police, Power, Radio Amateur Civil Emergency Service (R.A.C.E.S.), Railroad, Relay Press, Ship Group, Special Emergency, Special Industrial, State Guard, Taxicab, Telephone Maintenance, Urban Passenger (Motor Carrier), Urban Property (Motor Carrier).

Authority for maintenance of the system: Sections 301, 303 of the Communications Act of 1934, and amendments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used to administer the Commission's programs relating to radio categories listed above including licensing, enforcement, rulemaking, and other actions requiring record information; to evaluate unique systems; to provide a service of information for the general public. Selected informational elements are incorporated in the Commission's central computer facility to maintain a current inventory of licensees for those services which are computerized.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In appropriate files in boxes or cabinets.

Retrievability: Records are filed alphabetically by name of applicant/licensee within each radio service.*

Safeguards: Records are maintained on division level in appropriate files in boxes or cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are normally retained as long as the station remains licensed, although some bulky files may be divided and older material sent to the Federal Records Center. Records for stations not renewed are retained for one year and then sent to the Federal Records Center.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. *In order to facilitate the location of a specific record, the name of the radio category under which the application was filed and the call sign of the license issued should be included with the request.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Original applications and supplemental material submitted by applicants; correspondence from complainants; inspection reports, application processors.

FCC/SSRSB—3

System name: Conditional Amateur Licensees—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Conditional amateur licensees subject to recall for a Commission supervised examination because of failure to appear for or failure to pass a Commission supervised examination.

Categories of records in the system: Name, address, date of birth (if known) and authorization code of staff member who placed name in the file; license record information.

Authority for maintenance of the system: Title 47, U.S.C. Sections 301, 303 and 309(e).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A computer print-out is used as a reference by selected staff employees at Commission headquarters and field installations to determine whether an applicant for an amateur license is eligible under Section 97.35(a) of the Commission's Rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On magnetic tape and computer print-out.

Retrievability: Information is filed alphabetically by name of individual in a computer and is retrieved periodically through computer print-out.

Safeguards: Control is exercised over information entering the computer; computer print-outs are available to selected staff personnel and are maintained on division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: The previous computer print-out is destroyed by tearing into pieces when a new list is distributed. Individual names on this list may be retained for a maximum of six years.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained by Commission personnel from the applicant.

FCC/SSRSB—4

System name: Current Projects File (Applications that may not comply with rules; Licensees whose systems may not comply with rules)—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Applicants and licensees under Parts 89, 91, and 93 of the Rules whose communication systems may not be in compliance with FCC Rules; and applicants for rule waivers.

Categories of records in the system: Pleadings, letters of complaint, correspondence, technical information, annual reports, and supporting documentation relating to the communication system and its operation.

Authority for maintenance of the system: Section 308(b) of the Communications Act of 1934, and amendments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by Commission employees to resolve whether the system is in compliance with FCC Rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of applicant or licensee involved.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for two years after decision is reached, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Letters of petition or complaint initiate action. Letters of complaint are referred to licensees to advise them and to obtain additional information in response to the complaint.

FCC/SSRSB—5

System name: Employee Activity Report—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees of the Bureau.

Categories of records in the system: The total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Individual reports compiled by Divisions into monthly totals. Report of totals (without names) is sent to Budget Office for their use in computing manpower hours; to report to the Commission total number of hours put forth in a specific category of work; to document how an employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name and by reporting period.

Safeguards: Records are kept in locked file cabinets in the offices of Bureau and Division Chiefs which are locked at the close of each day.

Retention and disposal: Records are kept during the current fiscal year then destroyed.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. 12

Same as above.

Contesting record procedures: Same as above.

Record source categories: Bureau employee.

FCC/SSRSB—6

System name: Employee Records—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees and former employees of the Safety and Special Radio Services Bureau.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, telephone number; letters of reference written on behalf of employees, or concerning them; memoranda in support of reclassification, promotions or ingrade increases, or for documentation of grievances or adverse actions; performance evaluations of various kinds; time and attendance reports including special working hours and requests for leave; designations as special representative; work assignments and productivity data.

Authority for maintenance of the system: 5 U.S. Code, Sections 631, 2001, 2121, and 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief: to provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine productivity in a variety of job assignment categories; to provide models for writing letters of reference; to determine the days and hours during which annual or sick leave is taken (such records are transferred to

the Payroll Office for use in computing pay); to document a work schedule that differs from normal duty hours; to provide a record of employees designated to serve on a special activity such as emergency building evacuation, fund drives, etc.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders or card files.

Retrievability: All records are retrievable by name; some records are also retrievable by the date employee is eligible for promotion or within grade increase.

Safeguards: Records are maintained on a bureau and division level in file cabinets in offices which are locked at the close of each business day.

Retention and disposal: Most records in this system are retained until the administrative need is completed, then destroyed by tearing into pieces; certain performance records are retained temporarily at the Bureau, then forwarded to the Personnel Division, Office of Executive Director; time and attendance records are maintained at the Bureau until the Payroll Office conducts the annual audit, verifying totals and so notifying the Bureau, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee supervisors; Personnel Division and Financial Management Division, Office of Executive Director.

FCC/SSRSB—7

System name: Employee Travel Records—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All bureau employees who have traveled to conduct official FCC business.

Categories of records in the system: Name of traveler, date of trip, where, for what purposes, and related travel information.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by administrative personnel as a reference for planning and approving current travel requests and in preparing budget estimates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed by Fiscal Year but can be retrieved by employee name.

Safeguards: Records are maintained by administrative personnel on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for a two year period, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information for these records is gathered from the Bureau's secretaries who maintain all travel information for their particular Division or Branch.

FCC/SSRSB—8

System name: Licensees or Unlicensed Persons Operating Radio Equipment Improperly—FCC/SSRSB

System location: 2025 M Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: Licensees operating under Parts 81, 83, 87, 89, 91, 93, 95, and 97 of the Rules in violation of the Commission Rules or the Communications Act of 1934. Unlicensed persons operating radio equipment.

Categories of records in the system: Enforcement case history cards; license record information on microfilm and computer printouts; name, address, date of birth (if known) and authorization code of staff member who placed name in the file.

Authority for maintenance of the system: Title 47 U.S.C. 301, 303, 309(e), 312, 362, 364, 386, 507, and 510.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by bureau employees on enforcement cases to document, to evaluate, to impose sanctions, and to maintain appropriate records for reference. Selected information is maintained in a computer data base and a computer print-out is used as a reference by bureau employees at Commission headquarters and field installations to determine whether applications should be granted or set for hearing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders, card files, microfilm, magnetic tape and computer print-out.

Retrievability: Records are filed and retrieved by name of licensee or unlicensed individual. Information in the computer is printed periodically for staff use.

Safeguards: Records are maintained on a division level in appropriate file cabinets in offices which are locked at the end of each business day. Computer print-outs at field installations are maintained in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: The documentation portion of these records is retained in active files for no more than 2 years, and are maintained in the Federal Records Center for five years, after which they are destroyed. The case history card portion of these records is retained for 25 years and then destroyed when no longer useful. Microfilm and computer print-out portions of the records are reporduced periodically and the older superseded material destroyed by cutting or tearing into pieces. Individual names in the computer data bank may be retained for a maximum of six years.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above

Record source categories: Information originates from various sources: FCC Field Engineers; private citizens; Department of Justice; other Commission personnel

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 522(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to Section 552(k)(2) of the Act.

APPENDIX A

FEDERAL COMMUNICATIONS COMMISSION, FIELD OPERATIONS BUREAU

ADDRESS LIST OF DISTRICT OFFICES AS OF JULY 25, 1975.

The sequential number below refers to the District Number assigned by the Field Operations Bureau.

1 BOSTON, Massachusetts, 1600 Customhouse, India and State Streets 02109. Phone: (617) 223-6608.

2 NEW YORK, New York, 201 Varick Street 10014. Phone: (212) 620-5745.

3 PHILADELPHIA, Pennsylvania, 1005 U.S. Customhouse, 2nd and Chestnut Streets 19106. Phone: (215) 597-4410.

4 BALTIMORE, Maryland, 819 Federal Building, 31 Hopkins Plaza 21201. Phone: (301) 962-2727.

5 NORFOLK, Virginia, Military Circle, 870 North Military Highway 23502. Phone: (804) 461-4000.

6 ATLANTA, Georgia, 1602 Gas Light Tower, 235 Peachtree Street, N.E., 30303. Phone: (404) 526-6381. Sub-office: SAVANNAH, Georgia, P.O. Box 8004, Room 238, Federal Building and Courthouse 31402. Phone: (912) 232-7602.

7 MIAMI, Florida, Room 919, 51 S.W. First Avenue 33130. Phone: (305) 350-5541. Sub-office: TAMPA, Florida, 738 Federal Office Building, 500 Zack Street 33602. Phone: (813) 228-2605.

8 NEW ORLEANS, Louisiana, 829 F.Ed. Hebert Fed. Building, 600 South Street 70130. Phone: (504) 589-2094. Sub-office: MOBILE, Alabama, 439 U.S. Courthouse and Customhouse 36602. Phone: (205) 690-2808.

9 HOUSTON, Texas, New Federal Office Building, 515 Rusk Avenue, Room 5636, 77002. Phone: (713) 226-4306. Sub-office: BEAUMONT, Texas, 323 Federal Building, 300 Willow Street 77701. Phone: (713) 838-0271.

10 DALLAS, Texas, Earle Cabell Federal Building, U.S. Courthouse, Room 13E7, 1100 Commerce Street 75202. Phone: (214) 749-3243.

11 LOS ANGELES, California, Room 1758 U.S. Courthouse, 312 No. Spring Street 90012. Phone: (213) 688-3276/3277. Sub-office: SAN DIEGO, California, Fox Theatre Building, 1245 Seventh Avenue 92101. Phone: (714) 293-5460.

12 SAN FRANCISCO, California, 323-A Customhouse (555 Battery Street) 94111. Phone: (415) 556-7700.

13 PORTLAND, Oregon, 1220 S.W. 3rd Avenue, 1782 Federal Office Building 97204. Phone: (503) 221-3097.

14 SEATTLE, Washington, 3256 Federal Building, 915 Second Avenue 98174. Phone: (206) 442-7653.

15 DENVER, Colorado, 504 U.S. Customhouse, 19th Bet. California and Stout Streets 80202. Phone: (303) 837-4053.

16 ST. PAUL, Minnesota, 691 Federal Building and U.S. Courthouse, 316 North Robert Street 55101. Phone: (612) 725-7819.

17 KANSAS CITY, Missouri, 1703 Federal Building, 601 East 12th Street 64106. Phone: (816) 374-5526.

18 CHICAGO, Illinois, 230 So. Daerborn Street 60604. Phone: (312) 353-5388.

19 DETROIT, Michigan, 1054 Federal Building, Washington Blvd. and Lafayette Street 48226. Phone: (313) 226-6077.

20 BUFFALO, New York, 1305 Federal Building, 111 West Huron Street 14202. Phone: (716) 842-3216.

21 HONOLULU, Hawaii, 502 Federal Building, P.O. Box 1021, 96808. Phone: (808) 546-5640.

22 SAN JUAN, Puerto Rico, SPO Box 2987, 322-323 Federal Building 00903. Phone: (809) 722-4562.

23 ANCHORAGE, Alaska, Room G-63 U.S.P.O. and Courthouse Building, P.O. Box 644, 99510. Phone: (907) 272-1822.

24 WASHINGTON, D.C., 1919 M Street, N.W., Room 411, 20554. Phone: (202) 632-7000.

APPENDIX B

FEDERAL COMMUNICATIONS COMMISSION

Description of organizational abbreviations used in the Federal Communications Commission System of Records.

BCB—Broadcast Bureau
CCB—Common Carrier Bureau
COMM—Commissioners
CTB—Cable Television Bureau
FOB—Field Operations Bureau
OALJ—Office of Administrative Law Judges
OCE—Office of Chief Engineer
OED—Office of Executive Director
OGC—Office of General Counsel
OOR—Office of Opinions and Review
OPP—Office of Plans and Policy
RB—Review Board
SSRSB—Safety and Special Radio Services Bureau

[FR Doc.77-27835 Filed 9-21-77;8:45 am]

FEDERAL HOME LOAN BANK BOARD

(No. 77-501)

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

Agency: Federal Home Loan Bank Board.

Action: Final Action: System of Records—Republication.

Summary: The Board is required, pursuant to the Privacy Act of 1974, to republish, annually, its systems of records, which are set forth below. The Board is taking this opportunity to make certain technical amendments. These amendments may be categorized as follows: corrections of name and addresses of system managers (FHLBB No. 1, 2, 8, 16, 17, 18, and 24), including changes resulting from the closing of the Federal Savings and Loan Insurance Corporation offices in Scottsdale, Arizona and Los Angeles, California (FHLBB No. 1, 10, and 14); changes in storage techniques involving microfilm or computers (FHLBB No. 14, 17, 18, 25, 26, 27, and 28); and changes in retention and disposal schedules to reconcile differences between systems of records prepared pursuant to the Privacy Act and Board retention schedules (FHLBB No. 1, 2, 3, 6, 7, 9, 11, 13, 14, 15, 17, 20, 21, 22, 25, 26, 27, 28, and 29).

Effective Date: (Date of publication).

For further information: William L. Van Lenten (202-276-3319).

Authority: 5 U.S.C. 552a.

Published herewith are such amendments followed by a complete listing of systems of records of the Board, incorporating such amendments.

FHLBB—1

System name: Internal Office Personnel Files

Categories of records in the system:

Added: "duplicate employee identification cards"

Retention and disposal: amended to read as follows: "Cut-off upon termination of employment. Destroy 60 days after cut-off".

System manager(s) and address: "Director, Generalized System Research and Design Division" amended to read as follows: "Director, Industry Data Division"

Added: "Director, Office of Management Systems and Administration" "Director, Administration and Methods Division" amended to read, "Director, Administration Division"

Added:
"Assistant District Director"
Office of Examinations and Supervision
90 East Wilson Bridge Road
Worthington, Ohio 43085

Amended: FSLIC—Scottsdale Office

Address amended to read as follows:
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

Amended: FSLIC—Western Office:

Address amended to read as follows:
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

FHLBB—2

System name: Manpower/Budget

Retention and disposal: amended to read as follows: "Cut-off at end of fiscal year. Destroy 2 years after cut-off. Duplicate files: Destroy when superseded. Magnetic tapes: Cut-off at end of each month. Retain 12 months, then blank."

System manager(s) and address:

Added: "Director, Personnal Management Division" "Director, Information Systems Division"

FHLBB—3

System name: Biographies and Photographs

Retention and disposal: amended to read as follows: "Chairman Biography and Photo File: Permanent. Cut-off upon termination of appointment or resignation. Transfer to Federal Records Center 4 years after cut-off. Offer to National Archives 20 years after cut-off. All others: Cut-off at end of calendar year in which appointment, assignment, or employment is terminated. Destroy six months after cut-off."

FHLBB—5

System name: Home Owners' Loan Corporation Home Loan Records (HOLC)

This system of records should be deleted.

FHLBB—6

System name: District Bank Officers' Biography File

Retention and disposal: amended to read as follows: "Permanent. Cut-off upon retirement or separation of individual and transfer to Federal Records Center. Offer to National Archives 5 years from date of cut-off."

FHLBB—7

System name: District Bank Officer's Salary Cards

Retention and disposal: amended to read as follows: "Cut-off and destroy 3 months after retirement or separation of individual."

FHLBB—8

System name: Candidate for Employment

System manager(s) and address:

Added: "The business address of each system manager listed below, unless otherwise indicated, is:"
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

Added: "General Counsel, Office of the General Counsel"

Deleted:
District Director Examinations
Offices of Examinations and Supervision
Federal Home Loan Bank Board
Box 828
Topeka, Kansas 66601

FHLBB—9

System name: Candidates for Appointed Directorships of Federal Home Loan Banks

Retention and disposal: amended to read as follows: "Cut-off when appointment is made. Appointed candidates: Transfer to Biographical File of Federal Home Loan Bank Directors. Unsuccessful candidates: Destroy 3 years after cut-off."

FHLBB—10

System name: Depositors/Account Holders in Defaulted Associations

System manager(s) and address:

Added;
Director
Federal Saving and Loan Insurance Corporation
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

Amended: FSLIC—Scottsdale Office

Address amended to read as follows:
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

FHLBB—11

System name: Biographical File of Federal Home Loan Bank Directors

Categories of individuals covered by the system: amended to read as follows: "Federal Home Loan Bank Directors who are appointed to their positions by the Federal Home Loan Bank Board or elected by the membership."

Retention and disposal: amended to read as follows: "Permanent: Cut-off at end of term. Offer to National Archives 25 years after cut-off."

FHLBB—13

System name: Office of Examinations and Supervision Training Records

Retention and disposal: amended to read as follows: "Cut-off at end of calendar year. Destroy 2 years after cut-off."

FHLBB—14

System name: Asset Management System

Storage: amended to read as follows: "Files are maintained in locked file cabinets, secured rooms and computer secondary storage (off-line)."

Retrievability: amended to read as follows: "Records are filed by defaulting institutions' account number."

Retention and disposal: amended to read as follows: "Records relating to loans are maintained for 10 years after repayment of the loan. Records relating to rental property are retained for 5 years. Records pertaining to sales of real estate are retained for 5 years after cash sale or 10 years after sale of properties financed by the Federal Savings and Loan Insurance Corporation. Magnetic tapes: (a) Receivership, Asset Management, and Property Management tapes are retained for 30 days, then blanked; (b) Bank tapes are retained for 90 days, then blanked; (c) Quarterly and year-to-date tapes are retained for 1 calendar year, then blanked."

System manager(s) and address:

Added: "The business address of each system manager listed below, unless otherwise indicated, is:"
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552
Added: "Director, Information Systems Division"
Amended: FSLIC—Scottsdale Office
Address amended to read as follows:
10001 West Roosevelt Boulevard
Westchester, Illinois 60153
Amended: FSLIC—Western Office
Address amended to read as follows:
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

FHLBB—15

System name: Discrimination Complaint System

Retention and disposal: amended to read as follows: "Destroy 4 years after final adjustment for cases resolved within the agency. Transfer other cases to the Civil Service Commission. Cases resolved by the Commission of a U.S. Court are controlled by the Commission's records schedule. Duplicate copies: Destroy 1 year after resolution of case."

FHLBB—16

System name: Upward Mobility Program (Career Development)

Safeguards:

Deleted "Equal Employment Opportunity Officer"
Added: "Director, Personnel Management Division"

System manager(s) and address:

Deleted: "Equal Employment Opportunity Officer."
Added: "Director, Personnel Management Division"

FHLBB—17

System name: Payroll

Storage: amended to read as follows: "Records are maintained in file folders in locked file cabinets and on magnetic tapes, or other retrieval devices for use in computer systems."

Retention and disposal: amended to read as follows: "Records are retained at the agency for 3 years after termination of employment. Certain categories of records in the system are then transferred to the Federal Records Center in St. Louis, Missouri. Other categories of records remain in the agency. Disposal of records varies between 3 years after termination of employment and 56 years after the date of the last action. Magnetic tapes are cut off at the end of each pay period, retained for 26 pay periods, then blanked. Receivership file records are retained for 3 years after dissolution of the receivership."

System manager(s) and address:

Added: "The business address of each system manager listed below, unless otherwise indicated, is:"
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552
Added: "Director, Information Systems Division"
Amended: FSLIC—Scottsdale Office
Address amended to read as follows:
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552
Amended: FSLIC—Western Office
Address amended to read as follows:
Federal Home Loan Bank Board
320 First Street, N.W.
Washington, D.C. 20552

FHLBB—18

System name: Travel Records

Storage: amended by adding: "and on magnetic tape or other retrieval devices for use in computer system."

System manager(s) and address: Added: "Director, Information Systems Division. See 'Location' for address."

FHLBB—20

System name: Employee Locator File

Retention and disposal: amended to read as follows: "Cut-off and destroy when superseded or obsolete."

FHLBB—21

System name: Statements of Employment and Financial Interest

Retention and disposal: amended to read as follows: "Cut-off when employee leaves a position in which a statement is required or when employee separates. Destroy 2 years after cut-off."

FHLBB—22

System name: Form 587 File—Training Request, Authorization, Notice of Completion

Retention and disposal: amendd to read as follows: "Cut-off at end of fiscal year. Destroy 2 years after cut-off."

FHLBB—24

System name: Assignment History of Examiners

System manager(s) and address: delete title and addresses pertaining to offices at: Cincinnati, Ohio, Seattle, Washington, San Francisco, California

FHLBB—25

System name: Office of the Secretary Card File

Storage: amended to read as follows: "Records are maintained in a card index file and or on microfilm in a secured docket file area or locked file cabinets."

Retention and disposal: amended to read as follows: "Hard copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent—(a) Destroy microfilm upon completion of next annual microfilming, except, (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes."

FHLBB—26

System name: Prospective Organizer of Federal Savings and Loan Association File

Storage: amended to read as follows: "Records are maintained in a card index file and/or on microfilm in a secured docket file area or locked file cabinet."

Retention and disposal: amended to read as follows: "Hard copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent—(a) Destroy microfilm upon completion of next annual microfilming, except, (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes."

FHLBB—27

System name: Suspensions File

Storage: amended to read as follows: "Records are maintained in a card index file and/or on microfilm in a secured docket file area or locked file cabinets."

Retention and disposal: amended to read as follows: "Hard copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent—(a) Destroy microfilm upon completion of next annual microfilming, except, (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes."

FHLBB—28

System name: Removal and Prohibition File

Storage: amended to read as follows: "Records and maintained in a card index file and/or on microfilm in a secured docket file area for locked file cabinet."

Retention and disposal: amended to read as follows: "Hard copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent—(a)

Destroy microfilm upon completion of next annual microfilming, except, (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes."

FHLBB—29

System name: Investigatory Records Copy File

Retention and disposal: amended to read as follows: "Retain in office 5 years, then return file to FBI, unless continuing interest or conviction."

By the Federal Home Loan Bank Board.
Dated: August 18, 1977.

J. J. Finn,
Secretary.

FEDERAL HOME LOAN BANK BOARD

PRIVACY ACT OF 1974

System of Records

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FHLBB—29 Investigatory Records Copy File

FHLBB—1

System name: Internal Office Personnel Files

System location: See "System Manager".

Categories of individuals covered by the system: Federal Home Loan Bank Board employees, consultants, and employees of the Federal Savings and Loan Insurance Corporation, and Federal Savings and Loan Insurance Corporation receiverships.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations regarding individuals while employed by the Federal Savings and Loan Insurance Corporation, the Federal Home Loan Bank Board, as consultants to the Board, or as employees of a Federal Savings and Loan Insurance Corporation receivership. The records may contain information about an individual relating to: date of birth; social security number; veterans preference; tenure; physical handicap; past and present salaries, grades, and position titles; and may include letters of commendation, reprimands, charges, and decision on charges; notices of reductions-in-force; accident reports; upward-mobility information; locator files; loans with Savings and Loans; personnel actions, including but not limited to appointment, promotion, reassignment, demotion, work detail, transfer, and separation; probationary period; training; minority group indicator; life insurance, health benefits, and designation of beneficiary; application for employment; letters of reference; performance ratings (MBO/KOI or other as applicable); documentation of personnel actions or decisions made about the individual; awards; records of equipment and materials issued to the individual; leave and time-and-attendance records; travel records; duplicate employee identification cards; and other information regarding the individual.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, and Executive Order 10561, dated September 13, 1954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used or may be used:

(1) By Board and receivership officials for review in connection with training, appointments, transfers, promotions, reassignments, adverse actions (including disciplinary actions), determinations of qualifications of an individual, determinations of conflicts of interest, equipment assigned to an individual, entitled benefits, leave authorized and used, travel undertaken, and reimbursements;

(2) By the Civil Service Commission for when a current or former Federal employee questions the validity of a specific document in his record;

(3) By the Courts to render a decision when an agency has refused to release to a current or former Federal employee a record under the Freedom of Information Act;

(4) To provide information to a prospective employer of a current or former Federal employee;

(5) To provide data for the automated Central Personnel Data File (CPDF);

(6) To provide data to update Federal Automated Career Systems (FACS), the Executive Inventory File, Security Investigations, the Index on New Hires, and materials concerning adverse actions and termination;

(7) To provide information to a Federal agency, in response to its request, in connection with hiring or retention of an employee, letting of a contract, or 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;

(8) In connection with requests for information from a Federal, State, or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if the obtaining of such information is necessary to an agency decision concerning hiring or retention of an employee, issuance of a security clearance, letting of a contract, or issuance of a license, grant, or other benefit;

(9) To refer, where there is indication of a violation or potential violation of law (whether civil, criminal, or regulatory), to the appropriate Federal, State, or local agency charged with responsibility for investigating or prosecuting such violation of enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto;

(10) As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies, and for utilization in response to general requests for statistical information without personal identification of individuals under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions; and

(11) Verification of employment for credit purposes.

(12) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of an individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folder or on Kardex cards in lockable containers or in secured rooms.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Cut-off upon termination of employment. Destroy 60 days after cut-off.

System manager(s) and address: The business address of each system manager listed below, unless otherwise indicated, is:

Federal Hone Loan Bank Board
320 First Street NW.
Washington, D.C. 20552

Personnel Liaison Officer, Management Systems Division
Personnel Liaison Officer, Accounting and Fiscal Operation Branch, Financial Management Division
Personnel Liaison Officer, Industry Data Division
Director, Office of Economic Research
General Counsel, Office of the General Counsel
Director, Federal Savings and Loan Insurance Corporation
Director, Industry Data Division
Director, Office of Examinations and Supervision
Director, Office of Housing and Urban Affairs
Director, Office of Management Systems and Administration
Director, Administration Division
Director, Office of Industry Development
Deputy Director, Office of the Federal Home Loan Banks
Personnel Liaison Officer, Information Systems Division
Manager, Scottsdale Office
Federal Savings and Loan Insurance Corporation
Western Office Manager
Federal Savings and Loan Insurance Corporation

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
One Union Street—Fourth Floor
Boston, Massachusetts 02108

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
One World Trade Center, Floor 103
New York, New York 10048

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
11 Stanwix Street, Room 300
Pittsburgh, Pennsylvania 15222

Assistant District Director—Administration
Office of Examinations and Supervision
Federal Home Loan Bank Board
260 Peachtree Street, NW.
Atlanta, Georgia 30303

Assistant District Director
Silver Spring Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
8701 Georgia Avenue, Room 400
Silver Spring, Maryland 20910

Assistant District Director
Charlotte Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
4915 Albemarle Road
Charlotte, North Carolina 28205

Assistant District Director
Fort Lauderdale Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
1525 South Andrews Avenue
Fort Lauderdale, Florida 33316

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
2400 DuBois Tower
511 Walnut Street
Cincinnati, Ohio 45202

Assistant District Director
Cincinnati Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
2400 DuBois Tower
511 Walnut Street
Cincinnati, Ohio 45202

Assistant District Director
Nashville Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
2209 Crestmoor Road
Nashville, Tennessee 37215

Assistant District Director
Canton Area Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
229 Wells Avenue, NW.
Canton, Ohio 44703

Asistant District Director
Office of Examinations and Supervision
90 East Wilson Bridge Road
Worthington, Ohio 43085

Assistant District Director
Office of Examinations and Supervision
Federal Home Loan Bank Board
2950 Indiana Tower
One Indiana Square
Indianapolis, Indiana 46204

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
111 East Wacker Drive—Suite 700
Chicago, Illinois 60601

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
714 Second Avenue
Des Moines, Iowa 50309

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
634 Harrison Street
Topeka, Kansas 66603

Assistant District Director
Office of Examinations and Supervision
Federal Home Loan Bank Board
Room 379, Post Office Building
10th and Stout Streets
Denver, Colorado 80202

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
600 Stewart Street, Suite 610
Seattle, Washington 98101

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
600 California Street
San Francisco, California 94108

District Director—Examinations
Office of Examinations and Supervision
Federal Home Loan Bank Board
1350 Tower Building
Little Rock, Arkansas 72201

Office Supervisor
Dallas Branch Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
1100 Commerce Street, Room 3B-29
Dallas, Texas 75202

Office Supervisor

Houston Branch Office
Office of Examinations and Supervision
Federal Home Loan Bank Board
201 Fannin Street, Room 321
Houston, Texas 77002

Administrative Officer
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Receivership Agent
Midwestern Office Receiverships
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Receivership Manager
Northwest Guaranty Receivership
Federal Savings and Loan Insurance Corporation
1100 Tower Building
Seattle, Washington 98101

Notification procedure: Inquiries concerning records shall be made by notifying the appropriate system manager. Such notification must include the individual's name, social security number or employee identification number, date of birth, office of employment (including location), period of employment and the name of the record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the appropriate system manager. Such notification shall include the same information required to be furnished under "Notification", plus a statement setting forth the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Information in this system of records may have been obtained from the individual, his immediate supervisor or persons at other surpervisory levels, the personnel office, the payroll office, Savings and Loan Associations, U.S. Civil Service Commission, or other sources.

FHLBB-2

System name: Manpower/Budget System

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All current employees of the Federal Home Loan Bank Board and the Federal Savings and Loan Insurance Corporation.

Categories of records in the system: Individual employee records are kept by office and agency as follows: name, title, awards, age, EOD date, service computation date, occupation series, social security number, grade, date of last within-grade raise, date of last promotion, within-grade due-date, and elgibility for promotion. Records are kept for each office (and, where appropriate, for the agency) on number of vacancies, authorized position ceilings, and number of employees.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide management with data on current employment, vacancies, and history of employees;

(2) For preparation of future personnel actions;

(3) For computerized budget projections for three fiscal years.

(4) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in nylon post-data folders.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose offical duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Cut-off at end of fiscal year. Destroy two years after cut-off. Duplicate files: Destroy when superseded.

System manager(s) and address: Budget Officer, Financial Management Division; Director, Information Systems Division; Director, Personnel Management Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, date of birth, office of employment, period of employment, and name of record system.

Record access procedures: Persons wishing to have access to their records or to have their records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the same information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Personnel Records.

FHLBB—3

System name: Biographies and Photographs

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Federal Home Loan Bank Board Chairman, Board members, Office Directors and key personnel; Federal Home Loan Bank Presidents; Federal Savings and Loan Insurance Corporation key personnel; Federal Savings and Loan Advisory Council members; Federal Home Loan Mortgage Corporation; and Amminet Executive Staff.

Categories of records in the system: Biographical Notes and Photographs.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Release for media use when the described individuals are invited to make addresses, are appointed to new positions, or leave through resignation, retirement, etc.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

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 filed by name of individual.

Safeguards: No safeguards are needed, since these records are available for public distribution.

Retention and disposal: Chairman Biography and Photo File: Permanent. Cut-off upon termination of appointment or resignation. Transfer to Federal Records Center 4 years after cut-off. Offer to National Archives 20 years after cut-off. All others: Cut-off at end of calendar year in which appointment, assignment, or employment is terminated. Destroy 6 months after cut-off.

System manager(s) and address: Director, Office of Communications. See "Location" for address.

Notification Procedure: Inquiries concerning the records shall be made to the system manager.

Record access procedures: Records may be obtained, changed, or updated by submission of material to the system manager.

Contesting record procedures: See "Access Procedures".

Record source categories: Information is submitted by the individuals whose records are maintained.

FHLBB—4

Reserved.

FHLBB—5

Reserved.

FHLBB—6

System name: District Bank Officers' Biography File

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All Federal Home Loan Bank Officers.

Categories of records in the system: Resumes and Appointment Histories, including salary information.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide general background information on Bank officers for use by the Director, Office of the Federal Home Loan Banks, and the Board. Information other than salary data is furnished to the public upon request.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in filing cabinets in file folders.

Retrievability: Records are filed by name of individual.

Safeguards: Access to salary data is limited to personnel who have a need to know the information for a job-related purpose.

Retention and disposal: Permanent. Cut-off upon retirement or separation of individual, and transfer to the Federal Records Center. Offer to National Archives 5 years from date of cut-off.

System manager(s) and address: Administrative Assistant (Elections), Office of the Federal Home Loan Banks. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager.

Record access procedures: Persons wishing to have access to the records shall notify the system manager. Salary information is only available to the individual whose record is kept, and a request for such information must include the individual's name, date of birth, social security number, and period of employment. Inquirers wishing to contest records may do so through the system manager.

Contesting record procedures: See "Access Procedures".

Record source categories: The individuals whose records are kept, and the Federal Home Loan Banks.

FHLBB—7

System name: District Bank Officer's Salary Cards

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All officers of Federal Home Loan Banks.

Categories of records in the system: Salary History.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) For determination of salary requirements and review of salary history by Director, Office of Federal Home Loan Banks; Board members; Federal Home Loan Bank Presidents; and the Federal Reserve Board (upon request, the Federal Reserve Board is furnished salary information by position only).

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card file.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose. Access is granted by the Administrative Assistant (Elections), Office of the Federal Home Loan Banks.

Retention and disposal: Cut-off and destory 3 months after retirement or separation of individual.

System manager(s) and address: Administrative Assistant (Elections), Office of the Federal Home Loan Banks. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Individuals inquiring about their own records must supply name, date of birth, social security number, and period of employment.

Record access procedures: Persons wishing to have access to the records shall notify the system manager, furnishing the information required under "Notification" in the case of individual requests. Individuals wishing to have their records changed (including modification, addition, or deletion) shall so notify the system manager, furnshing the information required under "Notification" and a statement of the desired changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Minutes of meetings of the Federal Home Loan Bank Board or of the Boards of Directors of the Federal Home Loan Banks.

FHLBB—8

System name: Candidates for Employment

System location: See "System Manager".

Categories of individuals covered by the system: Candidates for employment by the Federal Home Loan Bank Board.

Categories of records in the system: Resumes, letters of referral, transcripts and internal agency memoranda.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) These materials are used by agency officials to evaluate qualifications of candidates for employment.

(2) 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.

(3) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders. An index card summarizing each application is also prepared and filed.

Retrievability: Records are filed by name of candidate.

Safeguards: Access is limited to supervisors and Personnel Management Division employees whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Transfer application to Official Personnel Folder for candidates selected and destroy index card. Destroy files for other candidates after position has been filled.

System manager(s) and address: The business address of each System Manager listed below, unless otherwise indicated is:

Federal Home Loan Bank Board
320 First Street, NW.
Washington, D.C. 20552

Deputy Director
Office of the Federal Home Loan Banks
General Counsel, Office of the General Counsel
Chief, Personnel Operations Branch
Personnel Management Division

Assistant District Director—Personnel Development
Office of Examinations and Supervision
Federal Home Loan Bank Board
260 Peachtree Street, NW.
Atlanta, Georgia 30303

Notification procedure: Inquiries concerning records shall be made by notifying the appropriate system manager. Such notification must include name, date of birth, social security number, and name of record system.

Record access procedures: Persons desiring access to their records or to have such records changed (including modification, addition, and deletion) shall notify the appropriate system manager, furnishing him the information required under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Individuals whose records are kept; individuals recommending an applicant, agency personnel office, Civil Service Commission, college placement officers.

FHLBB—9

System name: Candidates for Appointed Directorships of Federal Home Loan Banks.

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552.

Categories of individuals covered by the system: Candidates for appointed Directorships of Federal Home Loan Banks.

Categories of records in the system: Resumes of potential candidates, referral letters, and internal agency memoranda.

Authority for maintenance of the system: Section 7 of the Federal Home Loan Bank Act (12 U.S.C. 1427).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Information is used by the Director of the Office of the Federal Home Loan Banks and by Board members to determine qualifications and availability of candidates being considered as appointed Directors of Federal Home Loan Banks. Information from this system may be conveyed to the Presidents and staffs of the Regional Federal Home Loan Banks, and to the Executive Office of the President of the United States.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual if such information would be available directly to the individual upon request.

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 filed by name of candidate.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information for a particular job-related purpose. Access is gained only through the Administrative Assistant (Elections), Office of the Federal Home Loan Banks.

Retention and disposal: Cut-off when appointment is made. Appointed candidates: Transfer to Biographical File of Federal Home Loan Bank Directors. (FHLBB-11). Unsuccessful candidates: Destroy 3 years after cut-off.

System manager(s) and address: Administrative Assistant (Elections), Office of the Federal Home Loan Banks. See "Location" for address.

Notification procedure: Inquiries concerning records shall be made to the system manager. Such notification must include the candidate's name and bank district.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition and deletion) shall notify the system manager, furnishing the information required under "Notification", plus a statement of desired access or change and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Potential Candidate; letters of reference for appointed Director; memoranda.

FHLBB—10

System name: Depositors/Account Holders in Defaulted Associations

System location: See "System Manager".

Categories of individuals covered by the system: Every individual with an account in a defaulted association.

Categories of records in the system: Information pertaining to the account of an individual, including the type of account, account balance, rate of return and interest earned, insurance payment, and other information relating to savings accounts.

Authority for maintenance of the system: 402, 405 of the National Housing Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information contained in this record system may be disclosed:

(1) In connection with settlement of insurance claims against defaulted institutions insured by the Federal Savings and Loan Insurance Corporation, to representatives of the Corporation (including a private contractor assisting in insurance settlement activities by providing needed data processing or other services);

(2) For credit checks (consistent with the Fair Credit Reporting Act) by individuals, firms, or agencies wishing to verify an individual's financial standing;

(3) In the event that a system of records maintained by the Federal Savings and Loan Insurance Corporation 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 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; and

(4) To Federal, State and Local authorities, if necessary for assessment, computation, and collection of Federal, State, and Local taxes in accordance with established procedures.

(5) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in lockable containers and on magnetic tape or other retrieval devices for use in computer systems.

Retrievability: Records are filed by a combination of name and account number.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Retain in office 10 years after payment of last claimed account, then destroy.

System manager(s) and address:

Director
Federal Savings and Loan Insurance Corporation
Federal Home Loan Bank Board
320 First Street, NW.
Washington, D.C. 20552

Receivership Agent
Midwestern Office Receiverships
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Insurance Settlement Office
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Manager, Scottsdale Office
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Receivership Manager
Northwest Guaranty Receivership
Federal Savings and Loan Insurance Corporation
1100 Tower Building
Seattle, Washington 98101

Notification procedure: Inquiries concerning records shall be made to the applicable system manager, furnishing name of the individual, name of institution where account was held, account number, and the name of the record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the appropriate system manager. Such notification shall include the information required under "Notification", plus a statement setting forth the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Defaulted Association records, the individual whose record is maintained, and the Federal Savings and Loan Insurance Corporation, its agents and contractors.

FHLBB—11

System name: Biographical File of Federal Home Loan Bank Directors

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Federal Home Loan Bank Directors who are appointed to their positions by the Federal Home Loan Bank Board or elected by the membership.

Categories of records in the system: Resumes.

Authority for maintenance of the system: 12 U.S.C. 1427.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To determine that directors are qualified and that Appointed Directors have no conflicts of interest;

(2) Users are members of the Federal Home Loan Bank Board, Presidents of the Federal Home Loan Banks, the Director of the Office of the Federal Home Loan Banks, and, upon request, the public.

(3) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

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 filed by name of individual.

Safeguards: No safeguards are needed, sice these records are available for public distribution.

Retention and disposal: Permanent. Cut-off at end of term. Offer to National Archives 25 years after cut-off.

System manager(s) and address: Administrative Assistant (Elections), Office of the Federal Home Loan Banks. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager.

Record access procedures: Persons desiring access to the records shall notify the system manager. Individuals wishing to update their files shall furnish name, date of birth, and social security number.

Contesting record procedures: See "Access Procedures".

Record source categories: Federal Home Loan Bank Directors and Bank Presidents.

FHLBB—12

System name: Payroll/Personnel

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All current employees and all former employees whose employment terminated within the current calendar year.

Categories of records in the system: Information pertaining to (1) employee status, grade, salary, pay plan, hours worked, hours of leave taken and earned, hourly rate, gross pay, taxes, deductions, net pay, location, and payroll history; and (2) employee residence, office, social security number, and address.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Information contained in these records is available for intra-agency use in determining current employment status of employees, history of Payroll/Personnel actions, bi-weekly gross pay, taxes, deductions, and net pay, total wages paid to date and deductions paid. (2) In the event that a system of records maintained by the Board 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 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. (3) A record from this system may be disclosed as a routine use to other Federal agencies and the Civil Service Commission if necessary for or incident to the payment of salaries and expenses incident to employment at the Federal Home Loan Bank Board or other Federal employment, or the vesting, computation, and payment of retirement or disability benefits. (4) A record from this system may be disclosed to Federal, State, and Local authorities for reasons necessary and incident to the assessment, computation, and collection of Federal, State, and Local taxes, in accordance with established procedures. (5) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in computer banks, on magnetic tape, and in file folders.

Retrievability: Records are filed by name or social security number.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Computer records are retained until the end of the calendar year in which employment is terminated; magnetic tapes are retained for one additional calendar year. Records in file folders are retained for 6 years.

System manager(s) and address: Director, Information Systems Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, date of birth, social security number, period of employment, and name of record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Personnel and financial records maintained by the agency.

FHLBB—13

System name: Office of Examinations and Supervision Training Records

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All current Home Office and District employees of the Office of Examinations and Supervision.

Categories of records in the system: Listing of training history during Board tenure and routine personal data, including educational and general background information.

Authority for maintenance of the system: 5 U.S.C., 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To maintain intra-office information regarding levels of training and education achieved, in order to determine future training needs and to keep accounts of training budget expenditures and staff days spent in training programs.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in locked filing cabinets.

Retrievability: Records are filed by district and name of individuals.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Cut-off at end of calendar year. Destroy 2 years after cut-off.

System manager(s) and address: Training Coordinator, Office of Examinations and Supervision. See "Location" for address.

Notification procedure: Inquiries concerning the records must be made to the system manager. Inquiries must include name, social security number, date of birth, period of employment, name of record system, and Office of Examinations and Supervision office location where last employed.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Individual whose record is maintained, Office of Examinations and Supervision training personnel, training requests, and Office of Examinations and Supervision Employee Summary Files.

FHLBB—14

System name: Asset Management System

System location: See "System Manager".

Categories of individuals covered by the system: Individuals having loans with defaulted Associations, employees of such Associations, agents who manage property owned by or under the control of the Federal Savings and Loan Insurance Corporation, and persons who rent such property.

Categories of records in the system: Records of loans including applications, title insurance policies, financial statements, credit checks, income tax returns, notes, deeds of trust, insurance policies, appraisals, loan settlement statements, disclosures under Fair Credit Reporting Act and Regulation Z of the Board of Governors of the Federal Reserve, collection letters, correspondence and memoranda relating to the loan or property in question; records of rentals of FSLIC-owned or -managed property, including tenant lists, rental schedules, security deposit information, amounts in arrears, evictions, rental judgments and other related information.

Authority for maintenance of the system: Section 406 of the National Housing Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Records maintained in this system are used by Federal Savings and Loan Insurance Corporation personnel and its representatives in connection with management of assets of defaulted Associations and are made available in conformance with the Fair Credit Reporting Act to management agents for the Federal Savings and Loan Insurance Corporation, credit inquirers, and attorneys.

(2) In the event that a system of records maintained by the Federal Savings and Loan Insurance Corporation 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 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.

(3) A record from this system may be disclosed as a routine use to Federal, State, and Local authorities if necessary and incident to the assessment, computation, and collection of Federal, State, and Local taxes in accordance with established procedures, or to the verification of an applicant's need for welfare benefits.

(4) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are maintained in locked file cabinets, secured rooms, and computer secondary storage (off-line).

Retrievability: Records are filed by defaulting institution's account number.

Safeguards: Access is limited to persons whose duties required such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Records relating to loans are maintained for 10 years after repayment of the loan. Records relating to rental property are retained for 5 years. Records pertaining to sales of real estate are retained for 5 years after cash sale or 10 years after sale of properties financed by the Federal Savings and Loan Insurance Corporation.

System manager(s) and address: The business address of each system manager, unless other wise indicated, is:

Federal Home Loan Bank Board
320 First Street, NW.
Washington, D.C. 20552

Director, Information Systems Division
Western Office Manager
Federal Savings and Loan Insurance Corporation

Receivership Agent
Midwestern Receiverships
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Manager, Midwestern Office
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Manager, Scottsdale Office
Federal Savings and Loan Insurance Corporation
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Receivership Manager
Northwest Guaranty Receivership
Federal Savings and Loan Insurance Corporation
1100 Tower Building
Seattle, Washington 98101

Notification procedure: Inquires concerning records shall be made to the appropriate system manager. Notification must include name of individual, name of defaulted Association, and, where appropriate, account or loan number, property rented and period rented, Association where employed, period of employment, and employment capacity.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Defaulted Savings and Loan Associations; individuals whose records are maintained; credit bureaus; Federal Savings and Loan Insurance Corporation reports; Internal Revenue Service and other taxing authorities; title insurance companies; county officials, such as recorders; and individuals' employers, banks, and Savings and Loan Associations.

FHLBB—15

System name: Discrimination Complaint System

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Any current or former agency employee or applicant who files a formal complaint of discrimination based on race, color, religion, sex, national origin, or age.

Categories of records in the system: Formal complaints, Equal Employment Opportunity counselors' reports, investigative files, official proposals for resolution, hearing examiners files, Civil Service Commission appeal files, civil actions (with attendant documentation).

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101; E.O. 11246.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Records maintained in this system are used to provide documentation of complaint procedures for both administrative and legal purposes; they are made available to the Equal Employment Opportunity officer and Equal Employment Opportunity staff, the parties involved in the complaint procedure and the Civil Service Commission.

(2) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and

Retention and disposal: Destroy 4 years after final adjustment for cases resolved within the agency. Transfer other cases to the Civil Service Commission. Cases resolved by the Commission or a U.S. Court are controlled by the Commission's records schedule. Duplicate copies: Destroy 1 year after resolution of a case.

System manager(s) and address: Equal Employment Opportunity officer. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, date of birth, period of employment and office of employment (including location), and name of record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Equal Employment Opportunity officer, personnel investigations, the complainant.

FHLBB—16

System name: Upward Mobility Program (Career Development)

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Any employee currently participating in the career development program, as well as any employee who participated in the program within a preceding 30-day period.

Categories of records in the system: Copies of reports of quarterly counseling between participants and supervisors, and final reports upon completion of the program.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Records maintained in this system are used to monitor progress of a participant's training and to monitor effectiveness of the Upward Mobility Program. Users are Personnel Management Division, Equal Employment Opportunity Task Force, and participant's supervisor.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from this system may be disclosed to other Federal agencies for reasons necessary and incident to employment by the Federal Government.

(4)Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

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 filed by name of individual.

Safeguards: Access is limited to persons whose duties require such access, and who have a need to know the information in a record for a particular job-related purpose; it may be gained only through the Director, Personnel Management Division.

Retention and disposal: Destroy 30 days after employee completes or terminates the program.

System manager(s) and address: Director, Personnel Management Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, period of employment, position filled while in the program, extent of participation in the program, and name of record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement setting forth the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: The employee whose record is maintained and the employee's supervisor.

FHLBB—17

System name: Payroll

System location: See "System Manager".

Categories of individuals covered by the system: All present employees of the Federal Home Loan Bank Board, the Federal Savings and Loan Insurance Corporation (FSLIC), and persons whose employment with the Board, the Corporation, or an FSLIC receivership has been terminated less than 3 years.

Categories of records in the system: Personnel actions (SF50), State employees' withholding exemption certificates, Federal employees' withholding allowance certificates (W4), Bond Allotment File (SF1192), Federal Employee's Group Life Insurance (SF 2810 & 2811), Savings Allotment-Financial Institutions, Address File (FHLBB Form 108), Union Dues Allotment, time and attendance reports, and individual retirement records (SF 2806); similar information is required for receivership employees.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Information contained in records in this system is provided to payroll clerks, technicians and payroll supervisors for preparation of payroll and necessary related reports and to maintain proper records of salary changes for determining retirement benefits.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from this system may be disclosed to Federal, State, and Local authorities for reasons necessary and incident to the assessment, computation, and collection of Federal, State, and Local taxes, in accordance with established procedures.

(4) A record from this system may be disclosed as a routine use to other Federal agencies for reasons necessary for the payment of salaries and expenses incident to employent at the Federal Home Loan Bank Board.

(5) A record from this system may be disclosed as a routine use to other Federal agencies for reasons necessary for the vesting, computation and payment of any retirement or disability benefits.

(6) A record from this system may also be disclosed to other Federal agencies for all reasons necessary and incident to employment by the Federal Government.

(7) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders in locked file cabinets and on magnetic tape or other retrieval devices for use in computer systems.

Retrievability: Records are filed by office and by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Records are retained at the agency for 3 years after termination of employment. Certain categories of records in the system are then transferred to the Federal Records Center in St. Louis, Missouri. Other categories of records remain in the agency. Disposal of the records varies between 3 years after

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.

(3) A record from this system may be disclosed to other Federal agencies for uses incident to employment of an individual by the Federal Government.

(4) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

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 filed by name of individual.

Safeguards: Access is limited to personnel who have a need to know the information in the record for a job-related purpose, and may be gained only through the Director of Equal Employment Opportunity or the Equal Employment Opportunity officer.

termination of employment and 56 years after the date of the last action. Magnetic tapes: Cut-off at the end of each pay period. Retain for 26 pay periods, then blank. Receivership file records are retained for 3 years after dissolution of the receivership.

System manager(s) and address: The business address of each System Manager, unless otherwise indicated is:

Federal Home Loan Bank Board
320 First Street, NW.
Washington, D.C. 20552

Director, Accounting and Fiscal Operations
Financial Management Division
Director, Information Systems Division
Manager, Scottsdale Office
Federal Savings and Loan Insurance Corporation
Western Office Manager
Federal Savings and Loan Insurance Corporation

Receivership Agent
Midwestern Office Receiverships
10001 West Roosevelt Boulevard
Westchester, Illinois 60153

Receivership Manager
Northwest Guaranty Receivership
Federal Savings and Loan Insurance Corporation
1100 Tower Building
Seattle, Washington 98101

Notification procedure: Inquiries concerning the records shall be made to the appropriate system manager. Inquiries must include name, social security number, period and office of employment, date of birth, and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the appropriate system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired acess or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: The individual whose record is maintained, the Board's Personnel Office, and the Financial Management Division; and, with regard to FSLIC receiverships, officials of the receivership.

FHLBB—18

System name: Travel Records

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All current employees of the Federal Home Loan Bank Board and Federal Savings and Loan Insurance Corporation and all former employees whose employment has been terminated less than 4 years, who travel or have traveled on official government business at government expense.

Categories of records in the system: One copy of all travel vouchers submitted for reimbursement of travel-related expenses incurred on official government business for the Board or FSLIC, and other records or memoranda relating to travel advances and repayment.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To provide data for determining proper payment of each voucher submitted, and prompt repayment of travel advances to ensure that legal advance balances are maintained and that unused travel advances are repaid before termination of employment. The records are maintained as a part of the accounting records of the certifying officer of the Board.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from this system may be disclosed as a routine use to other Federal agencies for reasons necessary for the payment of salaries and expenses incident to employment at the Federal Home Loan Bank Board.

(4) A record from this system may be disclosed as a routine use to Federal, State, and Local authorities if necessary for assessment, computation, and collection of Federal, State, and Local taxes in accordance with recognized procedures.

(5) A record from this system may be disclosed as a routine use to other Federal agencies if necessary to determine the propriety of the travel expense.

(6) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders in lockable file cabinets, and on magnetic tape or other retrieval devices for use in computer systems.

Retrievability: Records are filed by office by name of individual

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose, and application must be made to the Director of Accounting and Fiscal Operations.

Retention and disposal: Transfer to Inactive File at end of second fiscal year. Destroy 3 years after transfer.

System manager(s) and address: Director of Accounting and Fiscal Operations, Financial Management Division Director, information Systems Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, office of employment, and name of record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Employees whose records are maintained.

FHLBB—19

System name: Employee Relations File.

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Individual employees against whom allegations have been made.

Categories of records in the system: Records of supporting materials that document adverse actions, complaints, other actions and appeals.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Records maintained in the system are used to review status and history of each action; users are the employee relations specialist and, where appropriate, the Civil Service Commission.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from this system may also be disclosed as a routine use to other Federal agencies for reasons necessary and incident to employment by the Federal Government.

(4) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in locked filing cabinets in file folders.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose; access may be gained only through the employee relations officer.

Retention and disposal: Destroy 4 years after final adjustment for cases resolved within the agency. Transfer other cases to Civil Service Commission.

System manager(s) and address: Employee Relations Officer, Personnel Management Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, date of birth, office of employment of the person making the inquiry, and name of the record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", the desired access or changes, and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: The individual whose record is maintained, the Personnel Management Division Liaison, the individual's supervisor, complainants, and any officials involved in settlement of the complaint.

FHLBB—20

System name: Employee Locator File

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: All present employees of the FHLBB and persons whose employment has been terminated for less than 6 months.

Categories of records in the system: Employee's name, present address, telephone number, and the name, address, and telephone number of another person to notify in case of emergency.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1)Used to verify address of employee on employment forms.

(2) To contact designated persons in cases of emergency.

(3) To verify addressses of field employees for mailing vacancy announcements.

(4) Users are personnel liaison for each office of the Board, and Personnel Management Division employees.

(5) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on index cards.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know information in a record for a particular job-related purpose.

Retention and disposal: Cut-off and destroy when superseded or obsolete.

System manager(s) and address: Chief, Processing and Records Section, Personnel Management Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name and address of inquirer and name of record system.

Record access procedures: Persons wishing to have access to the records or to have such records changed or updated (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: The individual whose record is being maintained.

FHLBB—21

System name: Statements of Employment and Financial Interests

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Employees of the Board classified at GS–13 or above, or at a comparable pay level, who are specified under Part 511 of Chapter V—FHLBB Rules and Regulations and special government employees (12 CFR Part 511).

Categories of records in the system: Copies of forms recording employment and financial interests.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101; E.O. 11222

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Materials contained in records in the system are reviewed by the Office of the General Counsel and/or the Board to determine whether there are any conflicts of interest or other violations of law.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from the system may be disclosed as a routine use to other Federal agencies for reasons necessary and incident to employment by the Federal Government.

(4) Disclosure of information may be made to a congressional office from the record of the individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders in lockable cabinets.

Retrievability: Reords are filed by office by name of individual.

Safeguards: Access is limited to persons authorized under Sec. 511. 73535 of the General Regulations of the Board who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Cut-off when employee leaves a position in which a statement is required or when employee separates. Destroy 2 years after cut-off.

System manager(s) and address: Director of Personnel. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, office of employment, and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed or updated (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a brief resume or description of the information thought to be included in the record, a statement setting forth the desired access or changes, and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Information submitted by individual whose record is maintained.

FHLBB—22

System name: "Form 587" File—Training Request, Authorization, Notice of Completion of Training

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Employees requesting and completing training.

Categories of records in the system: Employee's name, social security number, date of birth, title, grade, office and division; course dates, course sponsor and address, course location, actual hours in class, on or off duty hours, course title; principal purpose of training, type of training, cost of training, budget source, budget type; signatures of employee supervisor, office director, director of Personnel.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) To notify Personnel Management of completion of training;

(2) To keep a record of all training in the employee's Official Personnel File;

(3) To authorize payment for training by Special Services and Financial Management Division.

(4) User is Personnel Management Divison.

(5) Information from this file is also provided to the Civil Service Commission for use with the Central Personnel Data File.

(6) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders in filing cabinets.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know information contained in a record for a particular job-related purpose, as determined by the Personnel Management Division prior to permitting review of such records.

Retention and disposal: Cut-off at end of fiscal year. Destroy 2 years after cut-off.

System manager(s) and address: Chief, Career Development Branch, Personnel Management Division. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, date of birth, office of employment and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification" plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: The employee whose file is maintained, the employee's superivsor, and the Personnel Management Division.

FHLBB—23

Reserved.

FHLBB—24

System name: Assignment History of Examiners

System location: See "System Manager".

Categories of individuals covered by the system: Current staff of examiners.

Categories of records in the system: History of assignments of each examiner, including name of association, size, whether the individual was the examiner-in-charge or an assistant examiner, number of days, and number of persons on the assignment.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Work history of examiners is available to assist in the determination of future personnel actions.

(2) Disclosure of information may be made to a congressional office from the record of individual, in response to an inquiry from that office made at the request of the individual, if information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders or in a Kardex file.

Retrievability: Records are filed by name of individual.

Safeguards: Unnecessary because records are made available to all personnel assigned to office.

Retention and disposal: Records are retained for six months after termination of employment.

System manager(s) and address:

Assistant District Director—Administration
Office of Examinations and Supervision
Federal Home Loan Bank Board
One World Trade Center, Floor 103
New York, New York 10048

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, office of employment (including field location), and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification" plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Assignment records.

FHLBB—25

System name: Office of the Secretary, Card Files

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Board members, officers and employees of the Board; directors, officers and counsel of Federal Home Loan Banks; agents of the Board; members of Federal Savings and Loan Advisory Council.

Categories of records in the system: Index to individuals referred to in Board resolutions and minute entries with regard to assignments, appointments, delegations, travel authorizations, resignations, reassignments, salaries as to those persons not under Civil Service schedules, and other Board actions.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) In addition to intra-agency use, the records in this system may be released upon request to such other Federal, State, and Local agencies and authorities which have an interest in establishing the authority, rights, and duties of the above listed individuals.

(2) In the event that a system of records maintained by this agency 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 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.

(3) A record from this system may be disclosed as a routine use to other Federal agencies for reasons necessary and incident to employment by the Federal Government.

(4) Disclosure of information may be made to a congressional office from the record of an individual in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card index file, and/or on microfilm in a secured docket file area or locked file cabinets.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Hard Copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent. (a) Destroy microfilm upon completion of next annual microfilming, except. (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes.

System manager(s) and address: Secretary to the Board. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, period and office of employment, and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification", plus a statement setting forth the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Resolutions and minutes of the Board and orders of the Chairman of the Board.

FHLBB—26

System name: Prospective Organizer of Federal Savings and Loan Association, File.

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Principal individual on an application to organize a Federal Savings and Loan Association.

Categories of records in the system: Nonconfidential and confidential biographical and financial data forms submitted by the individual, credit checks, and FBI reports.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Intra-agency use as to confidential data;

(2) The nonconfidential biographical and financial data forms are publicly available under 5 U.S.C. 552;

(3) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card index file and/or on microfilm in a secured docket file area or locked file cabinets.

Retrievability: Records are filed by name of individual.

Safeguards: Access to confidential data is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Hard Copy: Microfilm annually. Cut-off every 10 years. Destory after microfilming at end of 10th year. Microfilm: Permanent. (a) Destroy microfilm upon completion of next annual microfilming, except (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes.

System manager(s) and address: Secretary to the Board. See "Location" for address. Director, Office of Housing and Urban Affairs. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. Inquiries must include name, social security number, birth date, name and location of prospective association, and name of record system.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the system manager. Such notification shall include the information required to be furnished under "Notification" plus a statement of the desired access or changes and the reasons for such changes. Access to FBI reports must be requested from that agency.

Contesting record procedures: See "Access Procedures".

Record source categories: The individual whose report is maintained, credit reporting agencies, and the FBI reports.

FHLBB—27

System name: Suspensions File

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Officers and Directors of Federally chartered Savings and Loan Associations and State chartered insured institutions.

Categories of records in the system: Official actions of the Board and documentation considered by the Board in suspending individuals from performance of functions at insured institutions pending the outcome of (1) formal removal procedures under Section 407 of the National Housing Act, or (2) criminal proceedings against the individual.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101; Section 407 of the National Housing Act; Section 5 (D) of the Home Owner's Loan Act of 1933, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Release of the Board action to the individual who is the subject of suspension proceedings, the institution with which he is associated, and the appropriate regional Federal Home Loan Bank; in some cases notices of suspension following an indictment are publicly released.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card index file and/or on microfilm in a secured docket file area or locked file cabinets.

Retrievability: Records are filed by name of individual.

Safeguards: Access to notices of suspension which are not publicly released is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Hard Copy: Microfilm annually. Cut-off every 10th year. Destory after microfilming at end of 10th year. Microfilm: Permanent. (a) Destory microfilm upon completion of next annual microfilming, except (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes.

System manager(s) and address: Secretary to the Board. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the system manager. The notification shall contain sufficient information to establish the identity of the individual involved, including name, institutional association, and approximate date of Board action.

Record access procedures: Persons wishing to have access to the records shall notify the system manager. Such notification shall include the information required to be furnished under "Notification" plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Official actions of the Board.

FHLBB—28

System name: Removal and Prohibitions File

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Officers and directors of Federally chartered Savings and Loan Associations and State chartered insured institutions.

Categories of records in the system: Resolutions and orders of the Board and documentation considered by the Board in removing individuals from positions with insured institutions and prohibiting their future activity in the affairs of said institutions.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101; Section 407 of the National Housing Act; Section 5(D) of the Home Owners' Loan Act of 1933, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Release of the Board action to the individual who is the subject of the proceedings, the insured institution with which he was associated, and the regional Federal Home Loan Banks.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in a card index file and/or on microfilm in a secured docket file area or locked file cabinets.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Hard Copy: Microfilm annually. Cut-off every 10 years. Destroy after microfilming at end of 10th year. Microfilm: Permanent. (a) Destroy microfilm upon completion of next annual microfilming, except (b) Retain microfilm of 10th year filming permanently. Offer each 10th year microfilm to National Archives when no longer needed for administrative purposes.

System manager(s) and address: Secretary to the Board. See "Location" for address. Director, Compliance Division, Office of the General Counsel. See "Location" for address.

Notification procedure: Inquiries concerning the records shall be made to the Secretary to the Board. The notification shall contain sufficient information to establish the identity of the individual involved in the proceedings, including institutional association, and approximate date of Board action.

Record access procedures: Persons wishing to have access to their records or to have such records changed (including modification, addition, and deletion) shall notify the Secretary to the Board. Such notification shall include the information required to be furnished under "Notification", plus a statement of the desired access or changes and the reasons for such changes.

Contesting record procedures: See "Access Procedures".

Record source categories: Board resolutions and minute entries.

FHLBB—29

System name: FBI Investigatory Records Copy File

System location: Federal Home Loan Bank Board, 320 First Street, NW., Washington, D.C. 20552

Categories of individuals covered by the system: Persons under investigation by the Federal Bureau of Investigation.

Categories of records in the system: FBI Investigative Reports.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101; Section 5(D) of the Home Owners' Loan Act of 1933, as amended; and Section 407(M) of the National Housing Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (1) Internal use by personnel engaged in supervisory or enforcement capacity; no distribution outside agency except to supervisory agents of the Board at the Federal Home Loan Banks.

(2) Disclosure of information may be made to a congressional office from the record of an individual, in response to an inquiry from that office made at the request of the individual, if such information would be available directly to the individual upon request.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in locked files.

Retrievability: Records are filed by name of individual.

Safeguards: Access is limited to personnel engaged in supervisory or enforcement activity whose official duties require such access and who have a need to know the information in a record for a particular job-related purpose.

Retention and disposal: Retain in office 5 years then return file to FBI, unless continuing interest or conviction.

System manager(s) and address: Director of the Compliance Division, Office of the General Counsel. See "Location" for address.

Notification procedure: Exempt system under 5 U.S.C. 552A(J) or (K).

Record access procedures: Request for access to and correction of records in this system, which are files exempt by the FBI under 5 U.S.C. 552(J) or (K), should be addressed to the FBI.

Contesting record procedures: See "Access Procedures".

Record source categories: Exempt record system under 5 U.S.C. 552(J) or (K).

[FR Doc.77-27836 Filed 9-21-77;8:45 am]

FEDERAL MARITIME COMMISSION

PRIVACY ACT 1974

Systems of Records; Annual Publication

The purpose of this document is to give notice that the systems of records identified in a notice published in the Federal Register at 41 F.R. 53754 (Dec. 8, 1976) and modified by an additional routine use at 41 F.R. 56707 (Dec. 29, 1976) continues in effect. In addition, wherever the term "Assistant Managing Director" occurs, it shall be made to read "Privacy Act Officer." This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Issued: August 30, 1977.

Joseph C. Polking,
Acting Secretary.

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FMC—1

System name: Personnel Security File—FMC

System location: Office of Field Coordinator, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

Categories of individuals covered by the system: 1. Employees of the Federal Maritime Commission. 2. Applicants for employment with the Federal Maritime Commission.

Categories of records in the system: Results of name checks, inquiries, and investigations to determine suitability for employment with the U.S. Government.

Authority for maintenance of the system: Executive Order 10450.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system of records are used or may be used: 1. By Commission officials to make a determination that the employment of an applicant or retention of employment of a current employee within the Commission is clearly consistent with the interests of national security. 2. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, 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. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 4. To provide information or disclose 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 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 that matter. 5. By a court of law or appropriate administrative board or hearing having review or oversight authority.

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 indexed alphabetically by name.

Safeguards: Records are maintained in a combination safe in the custody of the personnel security officer and access is limited to the personnel security officer and his duly authorized representatives.

Retention and disposal: Records are maintained during employment of the individual by the Federal Maritime Commission. Upon termination of employment any reports furnished by the Civil Service Commission are returned to that agency. However, results of the Civil Service investigation concerning the employee are retained by the Federal Maritime Commission.

System manager(s) and address:

Personnel Security Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Civil Service Commission report, and reports from other federal agencies.

FMC—2

System name: Non-Attorney Practicioner File—FMC

System location: Office of Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

Categories of individuals covered by the system: Persons, not attorneys, who apply for and/or are granted permission to practice before the Commission.

Categories of records in the system: Application forms and letters of reference in relation to non-attorney practicioners.

Authority for maintenance of the system: 46 CFR 502.27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system of records are used or may be used: 1. By personnel of the Secretary's Office to determine whether a non-attorney should be admitted to practice before the Commission. 2. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, 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. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 4. To provide information or disclose 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 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 that matter.

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 indexed alphabetically by name.

Safeguards: Records are maintained in file cabinets under the control of personnel in the Secretary's Office.

Retention and disposal: Records are maintained permanently.

System manager(s) and address: Secretary, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

Notification procedure: All inquiries regarding this system of records should be addressed to: Privacy Act Officer, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573.

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Applicants.

FMC—3

System name: Correspondence and Communication File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW., Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission

Applicants for employment with the Federal Maritime Commission.

Categories of records in the system: This record contains letters and memoranda on the operating activities of the Office of Personnel, along with Personnel Qualification Statements (standard form 171) of employees, and resumes of employees and applicants for employment.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used or may be used: 1. By the staff of the Office of Personnel, employees of the Commission, applicants for employment, and management officials and/or supervisors for reference and historical purposes. 2. By the Civil Service Commission in the course of an investigation, or for statistical or management analysis purposes. 3. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, 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. 4. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 5. To provide information or disclose 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 letting of a contract, or 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 that matter.

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 indexed according to subject matter.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are retained for three years, then burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such request shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission, employees of the Commission and applicants for employment with the Commission.

FMC—4

System name: Abolished and Cancelled Position Description File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission

Categories of records in the system: Record contains abolished and canceled position descriptions occupied by current and former employees of the Federal Maritime Commission.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission officials, personnel specialists, managers, supervisors, and employees for position management and classifications. 2. By the Civil Service Commission in the course of an investigation for statistical purposes, or management analysis purposes. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or ther relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 4. To provide information or disclose 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 letting of a contract, or 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 that matter.

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 indexed by series and grade of position.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained permanently.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address.

Requests may be in person on by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such requests to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendment and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—5

System name: Current and Active Position Description File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission

Categories of records in the system: Originals of each current and active position description (optional form 8) to which any one or more employees of the Commission are assigned. This record also contains accompanying evaluation reports and/or justification statements (i.e., documents prepared to explain why a particular grade or series is designated). This record provides information on official duties and responsibilities of each position.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system of records are used or may be used: 1. By Commission officials, personnel specialists, managers, supervisors, and employees for position management and classification. 2. By the Civil Service Commission in the course of an investigation for statistical purposes, or management analysis purposes. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 4. To provide information to or disclose 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 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 that matter.

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 indexed by grade level within the organization.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for as long as they remain essential, current and accurate. Abolished or superseded records are filed in the abolished and cancelled positions description file.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person of by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—6

System name: Special Training Agreement File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission

Categories of records in the system: This record contains information on employees of the Commission for whom special training agreements have been entered into in cases of involuntary position downgrading. They contain chronological copies of correspondence concerning this matter.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 4118, 5 CFR 410.901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission personnel staff for reference purposes. 2. By the Civil Service Commission for the purposes of personnel review and evaluation, and management analysis. 3. By the General Accounting Office for fiscal accountability purposes. 4. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 5. To provide information or disclose 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 letting of a contract, or 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 that matter.

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 indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for three years, then burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such request shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—7

System name: Individual Licensed Independent Ocean Freight Forwarders File—FMC

System location:

Bureau of Certification and Licensing
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Records are maintained on individual licensees, exlicensees, and applicants for licenses.

Categories of records in the system: This record contains the vital statistics, addresses, and descriptions of the relationship of individual freight forwarders to other persons subject to the Shipping Act of 1916. This record also contains credit references, a record of forwarding and/or other experience, financial history, and criminal history of the individual freight forwarder.

Authority for maintenance of the system: Shipping Act of 1916 (46 U.S.C. 812 et seq.), FMC General Order 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission staff for evaluation of applications for licensing. 2. By Commission staff for monitoring the activities of licensees to ensure they are in compliance with Commission regulations. 3. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rules, regulations, or orders issued pursuant thereto. 4. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 5. To provide information or disclose 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 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 that matter.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name and license or application number.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Applicant and license files are kept as long as the application and/or license is active. Files for withdrawn and denied applicants, and revoked licenses remain in the Record Location Center for one year after final action and are then transferred to the Federal Records Center. Then, after two years they are sent to the National Archives for permanent retention.

System manager(s) and address:

Director, Bureau of Certification and Licensing
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: 1. Information submitted by applicants and licensees. 2. Commission Field Coordinator Office. 3. Public (example complaints).

FMC—8

System name: Official Personnel Folder—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: Official personnel folders contain the permanent records and reports of personnel actions affecting an individual's employment with the federal government, and the papers required in connection with these actions. The folder also consists of temporary documents that may lead to formal action but not constituting a permanent record in the employees file (e.g., requests for personnel actions, letters of reference, performance ratings etc.).

Authority for maintenance of the system: Executive Order 10561, September 14, 1954, 5 U.S.C.A. 2951, 5 CFR 293.202.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used or may be used: 1. By Commission officials for purposes of taking personnel action such as appointments, transfers, promotions, new assignments, or for a determination of the individual's qualifications. 2. By the Civil Service Commission in the course of an investigation of a particular employee of the Commission, or for review by the Appeals Review Board. 3. By the appropriate District Court of the United States to render a decision when the Commission has refused to release a current or former employee's record under the Freedom of Information Act, or to render a decision on a position classification appeal. 4. To refer where there is an indication, of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rules, regulation or order issued pursuant thereto. 5. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information, if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 6. To provide information or disclose 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 letting of a contract or 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 that matter.

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 indexed alphabetically by name.

Safeguards: Records are stored in locked file cabinets.

Retention and disposal: The official personnel folder is retained only while the individual is employed by the Commission. Upon leaving the agency, the individual's record is either forwarded to the new employing agency, or the Federal Records Center.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such requests to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendment and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Information is supplied by the individual to whom the record pertains and personnel specialists, and other federal agencies.

FMC—9

System name: Training Program Records—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.Cf 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: Records contain purchase orders on agency employees for whom training courses have been obtained, training needs assessments, and records of training received.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 4118, 5 CFR 410.901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission officials, personnel specialists, managers, supervisors, and employees for position management and classifications, or for analysis, reference and reporting purposes; 2. By authorized representatives of the Civil Service Commission for personnel program status reviews and evaluations, to determine an individual's qualifications or classification, and for management analysis purposes; 3. By the General Accounting Office for fiscal accountability purposes; 4. By employees of the Division of Office Services and the Office of Budget and Finance for budgetary obligation and accounting purposes; 5. By instructors, staff aides, course developers, guest lecturers, or course consultants and employees of the training facilities through which the requested training may be offered; 6. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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; 7. To provide information or disclosure 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 letting of a contract, or 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 that matter.

Storage: Records are maintained in file folders.

Retrievability: Records are maintained by the purchase order number and fiscal year, employee name, or position title.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are kept for a period of three years after which they are burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—10

System name: Desk Audit File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Current and former employees of the Federal Maritime Commission.

Categories of records in the system: Each record consists of the position classification, specialists notes of conversations, evaluation reports, background papers, and/or research material used to support the audit.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used or may be used: 1. By Commission officials to support decisions on the proper classification of a position. 2. To refer where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature to the appropriate agency, whether federal, state, or local, 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. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 4. To provide information or disclose to a federal agency in response to its request in connection with the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract or 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 that matter. 5. By the Civil Service Commission in the course of an investigation, or evaluating for statistical purposes, or management analysis purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Records Management Policy and Practice.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained as long as the position audited remains essential, current, and accurate.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—11

System name: Correspondence Course on Traffic and Transportation Management—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: Record contains correspondence between the Commission and the correspondence course school on those employees enrolled in a course.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 4118, 5 CFR 410.901.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission personnel staff for reference purposes. 2. By the Civil Service Commission for statistical purposes or management analysis purposes. 3. By the General Accounting Office for fiscal accounting purposes. 4. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 5. To provide information or disclose 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 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 that matter.

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 indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for three years, then burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission and Correspondence Course School.

FMC—12

System name: Merit Promotion Program File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: 1. Employees of the Federal Maritime Commission. 2. Applicants for employment with the Federal Maritime Commission.

Categories of records in the system: These files contain information about employees of the Commission and persons outside the Commission who have been considered for promotion or reassignment to vacant positions.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By agency officials for the purpose of considering employees or applicants for promotions or reassignment to vacant positions. 2. By the Civil Service Commission in the course of an investigation, or for the purpose of determining a position classification appeal. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 4. To provide information or disclose 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 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 that matter. 5. By the Civil Service Commission in the course of an investigation, or evaluating for statistical purposes, or management analysis purposes.

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 indexed numerically.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for two years or until a Civil Service evaluation, the records are then burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend the record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—13

System name: Reading File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: 1. Employees of the Federal Maritime Commission. 2. Applicants for employment with the Federal Maritime Commission.

Categories of records in the system: Records contain correspondence related to the operating activities of the Office of Personnel.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system of records are used or may be used: 1. By personnel specialists of the Commission for reference and historical purposes. 2. By fiscal representatives of the General Accounting Office for statistical and budgetary purposes. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 4. To provide information or disclose 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 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 that matter. 5. By the Civil Service Commission in the course of an investigation, or evaluating for statistical purposes, or management analysis purposes.

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 indexed by subject matter.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for three years and then burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—14

System name: Medical Examination File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: Reports of current and past medical examinations which were done in connection with employment of an individual by the Commission.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records in this system of records are used or may be used: 1. To provide information to officials of other federal agencies responsible for other federal benefit programs administered by: A. Office of Workmen's Compensation. B. Veterans Administration. C. Retired Military Pay Centers. D. Social Security Administration. E. Specific private contractors engaged in providing benefits under federal contracts. 2. To refer where there is indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statutes, rules, regulations or order issued pursuant thereto. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 4. To provide information or disclose to a federal agency in response to its request in connection with the hiring or retention of any employee, the issuance of a security clearance, the letting of a contract, or the issuance of a licnese, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesing agency's decision on that matter. 5. By the Civil Service Commission in the course of an investigation, or evaluating for statistical purposes, or management analysis purposes.

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 indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained while the individual is employed by the Federal Maritime Commission, then they are made part of the Office Personnel Folder when the employee separates from the agency.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Employees to whom the record pertains.

Private Physician.
Medical Institutions.
Social Security Administration (Medicare).

FMC—15

System name: Service Control File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: This record consists of a Service Record (standard form 7S) and a Position Identification Strip (standard form 7D). This file provides summary information of organizational structure, budgeted positions, and historical and current status data on employees only for the time they have been with the Commission. The service record of each employee who leaves the agency is filed separately and retained for historical reference.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used or may be used: 1. By appropriate Commission officials for personnel actions such as within grade increases, conversions to career tenure, probationary ratings, terminations of limited assignments, and expiration of authorized absences. 2. By the Civil Service Commission in the course of an investigation of a particular employee of the Commission, or for management analysis and statistical purposes. 3. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, the issuance of a license, grant or other benefit. 4. To provide information or disclose 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 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 that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on index cards.

Retrievability: Records are indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained while the individual is employed by the Commission and for five years afterwards, after which they are sent to the Federal Records Center.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Federal Maritime Commission.

FMC—16

System name: Classification Appeals File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Commission employees who have made position classification appeals.

Categories of records in the system: This record contains all notes, letters, memoranda, reports and position descriptions pertaining to an appeal of an individual employee.

Authority for maintenance of the system: 44 U.S.C.A. 4101 et seq., 5 U.S.C.A. 1302, and 5 CFR 713.222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: This record is used or may be used: 1. By appropriate Commission officials to make a determination regarding a position classification appeal. 2. By the Civil Service Commission for the purpose of review by the Classification Appeals Office and/or the Appeals Review Board. 3. By the Appropriate District Court of the United States for the purpose of review of a final action taken on an appeal. 4. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violations or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto. 5. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or issuance of a license, grant, or other benefit. 6. To provide information or disclose 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 letting of a contract, or 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 that matter. 7. By the Civil Service Commission in the course of an investigation, or evaluating for statistical purposes, or for management analysis purposes.

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 indexed alphabetically by name.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained until the appeal is settled then they are filed in the correspondence and communications file.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW. Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be made in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Employee to whom file pertains, personnel specialists of the Commission.

FMC—17

System name: Chronological Journal File—FMC

System location:

Office of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: This record contains copies of Notifications of Personnel Action (form 50) which facilitates regulatory audits and the compilation of data for statistical reports on personnel actions.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq., 5 U.S.C.A. 1302 and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used: 1. By Commission officials for personnel management evaluation and for statistical reports on personnel action. 2. By the Civil Service Commission for inspection evaluations, management analysis, and statistical purposes. 3. By the General Accounting Office for regulatory audits. 4. To request information from a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information if necessary to obtain information relevant to a Commission 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. 5. To provide information or disclose 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 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 that matter.

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 indexed by the effective date of the record.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are maintained for two years or until a Civil Service Commission inspection, then the records are burned.

System manager(s) and address:

Director of Personnel
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the Privacy Act Officer at the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Personnel specialists of the Commission.

FMC—18

System name: Travel Orders/Vouchers File—FMC

System location: Office of Budget and Finance, Federal Maritime Commission, 1100 L Street, N. W., Washington, D. C. 20573

Office of the Chairman, Federal Maritime Commission, 1100 L Street, N. W., Washington, D. C. 20573

Categories of individuals covered by the system: Employees of the Federal Maritime Commission.

Categories of records in the system: The record consists of the initial travel order for the individual and the subsequent travel voucher prepared from information supplied by the individual which includes hotel bills, subsistence breakdown, cab fares and air fares.

Authority for maintenance of the system: Federal Travel Regulations FPMR 101-7 and Travel Expense Amendments Act of 1975 (5 U.S.C. 5701-5709), 44 U.S.C.A. 4101, 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used or may be used:

1. By the Commission for the authorization of travel performed by personnel of the Commission.

2. By the Commission to prepare travel vouchers for submission to GSA and to maintain internal control of travel expenses within the agency.

3. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal in nature, to the appropriate agency, whether federal, state or local, 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.

4. By the Commission to request information from a federal, state, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, if necessary to obtain information relevant to a Commission 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.

5. To provide information or disclose 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 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 that matter.

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 indexed by name or bureau.

Safeguards: Records are maintained in locked file cabinets and monitored by the Director of the Office of Budget and Finance.

Retention and disposal: The records are maintained for four years and are then destroyed by shredding.

System manager(s) and address: Director, Office of Budget and Finance, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573.

Notification procedure: All inquiries regarding this system of records should be addressed to: Privacy Act Officer, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements of section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Individual to whom the record pertains, hotel bills, individual's subsistence record, and Travel Requests (Airline or train).

FMC—19

System name: Confidential Statement of Employment and Financial Interests—FMC

System location: Office of General Counsel, Federal Maritime Commission, 1100 L Street, N.W., Washington, D. C. 20573

Categories of individuals covered by the system: Senior level officers, grade 15 and above, individuals employed by the Commission as settlement officers, auditors, investigators, or in policy making positions, and individuals past and present appointed by the President to the Commission.

Categories of records in the system: This record contains statements of personal and family financial and business interests, copies of blind trusts and other agreements pertaining to such interests, business creditors, and interests in real property.

Authority for maintenance of the system: E.O. 11222 (May 8, 1965)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records in this system of records are used to may be used:

1. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal in nature, to the appropriate agency, whether federal, state, or local, 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.

2. By the Commission to request information from a federal, state, or local agency maintaining civil, criminal or other relevant enforcement or other pertinent information, if necessary to obtain information relevant to a Commission 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.

3. To provide information or disclose 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 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 that matter.

4. By the Commission in the course of presenting evidence to a court, magistrate, or administrative tribunal.

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 indexed alphabetically by name.

Safeguards: Records are maintained in a locked file cabinet.

Retention and disposal: Records are maintained during the individual's employment and for five years thereafter; they are then destroyed.

System manager(s) and address: Employee Counselor, Office of General Counsel, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to: Privacy Act Officer, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573.

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements of section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such request to the above listed address. Such requests shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Individual to whom the record pertains.

FMC—20

System name: Management and Program Evaluation File

System location:

Office of Managing Director (Management Analysis)
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Categories of individuals covered by the system: Present and former employees of the Federal Maritime Commission.

Categories of records in the system: This system contains the final reports for management studies along with supporting documentation, including workpapers, and followup communications and data.

Authority for maintenance of the system: 44 U.S.C.A. 3101 et seq. and the regulations issued pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. By authorized agency officials in evaluating the effectiveness and efficiency of agency programs and/or organizational components, reviewing agency policies and procedures, and for other managerial purposes; 2. By the CSC or other authorized agencies of the Government in evaluating the FMC in the course of an investigation or evaluation, or for statistical or management analysis purposes; 3. To refer where there is an indication of a violation or potential violation of law, whether civil or criminal or regulatory in nature, to the appropriate agency, whether federal, state, or local, charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto; 4. To provide information or disclose 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 letting of a contract, or 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 that matter.

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 indexed by program or organizational units.

Safeguards: Records are maintained in locked file cabinets.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address:

Management Analyst
Office of Managing Director
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such request shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: Management Analysis staff, agency employees, reports and contacts from other agencies, and internal and external documents.

FMC—21

System name: Payroll Records—Federal Maritime Commission.

System location: General Services Administration, Region 3 Office; copies held by the FMC. (GSA holds records for the Federal Maritime Commission under contract.)

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions; tax forms, W-2 forms, overtime requests; leave data; retirement records. Records are used by the FMC and GSA employees to maintain adequate payroll information for FMC employees, and otherwise by the FMC and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

See Appendix. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed 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 the 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 Privacy Act Officer, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573. The request must include a copy of the applicable statute or ordinance 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.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Privacy Act Officer.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Public Law 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:

Director, Office of Budget and Finance
Federal Maritime Commission

1100 L Street, NW.
Washington, D.C. 20573

Notification procedure: All inquiries regarding this system of records should be addressed to:

Privacy Act Officer
Federal Maritime Commission
1100 L Street, NW.
Washington, D.C. 20573.

Record access procedures: Requests for access to a record should be directed to the Privacy Act Officer listed at the above address. Requests may be in person or by mail and shall meet the requirements set out in Section 503.65 of Title 46 of the Code of Federal Regulations.

Contesting record procedures: An individual desiring to amend a record pertaining to him shall direct such a request to the Privacy Act Officer at the above listed address. Such request shall specify the desired amendments and the reasons therefor, and shall meet the requirements of section 503.66 of Title 46 of the Code of Federal Regulations.

Record source categories: The subject individual; the Commission.

APPENDIX—FEDERAL MARITIME COMMISSION

In the event that a system of records maintained by this agency 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 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 any employee, the issurance 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 employee, the letting of a contract, or the issuance of 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 in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed as a "routine use" to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

A record from the system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

[FR Doc.77-27837 Filed 9-21-77;8:45 am]

FEDERAL RESERVE SYSTEM

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

The purpose of this document is to give notice that the systems of records identified in notice published in the Federal Register, 40 FR 43862 (1975), 41 FR 30574 (1976), and 42 FR 42714 (1977), continue in effect unchanged.

This notice is published in compliance with the requirements of 5 U.S.C. Sec. 552a(e)(4), as added by section 3 of the Privacy Act of 1974.

Board of Governors of the Federal Reserve System, August 25, 1977.

Theodore E. Allison,
Secretary of the Board.

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BGFRS—1

System name: FRB—Recruiting and Placement Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Persons who have applied for employment with or are employed by the Federal Reserve Board.

Categories of records in the system: These records may contain information relating to the education, training, employment history and earnings, appraisal of past performance, convictions for offenses against the law; results of tests, appraisal of potential, honors, awards of fellowships; military service; veteran status, school transcripts, work samples; birth date; social security number; shipping authorizations; travel vouchers, offer letters and correspondence, reference checks, and home address of persons who have applied for Board employment or are employed by the Federal Reserve Board.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. To refer applicants for purposes of consideration for placement in positions for which an applicant has applied and is qualified. This includes various government organizations.

b. To refer current Board employees for consideration for reassignment and promotion within the Board.

c. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research of other personnel management functions.

d. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether federal, state or local, charged with the responsibility of investigating or prosecuting such violation or with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

e. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information 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.

f. To provide information or disclose to a Federal Agency, or any other employer or prospective employer in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, punched cards, microfilm, cards, lists, forms, and in folders.

Retrievability: Records are indexed by name, combination of birth date, social security account number, and applicable identification number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal:

a. Files of eligibles Retained for a minimum of one year after date of determination that no suitable position exists currently.

b. Index cards. Destroyed when no longer needed.

c. Cancelled and ineligible applications. Same as "a" above.

d. Inquiries and replies regarding availability for appointment.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

Record access procedures: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of position with which concerned to the System Manager, address above.

Record source categories: Information in this system of records either comes from the individual to whom it applies or is derived from information he or she supplies, except reports from medical personnel on physical qualifications; and statements supplied by references.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—2

System name: FRB Personnel Background Investigation Reports

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former applicants for employment by the Board of Governors; Federal Reserve System employees considered for access to classified information or restricted areas; and/or security determinations as contractors, employees of contractors, experts, instructors, and consultants to the Board. Individuals who are neither applicants nor employees of the Board but are or were involved in Board programs under a cooperative assignment or similar agreement; individuals who are neither applicants nor employees of the Board but are or were involved in matters related to the operation of the Board.

Categories of records in the system: These records may contain investigative information regarding an individual's character, financial responsibility, conduct, behavior; arrests and convictions for any violations against the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the qualifications of an individual for a specific position; reports of inquiries with law enforcement agencies; former employers; educational institutions attended; and other information developed from the above.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The contents of these records may be disclosed to and used as follows:

a. To assist in determining the suitability for access to classified information.

b. To designated officers and employees of other agencies and departments of the Federal Government, and the District of Columbia Government, having an interest in the individual for employment purposes, in connection with performance of a service to the Federal Government, under a contract or other agreement, including a security clearance or access determination, and a need to evaluate qualifications, suitability, and loyalty to the United States Government.

c. To the intelligence agencies of the Department of Defense, National Security Agency, Central Intelligence Agency, and the Federal Bureau of Investigation for use in intelligence activities.

d. To any source from which information is requested by the Board in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation and to identify the type of information requested.

e. In the event of an indication of any violation or potential violation of the law, whether civil, criminal, or regulatory in nature, and whether arising by 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, or local 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; such referral shall also include, and be deemed to authorize any and all appropriate and necessary uses of such records in a court of law and before an administrative board or hearing.

f. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files are maintained in folders and index cards in steel file cabinets with manipulation proof combination lock.

Retrievability: Records are indexed by name in alphabetical order.

Safeguards: Access to and use of these records are limited to those persons whose official duties require access and who have appropriate security clearance.

Retention and disposal: The indexing cards are retained indefinitely, while the reports of investigation are returned to the originating agency after separation of employment.

System manager(s) and address:

Assistant Director for Contingency Planning
Office of Staff Director for Management
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: An individual may inquire as to whether or not the system contains a record pertaining to him or to her by addressing a written request to:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

The request should include the full name and date and place of birth of the individual, and any available information regarding the type of record involved, and the category of individual under which the inquirer feels he or she fits.

Record access procedures: In response to a written request by an individual to determine whether or not the system contains a record pertaining to him or to her, the Director will set forth the procedure for gaining access to the record. If the individual desires to contest the contents of a record, he or she may do so by writing to the:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Record source categories: Information contained in the system is obtained from the following:

1. Applications and other personnel and security forms furnished by the individual.
2. Investigative material furnished by other Federal agencies. Notices of personnel actions furnished by other Federal agencies.
3. By personal investigation or written inquiry from sources such as:

Employers
Schools
References
Neighbors
Associates
Police Departments
Courts
Credit Bureau
Medical Records
Probation Officials
Prison Officials

4. Newspapers, magazines, periodicals, and other publications.
5. Published hearings of Congressional Committees.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—3

System name: FRB—Medical Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: 1. Applicants who have been medically examined for Board employment.

2. Applicants for disability retirement under the Civil Service Retirement Law or Federal Reserve System Retirement Plan.

3. Current and former Federal Reserve Board employees.

Categories of records in the system: 1. Information relating to an individual's medical qualifications to hold a position with the Board.

2. Medical information relating to an individual's capability (physical and mental) to satisfactorily perform the duties of the position he or she holds or held.

3. Information relating to an employee's participation in an occupational health services program.
4. Information relating to pre-employment or periodic medical examinations to assure that the incumbent is qualified (physically and mentally) to satisfactorily perform the duties of the position.
5. Information attesting to an annuitant's state of health as required for "insurable interest" survivor annuity elections.
6. Information relating to handicaps
7. Information relating to employee participation in the Federal Civilian Employee Alcoholism and Drug Abuse Programs.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1. Information in these records is used to:

a. determine veteran disability status
b. support applications for Disability Retirement
c. support "insurable interest" survivor annuity elections
d. determine suitability for employment or continued employment
e. assist in medical counseling

2. Information in these records may be provided to officials of other Federal agencies responsible for Federal benefit programs administered by:

a. Office of Workmen Compensation Programs
b. Retired Military Pay Centers
c. Veterans Administration
d. Social Security Administration
e. Specific private contractors engaged in providing benefits under Federal contracts.
f. Civil Service Commission.

3. Information in these records is used:

a. to refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local 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.

b. to request information from a Federal, state or local agency maintaining civil, criminal or other relevant enforcement or other pertinent information, such as a license, if necessary to obtain relevant information to the Board's 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 grant or other benefit.

c. to provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract or 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.

d. as a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are in folders.

Retrievability: Records are indexed by name, social security number, identification number, date of birth and/or claim number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Records are stored in lockable metal containers.

Retention and disposal:

a. Medical certificates and other medical records of examination used to determine an employee's fitness for a job 6 years after separation
b. Miscellaneous medical records, correspondence dispensary records and similar papers, 6 months after separation
c. Applicant's medical records, 6 years after separation
d. Disability retirement medical files, 6 years after separation

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record access procedures: Individuals requesting information about this system of records should provide their full name, date of birth, social security number, name of office or division in which currently or formerly employed, and annuity account number, if any has been assigned, to the System Manager, address above.

Record source categories:

1. The individual to whom the record pertains.
2. Personal physicians.
3. Medical institutions.
4. Official records of other Federal agencies.
5. Federal Reserve Board Official Personnel Records.
6. Federal Reserve System Personnel Management Records Systems.

Systems exempted from certain provisions of the act: None; however, see special procedures provided at 12 CFR 261a.6.

BGFRS—4

System name: FRB—General Personnel Records

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former employees of and consultants to the Federal Reserve Board and the surviving spouses, and children of former Board employees, if any.

Categories of records in the system: This system of records consists of a variety of documents relating to personnel actions of the Board and its determinations made about an individual for, and during the course of his employment by the Board. These records may contain information about employees and former employees relating to employment, placement, personnel actions, performance considerations and evaluations; training and development activities and plans, background investigations; reference checks; salary history and other personnel matters. It also includes minority group designator; records relating to benefits and designation of beneficiary; emergency contact, documentation supporting personnel actions or decisions made about an individual; awards; employee parking and other information relating to the status of the individual either while considered for employment or while employed by the Board.

Authority for maintenance of the system: Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is used:

a. For purposes of review in connection with appointments, transfers, promotions, reassignments, training and development needs, adverse actions, disciplinary actions, and determination of qualifications of an individual, and in assisting the individual in locating other employment.
b. For purposes of making a decision when a Board employee or former Board employee is questioning the validity of a specific document in the individual's record.
c. By the courts to render a decision.
d. To provide information to a prospective employer of a current or former Board employee.
e. To provide data for the automated Personnel records.
f. To provide information to a Federal agency, or any other employer or prospective employer, in response to its request in connection with the hiring or retention of an employee, the letting of a contract, or 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. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information or other pertinent information to a Board decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of contract, or the issuance of a grant or other benefit.

h. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, 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.

i. As a data source of management information for production of statistical and analytical studies and reports in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

j. Determine eligibility for coverage, benefits due, and payment of benefits under the various benefits programs available to the Board and its staff.

k. Transfer information necessary to support a claim for benefits under the various benefit programs in operation at the Federal Reserve Board.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, disc, punched cards, index cards and microfilm.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or identification number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require it.

Retention and disposal: The General Personnel Record is retained until five years after death or an individual achieves age 75 where he or she does not separate employment by retirement.

System manager(s) and address: For current and former Federal Reserve Board employees:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Inquiries, including name, date of birth, and Social Security Number should be addressed to the System Manager, address above.

Record access procedures: Current and former Federal Reserve Board employees who wish to gain access to or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security Number.

Record source categories: Information in this system of records comes from the individual to whom it applies or is derived from the information the individual supplied, except information provided by Board officials. Information is also obtained from the following sources for administration of the benefits portion of the system:

1. CSC Personnel Management Records System
2. Personnel records of other Government agencies
3. Personnel Records of Federal Reserve Banks

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—5

System name: FRB—EEO Discrimination Complaint File

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Applicants for Board employment, current and former Board employees, and annuitants who file a complaint of discrimination or appeal a determination made by an official of the Board relating to equal employment opportunities.

Categories of records in the system: This system of records contains information or documents relating to a complaint, the decision or determination made by the Board affecting an individual under the Board's EEO regulations and procedures. The records consist of the initial complaint or appeal letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, instructions to the Board and/or individual about action to be taken to comply with decisions, and related correspondence, opinions and recommendations.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a Court subpoena and or to refer to a District court in connection with a civil suit.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, 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.

g. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The records are maintained indefinitely.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contact the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

Record access procedures: Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the records in this system, individuals should contact the System Manager, address above. Individuals should provide their name,

date of birth, approximate date of employment or application, and the kind of action taken by the Board when requesting access to, or contest of records.

Record source categories:

a. Individual to whom the record pertains
b. Board employees
c. Affidavits or statements from employee
d. Testimonies of witnesses
e. Official document relating to the appeal, grievance, or complaints
f. Correspondence from specific organization or persons

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(2) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled for law enforcement purposes.

BGFRS—6

System name: FRB—Adverse Information and Action, Disciplinary, Outside Business Activity and Financial Responsibility Records.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former Board employees, (including special employees) and annuitants who are involved in an Adverse Action; Board officials providing annual financial responsibility statements; employees who suffer a withholding of a Progress Step Increase; employees who file an Outside Business Activity application; and those employees who have creditors contacting the Board relative to credit problems.

Categories of records in the system: This system of records may contain information or documents relating to a determination made by the Board affecting an individual. The records consist of the letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, and related correspondence, opinions and recommendations. Also, copies of Financial Responsibility Statements and Outside Business Interest applications filed by the employee; and letters from creditors.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The information in the records may be used:

a. To respond to a request from a Member of Congress regarding the status of an appeal, complaint or grievance.

b. To provide information to the public on the decision of an appeal, complaint, or grievance required by the Freedom of Information Act.

c. To respond to a court subpoena and/or to refer to a District court in connection with a civil suit.

d. To adjudicate an appeal, complaint, or grievance.

e. As a data source for management information for production of descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel management functions.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, to the appropriate agency, whether Federal, state, or local, 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.

g. To request information from a Federal, state or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to a Board 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 grant or other benefit.

h. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

i. To identify or determine conflict of interest situations or potential conflict of interest.

j. To advise an employee of potential problems.

k. To administer various aspects of established personnel management programs.

Storage: These records are maintained in file folders, binders, index cards, magnetic tape and disk.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The records are maintained indefinitely after cessation of employment unless deemed unnecessary, and thus destroyed.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System Manager, address above.

Record access procedures: Individuals should provide name, date of birth, Social Security Number, identification number (if known), approximate date of record, and type of situation with which concerned to the System Manager, address above.

Record source categories:

a. Individual to whom the record pertains
b. Board officials
c. Affidavits or statements from employees
d. Testimonies of witnesses
e. Official documents relating to an action, appeal, grievance, or complaints.
f. Correspondence from specific organizations or persons.

Systems exempted from certain provisions of the act: None.

BGFRS—7

System name: FRB—Payroll

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present employees and members of the Board.

Categories of records in the system: Varied payroll records including payment vouchers, comprehensive listing of employees, requests for deductions, tax forms, W-2 forms, overtime requests, leave data, workmen's compensation data.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used in the preparation of Board payroll, as input to several management reports and, from time to time, input to other contributing programs and as input to Board studies, analyses, and reports.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On tape, disk, punched cards, index cards, folders and document files.

Retrievability: Filed by name, social security number, and employee number.

Safeguards: Access is restricted to authorized personnel only. Records are stored in cabinets and a safe. Access to computer records.

Retention and disposal: Various: minimum of one year from date of annual audit; maximum of indefinite.

System manager(s) and address:
Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Current and former employees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, and identification number (if known).

Record access procedures: Current and former employees who wish to gain access or contest their records should contact System Manager, address above. Individuals should provide name, date of birth, social security number, identification number (if known).

Record source categories: Internal personnel forms, Federal, state, and local tax forms, employee authorizations and directive forms, insurance forms, leave and overtime reports, Federal and state garnishment forms.

Systems exempted from certain provisions of the act: None.

BGFRS—8

System name: FRB—Leave Records

System location:
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Present employees, former employees for a period of three years following their separation from the Board.

Categories of records in the system: Contains timekeeper records, leave cards, payroll notifications, supporting memorandum, periodic leave statements, and creditable service documentation.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as a data source for management information and payment of leave, for production of statistics and analytical studies in support of the function for which records are collected and maintained or for related personnel management functions and manpower studies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Punched card, tape, disk, index card, folder, and print out.

Retrievability: Filed by date, but may be filed by name or identifying number.

Safeguards: Stored in locked metal file cabinets, other records stored in secured limited access computer facilities.

Retention and disposal: Detailed information destroyed after two years. Summary data is a part of permanent official personnel file.

System manager(s) and address:
Division of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the System Manager above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security number.

Record access procedures: Individuals wishing to gain access or contest their records should contact the System Manager, address above. Former Board employees should direct such a request in writing, including their name, date of birth, and Social Security Number.

Record source categories: Records, files and forms of the Board, information provided by the employee and previous Federal Government employers.

Systems exempted from certain provisions of the act: None.

BGFRS—9

System name: FRB—Consultant File

System location:
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Individuals providing consulting services to the Board in accordance with a formal agreement.

Categories of records in the system: Documents, letters, memorandum of understanding relating to agreement, rates of pay, payment, records, vouchers, invoices, and selection; negotiation, implementation, scope and performance of work. Additional information may be found on reemployed annuitants in the FRB-General Personnel Records.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses include, but are not restricted to, selection, monitoring, evaluation and control, audit and analysis, routine management activity, and statistical use without individual indentification; verification and confirmation; and referral when used as a basis for prospective employment by other than the Board; to provide information or disclose to a Federal agency, or any other employer or prospective employer, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Folder, punched card, tape, disk and index card.

Retrievability: File by name, and cross index by voucher number and date, or identifying number.

Safeguards: Stored in secured area.

Retention and disposal: Indefinite.

System manager(s) and address:
Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the records. They may, however, contact the System Manager, address above. Individuals should provide their name, date of birth, and the approximate date of employment or application, and the kind of action taken by the Board when making inquiries about records.

Record access procedures: Individuals who have appealed or filed a grievance about a decision or determination made by the Board or about conditions existing in the Board already have been provided a copy of the records. However, to gain access or contest the records in this system, individuals should contact the System Manager, address above. Individuals should provide their name, date of birth, approximate date of employment or application, and the kind of action taken by the Board when requesting access to, or contest of records.

Record source categories: Information in this system of records is obtained from the individual to whom it applies or is derived from information supplied by the individual, except information provided by Board staff, and for reemployed annuitants where the inactive General Personnel File is activated.

Systems exempted from certain provisions of the act: Pursuant to subsections (k)(2) and (k)(5) of the Privacy Act and the Board's regulation relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where: (1) such portions represent investigatory material compiled for law enforcement purposes, or (2) such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—10

System name: FRB—General File on Board Members

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present members of the Board of Governors.

Categories of records in the system: Biographies of past and present members of the Board, oaths of office, and miscellaneous correspondence relating to such Governors.

Authority for maintenance of the system: Section 10 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for background information to determine qualifications for appointment, reappointments, for compiling information for news releases and other publications, and for recording correspondence concerning the Governors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individuals (12 CFR 261a) incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—11

System name: FRB—Official General Files

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Correspondents with the Board and System Personnel.

Categories of records in the system: Incoming and outgoing correspondence concerning Board business. Records relating to System Personnel in official capacities such as instructors, consultants, and Board representatives to various committees, conferences, etc.

Authority for maintenance of the system: Sections 10 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for reference purposes in preparing responses to inquiries from the public and used in recording official duties of System Personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: System Manager, address above.

Record access procedures: System Manager, address above.

Record source categories: Generated by individuals incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—12

System name: FRB—Biographical File of Federal Reserve Personnel

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Current and former Federal Reserve System officers, and their staff.

Categories of records in the system: This system consists of a variety of records relating to personnel actions and determinations made about an individual while employed in the Federal Reserve System. These records contain information about an individual relating to birth date; education; veteran status; tenure; handicap; past and present salaries, grades, and position titles; personnel actions, including but not limited to, appointment, reassignment, demotion, detail, promotion, transfer, and separation; photograph, awards; and other information relating to the status of the individual.

Authority for maintenance of the system: Sections 4, 11 and 22 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. By Federal Reserve System officials for purposes of review in connection with appointments, transfers, promotion, reassignments, adverse actions, disciplinary actions, and determination of qualifications of an individual.

b. By the Board of Governors for purposes of making a decision when a listed employee or former listed employee is questioning the validity of a specific document in the individual's record.

c. By the courts to render a decision when the Board has refused to release to current or former System employee a record under the Freedom of Information Act.

d. To publish name and title data for the Directory of officers of Federal Reserve Banks.

e. To provide reports to Congress, agencies, and the public on characteristics of the System work force.

f. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, 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.

g. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, punched cards and disk.

Retrievability: Records are indexed by combination of name or identification number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Retained indefinitely.

System manager(s) and address:

Director of Personnel
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Inquiries, including name, date of birth, and Social Security Numbers should be addressed to the System Manager, address above.

Record access procedures: Current and former System employees who wish to gain access to and contest their records, should direct such a request in writing, including their name, date of birth, and Social Security Number to the System Manager, address above.

Record source categories: Information in this system of records comes from either the individual to whom it applies, extracted from documents he supplied, or data provided by Federal Reserve System officials and employees.

Systems exempted from certain provisions of the act: None.

BGFRS—13

System name: FRB—General File of Examiners and Assistant Examiners at Federal Reserve Banks.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present examiners and assistant examiners at Federal Reserve Banks.

Categories of records in the system: Brief biographies of past and present examiners and assistant examiners, oaths of office, and miscellaneous correspondence.

Authority for maintenance of the system: Section 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications, and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: System Manager, as indicated above.

Record access procedures: Same as "notification" above.

Record source categories: Individuals themselves, references such as "Who's Who" and miscellaneous correspondence from system personnel and others.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—14

System name: FRB—General File of Federal Reserve Bank and Branch Directors.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present Federal Reserve Bank and Branch Directors.

Categories of records in the system: Biographies of past and present Federal Reserve Bank and Branch Directors, oaths of office, resignations, and miscellaneous correspondence.

Authority for maintenance of the system: Sections 3, 4 and 11 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for compiling information for news releases and other publications, and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individual's incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto, certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—15

System name: FRB—General Files of Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Past and present Federal Reserve Agents, Alternates and Representatives at Federal Reserve Banks.

Categories of records in the system: Biographies of past and present examiners, oath of office and miscellaneous correspondence relating to such persons.

Authority for maintenance of the system: Sections 20 and 21 of the Federal Reserve Act (12 U.S.C. Sec. 221 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as background information for determining qualifications for appointment, reappointment, etc.; for completing information for news releases and other correspondence; and recording correspondence concerning such persons.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Indexed by name.

Safeguards: Locked in diebold power file. Access limited to Board staff on a restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Notification procedure: Same as System Manager, address above.

Record access procedures: Same as System Manager, address above.

Record source categories: Generated by individual's incoming correspondence and staff response thereto.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(5) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a), certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Board employment to the extent that disclosure of such portions would reveal the identity of a source who furnished information under a promise of confidentiality.

BGFRS—16

System name: FRB—Regulation G Reports

System location:

Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Categories of individuals covered by the system: Individuals other than banks, brokers and dealers who extend credit in specified amounts secured by margin securities.

Categories of records in the system: Reports filed by persons registered pursuant to Regulation G.

Authority for maintenance of the system: Sections 7, 17, and 23 of the Securities Exchange Act of 1934 and Regulation G (12 CFR 207).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Aid the Federal Reserve System in securing compliance with Regulation G, assist registrants regarding interpretation, and where this system 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 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.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper forms and files.

Retrievability: Indexed by name.

Safeguards: Retained in locked metal file cabinets. Access to Board staff on restricted basis.

Retention and disposal: Indefinite.

System manager(s) and address:

Director, Office of Saver and Consumer Affairs
Board of Governors
Federal Reserve System
Washington, D.C. 20551

Notification procedure:

Secretary of the Board
Board of Governors
Federal Reserve System
20th and Constitution, N.W.
Washington, D.C. 20551

Record access procedures: Same as System Manager address above.

Record source categories: Reports and forms filed by individuals to whom records pertain.

Systems exempted from certain provisions of the act: Pursuant to subsection (k)(2) of the Privacy Act and the Board's regulations relating thereto (12 CFR 261a) certain portions of this system of records may be exempted from certain provisions of the Act where such portions represent investigatory material compiled for law enforcement purposes.

BGFRS—17

System name: FRB—Municipal Securities Principal and Municipal Securities Representative Records.

System location: Board of Governors of the Federal Reserve System, 20th and Constitution Avenue NW., Washington, D.C. 20551. Records stored in computerized files are maintained off Board premises at the National Association of Securities Dealers, 1735 K Street NW., Washington, D.C. 20036.

Categories of individuals covered by the system: Persons who are or seek to be municipal securities principals or municipal securities representatives associated with a municipal securities dealer which is a State member bank of the Federal Reserve System or a subsidiary or a department or division thereof.

Categories of records in the system: These records may contain identifying information as well as educational, employment, and disciplinary information, and, where applicable, information regarding termination of employment of individuals covered by the system. Identifying information includes name, address, date and place of birth, and may include social security account number.

Authority for maintenance of the system: Sections 15B, 17, and 23 of the Securities Exchange Act of 1934 (15 U.S.C. Secs. 78o-4(c)(5), 78q, and 78w) and section 11(a) of the Federal Reserve Act (12 U.S.C. Sec. 248(a)).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

a. To refer, where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, to the appropriate governmental authority, whether Federal, State, local, or foreign, or self-regulatory organization, as defined in section 3(a)(26) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(26)).

b. To refer, in the event of litigation, whether civil, criminal, or regulatory in nature, to the appropriate court, magistrate, or administrative law judge.

c. To assist in any proceeding in which the Federal securities or banking laws are in issue or in which the Federal Reserve Board or a past or present member of its staff is a party or otherwise involved in an official capacity.

d. To disclose to a Federal, State, local, or foreign governmental authority or a self-regulatory organization if necessary in order to obtain information relevant to a Federal Reserve Board inquiry concerning a person who is or seeks to be associated with a municipal securities dealer described in Categories of individuals covered by the system as a municipal securities principal or municipal securities representative.

e. To respond to a request from a Federal, State, local, or foreign governmental authority or a self-regulatory organization for information in connection with the issuance of a license or other benefit to the extent that such information is relevant and necessary.

f. To disclose to a Congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and on computer discs.

Retrievability: Records are indexed by name.

Safeguards: File folders are stored in lockable metal cabinets and computer discs are accessed only by authorized personnel.

Retention and disposal: Records may be maintained indefinitely.

System manager(s) and address: Secretary of the Board, Board of Governors

Federal Reserve System
20th and Constitution, NW.,
Washington, D.C. 20551

Notification procedure: Inquiries, including name and date and place of birth, should be addressed to the System Manager, address above. Inquiriers may be required to include a notarized statement attesting to identity.

Record access procedures: Same as Notification above.

Contesting record procedures: Same as Notification above.

Record source categories: Individuals on whom the records are maintained as well as municipal securities dealers described in Categories of individuals covered by the system and Federal, State, local, and foreign governmental authorites, and self-regulatory organizations, which regulate the securities industry.

Systems exempted from certain provisions of the act: None.

[FR Doc.77-27838 Filed 9-21-77;8:45 am]

FOREIGN CLAIMS SETTLEMENT COMMISSION

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

In accordance with Section 552a(e)(4) of the Privacy Act of 1974, the Foreign Claims Settlement Commission hereby publishes the Systems of Records currently maintained by the Commission. No changes have occurred since the last annual publication on December 23, 1976, at (41 FR 56173), with the exception of the publication of the new system of records, "German Democratic Republic, Claims Against, FCSC-32" on September 12, 1977, at (42 FR 45716).

Dated at Washington, D.C., September 13, 1977.

Wayland D. McClellan,
General Counsel.

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FCSC—1

System name: BULGARIA, CLAIMS AGAINST (1st PROGRAM)—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Wash., DC 20409. Alphabetical Index to system maintained at Foreign Claims Settlement Commission, 1111 20th Street, NW, Washington, DC 20579.

Categories of individuals covered by the system: U.S. Nationals who suffered certain property losses or damages in Bulgaria prior to Aug. 9, 1955.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on Aug. 9, 1959.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—2

System name: BULGARIA, CLAIMS AGAINST (2nd PROGRAM)—FCSC

System location: Washington National Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system: US Nationals who suffered property losses in Bulgaria between Aug. 9, 1955, and July 2, 1963.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended, and US-Bulgarian Claims Agreement of July 2, 1963.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any; to Treasury Department for payment by authorized FCSC personnel; names and other data furnished by claimants used for verifying citizenship status with INS. Law Enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on Aug. 9, 1959.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—3

System name: CERTIFICATIONS OF AWARDS—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Individuals receiving awards under the International Claims Settlement Act of 1949, and War Claims Act of 1948.

Categories of records in the system: Names and addresses of claimants and amounts of awards certified to Treasury Department for payment. Name and address of claimant's representatives, if any, also included in certification voucher.

Authority for maintenance of the system: International Claims Settlement Act of 1949, as amended, and War Claims Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Award certifications prepared by authorized FCSC personnel and forwarded to Treasury Department for payment in accordance with statutory authority and Treasury Department regulations and procedures.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Contained in file folders

Retrievability: By voucher number and date of certification.

Safeguards: Records are maintained in file cabinets in locked rooms.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: From award portion of decisions as determined by FCSC.

FCSC—4

System name: CHINA, CLAIMS AGAINST COMMUNIST - FCSC

System location: Washington National Records Center, 4205 Suitland Road, Washington, DC 20409. Alphabetical Index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579.

Categories of individuals covered by the system: US nationals who suffered property losses, death and disability in mainland China arising since Oct. 1, 1949.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization of claimant; nature and amount of claim; description, ownership and value of property; and evidence to support claim.

Authority for maintenance of the system: Title V, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Adjudication of claim, issuance of decisions as to the validity and amounts of claims and issuance of certifications to each individual claimant as to amount determined by FCSC officials and personnel. Such amounts and copies of FCSC decisions are certified to the Secretary of State pending conclusion of any claims settlement agreement between US and China. Law Enforcement: in the event that a system of records maintained by FCSC 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, 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the Above.

Record source categories: Individual on whom the record is maintained.

FCSC—5

System name: CIVILIAN INTERNEES (VIETNAM)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: American citizens held by a hostile force in Southeast Asia during Vietnam conflict.

Categories of records in the system: Claim application form contains name and address, date and place of birth , birth certificates. Verification of internment furnished by State Department contains names, addresses and inclusive dates of internment.

Authority for maintenance of the system: Sec. 5(i), War Claims Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Adjudication of claims of American citizens and certification of awards to Treasury Department for payment by authorized FCSC personnel. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed by claim number. Cross-referenced by alphabetical index cards.

Safeguards: Security guards in building. Records maintained in file cabinets in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom record is maintained.

FCSC—6

System name: CORRESPONDENCE (GENERAL) - FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Generally, US nationals suffering losses in foreign countries, also inquiries from Congressmen.

Categories of records in the system: Correspondence containing names and addresses of individual, description and location of property or other types of losses. Inquiries generally are related to claims, Commission procedures and other related matters not included under the 'Correspondence (Inquiries concerning claims in foreign countries)' 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: For dissemination of requested information to individuals by FCSC personnel. Correspondence may be referred to other concerned agencies on matters not within the jurisdiction of FCSC.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Alphabetical in file cabinets.

Retrievability: By name.

Safeguards: Security guards in building. Records maintained in file cabinets in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—7

System name: CORRESPONDENCE (INQUIRIES CONCERNING CLAIMS IN FOREIGN COUNTRIES)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals suffering losses in foreign countries, inquiries from Congressmen.

Categories of records in the system: Correspondence containing names and addresses of individuals and description and location of property or other types of losses. Inquiries generally are related to claims programs administered by FCSC. Records also include those transferred from State Department which may relate to such programs.

Authority for maintenance of the system: 5 U.S.C. 301, sec. 4(d) International Claims Settlement Act of 1949, as amended, and sec. 216, War Claims Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For dissemination of information to individual making inquiries by authorized FCSC personnel concerning various claims programs authorized under the International Claims Settlement Act of 1949, as amended, the War Claims Act of 1948, as amended, international claims agreements, and for notification purposes for newly authorized claims programs under which individuals may be affected.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Alphabetical in file cabinets.

Retrievability: By name.

Safeguards: Security guards in building. Records maintained in file cabinets in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—8

System name: CUBA, CLAIMS AGAINST—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Washington, DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered property losses, death and disability in Cuba since January 1, 1959.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization of claimant; nature and amount of claim; description, ownership and value of property; and evidence to support claim, including medical and death records in claims involving death and disability.

Authority for maintenance of the system: Title V, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Adjudication of claim, issuance of decisions as to the validity and amounts of claims and issuance of certifications to each individual claimant as to amount determined by FCSC officials and personnel. Such amounts and copies of FCSC decisions are certified to the Secretary of State pending conclusion of any claims settlement agreement between US and Cuba. Law Enforcement: In the event that a system of records maintained by FCSC 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 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 investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—9

System name: CZECHOSLOVAKIA, CLAIMS AGAINST—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Wash., DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered property losses in Czechoslovakia after January 1, 1945.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title IV, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom record is maintained.

FCSC—10

System name: EAST GERMANY, REGISTRATION OF CLAIMS AGAINST—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, D.C. 20579.

Categories of individuals covered by the system: US nationals who suffered certain property losses in East Germany

Categories of records in the system: Claim registration form containing name and address of claimant and representative, if any, date and place of birth or naturalization, description, ownership, date of loss and value of property lost.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information received from individuals on registration forms is for use in the preparation of statistical reports which will form the basis for further discussions by the State Department for negotiations between the Governments of the United States and the German Democratic Republic for the settlement of claims of US nationals not otherwise settled. Registration forms filed will be used by FCSC personnel in the distribution of formal claim application forms in case a claims settlement agreement is reached at a future date.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Numerical order in file cabinets. Cross-reference alphabetical index.

Retrievability: By name.

Safeguards: Building employs security guards. Records are maintained in locked room accessible only to authorized FCSC personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCSC—11

System name: FEDERAL REPUBLIC OF GERMANY, QUESTIONNAIRE INQUIRIES FORM—FCSC

System location: Foreign Claims Settlement Commission, 1111 10th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Individuals suffering losses in Eastern European countries, including Germany.

Categories of records in the system: Questionnaire from Federal Republic of Germany (augleichsamt) containing name, address, date and place of birth or naturalization description and location of property. Such information was furnished to Federal Republic of Germany by US residents who filed claims under the West German Federal Compensation Laws (BEG).

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: To inform Federal Republic Of Germany Equalization of Burdens offices whether individuals who filed claims for losses compensable under the West German Federal Compensation Laws (BEG) also filed claims with the Foreign Claims Settlement Commission under US claims statutes and received compensation under such statutes for the same losses. Information furnished to FRG obtained from FCSC decisions or claim applications from individuals who filed claims with FCSC.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file cabinets.

Retrievability: By name.

Safeguards: Building security guards. Records are maintained in locked room accessible only to authorized FCSC personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301- 3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as above.

Contesting record procedures: Same as above.

Record source categories: Questionnaire from Federal Republic of Germany (Equalization of Burdens Office).

FCSC—12

System name: Payroll records—(FCSC).

System location: General Services Administration, Region 3 Office; copies held by the FCSC. (GSA holds records for the FCSC under contract.)

Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards; payment vouchers; comprehensive listing of employees; health benefits records, requests for deductions; tax forms, W-2 forms, overtime requests; leave data; retirement records. Records are used by FCSC and GSA employees to maintain adequate payroll information for the employees, and otherwise by FCSC and GSA employees who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix under General Personnel Files. Records also are disclosed to GAO for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

A copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, also is disclosed 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 the Treasury, pursuant to 5 U.S.C. 5516, 5517, or 5520, or, in the absence thereof, in response to a written request from an appropriate official of the taxing jurisdiction to the Executive Director, Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. 20579. The request must include a copy of the applicable statute or ordinance 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.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to written request from an appropriate city official to the Executive Director.

In the absence of a withholding agreement, the Social Security Number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the Social Security Number, in accordance with Section 7 of the Privacy Act, Pub. L. 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.

Retrievability: Social Security Number.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB SA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. 20579.

Notification procedure: Refer to FCSC access regulations contained in 40 FR 39023.

Record access procedures: Refer to FCSC access regulations contained in 40 FR 39023.

Contesting record procedures: Refer to FCSC access regulations contained in 40 FR 39023.

Record source categories: The subject individual; the FCSC.

FCSC—13

System name: GENERAL PERSONNEL FILES—FCSC

System location: General Services Administration, Central Office; copies held by the Commission (FSA holds records for Commission under contract).

Categories of individuals covered by the system: Commission employees.

Categories of records in the system: General personnel information, including, among other data, training and travel records, applications, suggestions, position descriptions, request for and notification of personnel action, directory of attorneys, employee performance ratings and promotion appraisals, time and attendance records, security clearances, titles, SCD, DOB, grade, salary, employment history, home address, age, marital status, SSN, home telephone number, resume, and letters of recommendation. System contains copies of Civil Service Commission and GSA personnel forms, including, among others: property pass, fingerprint chart,

security investigation data for sensitive position, data for nonsensitive or noncritical-sensitive position, US savings bond authorization, physical fitness inquiry for motor vehicle operators, application for leave, personal qualifications statement, operational emergencies relocation site, career objectives statement, employee record, recommendation for performance recognition, employee appraisal, employment staffing report, payroll change slip, roster of GSA officials, nationwide retirement eligibility report, alpha list of employees by service, organizational roster, notice of injury or occupational disease, claim for reimbursement for expenditures, individual manhour record, statement of earnings, promotion appraisal, and receipt for property.

Authority for maintenance of the system: 5 U.S.C., generally.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix. Completion of agency forms for requests for personnel actions, security clearances, training authorizations, travel authorizations, time and attendance records, reports, etc. Also used for issuing passes, etc. Information is used 'in house' for personnel evaluation and management. Information is disclosed to persons outside the agency for verifying employment/salary, preparing letters of reference at the request of the employee making travel and training arrangements, supplying data to non-Federal attorneys directories, and furnishing copies of performance appraisals to other government agencies when employees have applied for jobs elsewhere.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

APPENDIX

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violaiton 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 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 in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit. Used by Executive Director and other authorized agency employees. Used for convenient reference to personnel information needed on a daily basis to complete reports, make payroll adjustments, take personnel action, and meet other administrative requirements within the Commission and GSA. Used also to supply information, as requested by employees, to persons outside the agency.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files, computer printouts, and supervisors' card indices.

Retrievability: Manual by name, grade, title.

Safeguards: Filed in guarded buildings; records are available to authorized persons only.

Retention and disposal: Paragraph 9B25 of OAD P 1820.2.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Contact system manager listed above.

Contesting record procedures: Same as the above.

Record source categories: Official personnel records, Commission and GSA Personnel and Finance Offices, Supervisors, letters of reference or commendation furnished by agency officials or persons from private industry, educational information supplied by colleges and universities, the individual.

FCSC—14

System name: GENERAL FINANCIAL RECORDS—FCSC

System location: General Services Administration, Central Office; copies held by the Commission. (GSA holds records for Commission under contract.)

Categories of individuals covered by the system: Commission employees.

Categories of records in the system: SF1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Commission who have a need for the record in the performance of their duties.

Authority for maintenance of the system: 31 U.S.C., generally; (also, Reorganization Plan No. 1 of 1954, 68 Stat. 1279).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix under General Personnel Files. Records also are released to GAO for audits; to the IRS for investigation; and to private attorneys, pursuant to a power of attorney.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and tape.

Retrievability: Manual and automated by name.

Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition or records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Contact system manager listed above.

Contesting record procedures: Same as above.

Record source categories: The subject individual; the Commission.

FCSC—15

System name: HUNGARY, CLAIMS AGAINST (1st PROGRAM)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered certain property losses or damages in Hungary prior to Aug. 9, 1955.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 the system or records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigation or prosecuting such violation or charge with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. Alphabetical index used for identification of claim.

Safeguards: Building employs security guards. Records are maintained in locked room accessible only to authorized FCSC personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—16

System name: HUNGARY, CLAIMS AGAINST (2nd PROGRAM)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th ST., NW, Washington, DC 20579

Categories of individuals covered by the system: US nationals who suffered certain property losses in Hungary between Aug. 9, 1955, and March 6, 1973.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended, and US-Hungarian Claims Agreement of March 6, 1973.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law Enforcement: In the event that a system of records maintained by FCSC to carry out its functions indicates a violation or potential violation of law, whether civil or 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 investigation or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. Alphabetical index used for identification of claim.

Safeguards: Building employs security guards. Records are maintained in locked room accessible only to authorized FCSC personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be in accordance with 44 U.S.C 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCSC—17

System name: INDEXES OF CLAIMANTS (ALPHABETICAL)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Maintained on all individuals who filed claims for compensation under the statutes administered by the Foreign Claims Settlement Commission.

Categories of records in the system: 3 x 5 Index cards and data processing print-out indexes containing names of claimants, claim and decision numbers, date and disposition of claims, addresses and dates of date and disposition of claims. Addresses and dates of birth on index cards.

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: Used by authorized Commission personnel for identification of individual claims and to obtain information concerning disposition of claims where record systems have been destroyed.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper index cards contained in metal cardex containers. Data processing index print-outs stored on shelves in cardboard binders.

Retrievability: By name.

Safeguards: Security guards in building. Records maintained in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Permanent records. Disposition will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individuals on whom record is maintained and information obtained by actions taken by the Foreign Claims Settlement Commission as a result of adjudication of individual claims.

FCSC—18

System name: ITALY, CLAIMS AGAINST (1st PROGRAM)—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Washington, DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered losses to property attributable to Italian military action arising out of World War II.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenshp status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 R.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to The Washington National Records Center after the completion of the claims program on Aug. 9, 1959.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash. DC 20579. 202/653-6156.

Notification procedure: Same as the above

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—19

System name: ITALY, CLAIMS AGAINST (2nd PROGRAM)—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Wash,. DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St, NW, Wash., DC 20579.

Categories of individuals covered by the system: US nationals who suffered certain property losses attributable to military action arising out of World War II. Benefits extended to late US nationals, persons who did not file under the 1st Italian Claims Program and for property losses arising in territory ceded pursuant to the Treaty of Peace with Italy, which claims had been excluded under the 1st program.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, amended by Public Law 85-604.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of right to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign charged with the responsebility of investigating or implementing the statute, or rule, regulation or order issued pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on December 24, 1971.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—20

System name: MICRONESIA, CLAIMS ARISING IN—FCSC

System location: Washington National Records Center, GSA 4205 Suitland Road, Wash, D.C. 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. 20579.

Categories of individuals covered by the system: Inhabitants of Micronesia, including US nationals, who suffered damages to property, disability and death arising out of World War II and arising during the period from the dates of the securing of the various islands of Micronesia to July 1, 1951.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth, nature and amount of claim; description, ownership and value of property; and evidence to support claim for purpose of receiving compensation.

Authority for maintenance of the system: Micronesian Claims Act of 1971.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under authority of the Micronesian Claims Act of 1971; notifications to claimants' right to appeal; and preparation of certifications of awards, if any, to Secretary of Interior for payment by authorized personnel of Foreign Claims Settlement Commission assigned to duty in the Trust Territory of the Pacific Islands and locally hired employees of the Micronesian Claims Commission Upon completion of the program, the Commission is required under the Micronesian Claims Act to certify to the FCSC, the Secretary of the Interior, and the Congress of the United States (1) a list of all claims allowed and the amount awarded, (2) a list of all claims disallowed and (3) a copy of the decision rendered in each case.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. Name index used to identify claim.

Safeguards: Security guard in building. Records are maintained in locked room accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful or necessary.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individuals on whom the record is maintained.

FCSC—21

System name: PANAMA, CLAIMS AGAINST—FCSC

System location: Washington National Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system: US nationals who suffered loss of property in Panama as a result of a judgement of the Supreme Court of Panama on October 20, 1931, nullifying title to certain land in Panama.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; description , ownership, and value of property, and evidence to support claim for the purpose of receiveing compensation.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949 and Panamanian Claims Convention of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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, regultion or order issued pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after completion of the claims program on December 31, 1954.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—22

System name: POLAND, REGISTRATION OF CLAIMS—FCSC

System location: Washington National Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system: US nationals who suffered property losses in Poland due to nationalization or other taking of such property.

Categories of records in the system: Claim registration form containing name and address of claimant and representative, if any, date and place of birth or naturalization, description, ownership, date of loss and value of property lost.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information received from individuals on registration form used in the preparation of statistical reports used for the basis of discussions by the State Department for negotiations between the Governments of the United States and Poland for the settlement of claims of US nationals. Registration forms also used by authorized Commission personnel for distribution of formal application forms upon conclusion of Polish Claims Agreement of July 6, 1960.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintaind in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301- 3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—23

System name: POLAND, CLAIMS AGAINST—FCSC

System location: Washington National Records Center, 4205 Suitland Road, Washington, DC 20409

Categories of individuals covered by the system: US nationals who suffered property losses in Poland due to nationalization or other taking of such property.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949, as amended, and US-Poland Claims Agreement of July 16, 1960.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on March 31, 1966.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—24

System name: PRISONERS OF WAR (PUEBLO) - FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Members of the US Armed Forces or any persons (military or civilian) assigned to duty on the USS Pueblo who were captured by military forces of North Korea on January 23, 1968, held prisoner by such forces.

Categories of records in the system: Claim application form containing name and address of claimants, dates and places of birth, branch of service and military service number. In case of death, date, place and name of spouse, names, address and date of birth of surviving children, name and address of parents and VA claim number. Proof of death if no VA claim.

Authority for maintenance of the system: Section 6(e), War Claims Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records used for adjudication of claims for detention benefits, issuance of decisions concerning eligibility of claimant to receive compensation; notifications to claimants of rights to appeal; and preparation of certifications of awards to Treasury Department for payment by authorized Commission personnel. Verifications from State Department include names and addresses and inclusive dates of detention.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By claim number. Cross-referenced by alphabetical index cards which contain claim numbers.

Safeguards: Security guards in building. Records are maintained in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—25

System name: PRISONERS OF WAR (VIETNAM)—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: Members of Armed Forces of the United States who were captured and held by a hostile force during the Vietnam conflict beginning February 28, 1961.

Categories of records in the system: Claim application form containing name and address of claimant; date and place of birth, branch of service and military service number. In case of death, date, place, name of spouse, names, addresses and dates of birth of surviving children, name and address of parents and VA claim number.

Authority for maintenance of the system: Section 6(f), War Claims Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records used for adjudication of claims for detention benefits; issuance of decisions concerning eligibility of claimant to receive compensation; notification to claimant of rights of appeal; and preparation of certification of awards to Treasury Department for payment by authorized Commission personnel. Verification of capture status obtained from rosters or casualty reports furnished by the respective military establishments.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By claim number. Cross-referenced by alphabetical index cards which contain claim numbers.

Safeguards: Security guards in building. Records are maintained in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—26

System name: ROSTERS OF PRISONERS OF WAR AND CIVILIAN INTERNEES—FCSC

System location: Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. Rosters on completed programs located at Washington National Records Center, 4205 Suitland Road, Washington, DC 20409.

Categories of individuals covered by the system: Members of the US Armed Forces and civilian American citizens who were captured and held by an enemy force during World War II, Korean conflict, Vietnam conflict and the USS Pueblo incident.

Categories of records in the system: Data processing print-outs containing names, rate or rank, military service number, military organization and inclusive dates of internment. Civilian internee listings include names and addresses and inclusive dates of internment.

Authority for maintenance of the system: Sections 5 and 6, War Claims Act of 1948, as amended, and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records used to verify detention status in adjudication of claims by authorized Commission personnel.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file cabinets or storage boxes.

Retrievability: By subject. Records retrieved from Records Center by accession number and description of record.

Safeguards: Security guards in building. Locked file cabinets in locked rooms accessible only to authorized Commission personnel.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—27

System name: RUMANIA, CLAIMS AGAINST (1st PROGRAM)—FCSC

System location: Washington National Records Center, GSA 4205 Suitland Road, Washington, DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered certain property losses or damages in Rumania prior to August 9, 1955.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numberically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301- 3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on Aug. 9, 1959.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—28

System name: RUMANIA, CLAIMS AGAINST (2nd PROGRAM)—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Wash., DC 20409. Alphabetical Index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579.

Categories of individuals covered by the system: US nationals who suffered certain property losses in Rumania between Aug. 9, 1955, and March 30,1960.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended, US-Rumania Claims Agreement of March 30, 1960.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on December 24, 1971.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—29

System name: SOVIET UNION, CLAIMS AGAINST—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Wash., DC 20409, Alphabetical Index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579.

Categories of individuals covered by the system: US nationals suffering loss of property in Russia prior to November 16, 1933, and claims by individuals based upon liens acquired with respect to property in the US assigned to US Government by the Soviet Government under Litvinov Assignment of November 16, 1933.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title III, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on August 9, 1959.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—30

System name: YUGOSLAVIA, CLAIMS AGAINST (1st PROGRAM)—FCSC

System location: Washington National Records Center , GSA, 4205 Suitland Road, Washington, DC 20409. Alphabetical Index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered property losses in Yugoslavia prior to July 19, 1948.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949, and US-Yugoslavia Claims Agreement of July 19, 1948.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Under GSA security safeguards at Washington National Records Center.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on December 31, 1954.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St. NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

Contesting record procedures: Same as the above.

Record source categories: Individual on whom the record is maintained.

FCSC—31

System name: YUGOSLAVIA, CLAIMS AGAINST (2nd PROGRAM)—FCSC

System location: Washington National Records Center, GSA, 4205 Suitland Road, Washington, DC 20409. Alphabetical index to system maintained at Foreign Claims Settlement Commission, 1111 20th St., NW, Washington, DC 20579.

Categories of individuals covered by the system: US nationals who suffered losses in Yugoslavia which occurred between July 19, 1948, and November 5, 1964.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership, and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title I, International Claims Settlement Act of 1949, as amended, and US-Yugoslavia Claims Agreement of November 5, 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the ACt; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment by authorized FCSC personnel. Names and other data furnished by claimants used for verifying citizenship status with INS. Law enforcement: In the event that a system of records maintained by FCSC 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 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.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed numerically by claim number. File folders retrieved from Records Center by claim number. Alphabetical index used for identification of claim.

Safeguards: Records maintained under 5 U.S.C. 301. Disposal of records will be made in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful. This system of records was retired to the Washington National Records Center after the completion of the claims program on July 15, 1969.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th St., NW, Wash., DC 20579. 202/653-6156.

Notification procedure: Same as the above.

FCSC—32

System name: German Democratic Republic, Claims Against FCSC—32.

System location: Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. 20579, and General Services Administration Office, Region 3, Washington, D.C.

Categories of individuals covered by the system: U.S. national who suffered certain property losses in the German Democratic Republic.

Categories of records in the system: Claim application form containing name and address of claimant and representative, if any; date and place of birth or naturalization; nature and amount of claim; description, ownership and value of property; and evidence to support claim for the purpose of receiving compensation.

Authority for maintenance of the system: Title VI, International Claims Settlement Act of 1949, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used for the purpose of adjudicating claims of individuals; issuance of decisions concerning eligibility to receive compensation under the Act; notifications to claimants of rights to appeal; and preparation of certifications of awards, if any, to Treasury Department for payment. Names and other data furnished by claimants used for verifying citizenship status with INS. Law Enforcement: In the event that a system of records maintained by FCSC to carry out its functions indicates a violation or potential violation of law, whether civil or criminal or regulatory in nature, and whether arising by general statute or particular program statute 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 issue pursuant thereto.

The information contained in this system of records will be disclosed 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.

A record from this system of records may be disclosed as a routine use to a member of Congress or to a Congressional staff member in response to any inquiry of the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders with some information transferred to magnetic tape for ease of retrieval and location.

Retrievability: Filed numerically by claim number. Alphabetical index used for identification of claim. Information also may be retrieved by data printout.

Safeguards: At FCSC: Building employs security guards. Records are maintained in locked room accessible only to authorized FCSC personnel. At GSA: In computer files, under control by GSA in accordance with Privacy Act of 1974.

Retention and disposal: Records maintained under 5 U.S.C. 301. Disposal of records will be in accordance with 44 U.S.C. 3301-3314 when such records are determined no longer useful.

System manager(s) and address: Executive Director, Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. 20579. (Phone: 202-653-6156.)

Notification procedure: Same as above.

Contesting record procedures: Same as above.

Record source categories: Claimant on whom the record is maintained.

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INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO, UNITED STATES SECTION

PRIVACY ACT OF 1974

Systems of Records; Annual Publications

In accordance with Section 552a(e)(4) of the Privacy Act of 1974, the U.S. Section of the International Boundary and Water Commission hereby publishes the systems of records currently maintained by the Section. No changes have occurred since the last publication on August 25, 1976 (41 FR 36004–36012).

Dated this 25th day of August, 1977.

For the United States Section, International Boundary and Water Commission.

Frank P. Fullerton,
Special Legal Assistant.

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IBWC/US SEC.—1

System name: Attendance, Leave, and Payroll records of employees.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Name, Social Security Number and employee number, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, State and local tax deductions, as appropriate; Internal Revenue Service tax lien data; savings bond and charitable deductions; regular and optional government life insurance deduction(s), health insurance deduction and plan or code; cash award data; jury duty data; military leave data; pay differentials; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date; cost-of-living allowances; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; and "Notification of Personnel Action". The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal of data to United States Treasury to effect issuance of paychecks to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes.

Reporting: Tax withholding to Internal Revenue Service and appropriate State and local taxing authorities; FICA deductions to the Social Security Administration; dues deductions to labor unions; withholdings for health insurance to the insurance carriers and the United States Civil Service Commission; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and/or employee number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance when open is restricted to authorized personnel only. All payroll personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Cut off at the end of a calendar year; retained for 3 years or until after General Accounting Office audit, whichever is earlier; and then destroyed in accordance with standard procedures.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Resister (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individuals concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Subject individuals, supervisors, timekeepers, official personnel records, and Internal Revenue Service.

IBWC/US SEC.—2

System name: Accounts Receivable.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Persons owing money to the United States Section, including employees, former employees, business firms, general public, and institutions.

Categories of records in the system: Names and addresses; amounts owed and services performed, overpayment or other accounting therefor; invoice numbers, if any; and United States Treasury certificates of deposit numbers.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For billing purposes to obtain funds due the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and invoice number, as appropriate.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained until payment is received and account audited, then disposed of in accordance with standard procedures.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, EL Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, EL Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Subject individual; Procurement Section; and accounting records.

IBWC/US SEC.—3

System name: Confidential statements of employment and financial interests.

System location: Room 229, IBWC Building, 4110 Rio Bravo, EL Paso, Texas 79902.

Categories of individuals covered by the system: Employees paid at a level of the Executive Schedule in subchapter II of 5 U.S.C.53, and Section employees who are required by Executive Order 11222 to file such statements, including former employees.

Categories of records in the system: Statements of personal and family holdings and other interests in business enterprises; listing of creditors, outside employment and opinion of reviewing official; and any confirmation material.

Authority for maintenance of the system: Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To comply with United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 735). Records form an effective system of review for disclosing conflicts or apparent conflicts of interest on the part of employees. Records from this system may be forwarded to the United States Civil Service Commission when requested. Information may not be disclosed from a statement other than to designated employees who have an official need, except as the Chairman of the United States Civil Service Commission, or the Commissioner of the Section, may determine for a good cause shown.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in sealed envelopes.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in a locked box in a combination safe-metal file cabinet in a secured room, with access limited under very controlled conditions to those individuals whose official duties require access.

Retention and disposal: These records are disposed of 2 years after separation of the employee, in accordance with standard procedures.

System manager(s) and address: Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from the Commissioner, United States Section, International Boundary and Water Commission, Room 200, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Commissioner, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Employees on whom records are required to be maintained:

IBWC/US SEC.—4

System name: Individual identification cards.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Key employees of the two Sections of the International Boundary and Water Commission, whose duties necessitate travel across the border between the two countries in conduct of the Sections' business affairs.

Categories of records in the system: Names, titles, nationalities, places of birth, physical descriptions (color of hair, eyes, and height, etc.), and photographs.

Authority for maintenance of the system: 1944 Water Treaty; 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: For the identification of key employees of the two Sections of the International Boundary and Water Commission, whose duties necessitate travel across the border between the two countries in conduct of the Sections' business affairs.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index card records.

Retrievability: Filed by name—alphabetically.

Safeguards: Records are located in metal card-file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained for 6 years after cancellation, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained form Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Individuals to whom identification cards pertain.

IBWC/US SEC.—5

System name: Certificates of Medical Examination.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Medical certificates (SF-78* or equivalent) and any other medical records of examinations used to determine an employee's fitness for the job, and may include employee's name, date of birth, and Social Security Number. (* Parts D, E, and F of SF-78 are not considered a medical record, and are filed in the Official Personnel Folder.)

Authority for maintenance of the system: 5 U.S.C 3301, 3302; and Executive Order 10577.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine medical eligibility for appointment, and for changes in assignment within the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Upon employee's transfer to another agency or separation from Federal service, the sealed envelope with medical records attached on the right side of the Official Personnel Folder will be forwarded to National Personnel Records Center (Civilian), 111 Winnebago Street, St. Louis, Missouri 63118, within thirty (30) days after separation from Federal service, or to the agency to which the employee is transferring within thirty (30) days from such transfer. In the case of disability retirements, medical information is obtained and forwarded to the United States Civil Service Commission's Medical Officer in the El Paso, Texas area.

System manager(s) and address: Director of Personnel, United

States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above. Information may be released upon receipt of a subpoena, or to a nonfederal entity or person, upon written authorization from employee, and the extent of the information will be in accordance with United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 339).

Contesting record procedures: Rules for access to records for contesting contents and appealing initial determinations by the individual concerned, as published in the Section's rules in the Federal Register (41 FR 19625), are in accordance with United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 339).

Record source categories: Individual's physician or Section's designated physician covering individuals to whom the records pertain.

Systems exempted from certain provisions of the act: Subject system from Pub. L. 93-579, 552a, Sec. 3. (k)(6), unless approved for release by the Regional Medical Officer of the United States Civil Service Commission. Information will be given to the employee if determined by the Regional Medical Officer that the material is not considered detrimental to the employee's well-being. Medical information may also be released to a licensed physician designated in writing for that purpose by the individual to whom the information pertains, or to his or her designated representative.

IBWC/US SEC.—6

System name: Equal Employment Opportunity.

System location: Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Employees or applicants for employment who have filed complaints of discrimination against the Section.

Categories of records in the system: Affidavits concerning the complaint; correspondence and written documentation related to the complaint; and copies of personnel records and information covering how the complaint was resolved.

Authority for maintenance of the system: Executive Order 11478; Pub. L. 92-261; and Pub. L. 93-259.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To maintain records of discrimination complaints filed by employees or applicants for employment with the Section, and all documentation and information pertaining thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Records are retained for 7 years after close of the matter, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director, Equal Employment Opportunity, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (41 FR 19625).

Record source categories: From employees of, or applicants for employment with, the Section involved as complainants, witnesses, etc., in discrimination complaints; reports of investigations, and other materials prepared by the Equal Employment Opportunity Director, Equal Employment Opportunity Assistant, counselors, coordinators, and investigators; copies of Section documents relevant to any Equal Employment Opportunity investigations; and records of hearings on complaints.

IBWC/US SEC.—7

System name: Occupational Health and Injury Files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who have sustained injuries or have other occupational health problems.

Categories of records in the system: Accident reports (CA-1 and CA-2); claims for compensation for injury or occupational disease (CA-4); claims for continuance of compensation on account of disability (CA-8); logs of employees receiving medical services or who have sustained a work-related injury or disease; health and medical records, including medical reports on the compensation forms or in response to medical treatment and examination; and related correspondence.

Authority for maintenance of the system: 5 U.S.C. 81; 5 U.S.C. 7153; 5 U.S.C. 7901; The Occupational Safety and Health Act of 1970; and Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide information, including statistical data, required by the Occupational Safety and Health Administration, Department of Labor, and Office of Workers' Compensation Programs, Department of Labor.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in a lockable metal file cabinet in a secured area, with access limited to those individuals whose official duties require access.

Retention and disposal: Files are maintained indefinitely while individual is in employ of the Section. Upon separation, records are retained for 5 years and then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundry and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Official records are maintained by the Office of Workers' Compensation Programs (OWCP), New Orleans, Louisiana, or other district offices of the OWCP, and records contested must be filed with that agency under its contesting procedures. Information and address may be obtained from the Comptroller, address as noted under notification section above.

Record source categories: From employees who have suffered a work-related illness or injury; Section supervisory personnel; medical authorities treting or examining employee; and witnesses to an accident or occurrence giving rise to a claim.

Systems exempted from certain provisions of the act: Pub. L. 93-579, 552a, Sec. 3.(k)(1) and (4). Records maintained under this system are unofficial copies of OWCP records and are maintained to assist in processing compensation claims. Persons seeking information under this system should follow the directions given in the notification procedure above. Information will be given to supervisors and to the employee covered by the record if the material is not considered detrimental to the employee's well-being. Requests for information which appear detrimental will be referred to the OWCP for opinion prior to release.

IBWC/US SEC.—8

System name: Motor Vehicle Operator Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who are seeking or holding a United States Government Motor Vehicle Operator's Identification Card.

Categories of records in the system: Applications for government driver's licenses, Social Security Numbers, physical fitness statements, driving violation records, road test results, and pertinent correspondence.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et. seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide the Section with information necessary and relevant to the accomplishment of its functions covering motor vehicle operators; and to request information from State and local police departments to determine an employee's eligibility for a government license.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by name alphabetically.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retained 3 years after separation of employee or 3 years after rescission of authorization to operate a government-owned vehicle, whichever occurs earlier; then destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Individuals to whom records pertain, witnesses to driving violations, police and court records, and road test examiners.

IBWC/US SEC.—9

System name: Employees' travel records—initial appointment and/or change of duty stations.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Employees and applicants selected for appointment in shortage category occupations.

Categories of records in the system: Names, addresses, estimated travel expenses, modes of travel, employment service agreements, and travel orders.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Accounting and Auditing Act of 1950; and Federal Claims Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document authority for change of duty station travel and the payment of authorized travel expenses.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable paper copy.

Retrievability: Filed in chronological order.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retained according to General Services Administration Federal Travel Regulations, and then disposed of and destroyed in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (41 FR 19625).

Record source categories: Subject individual, supervisors, and Finance Office standard references.

IBWC/US SEC.—10

System name: Freedom of Information Act requests for records.

System location: Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Persons requesting copies of records from the United States Section under the provisions of the Freedom of Information Act, as amended.

Categories of records in the system: Names, addresses and telephone numbers of requesters; description or identification of records requested, furnished, and/or denied; dates of request and response; amount of fees paid, reduced, or waived, if any; payment delinquencies, if any; petitions of indigency; appeals of denials; final determinations; and names and titles of denying officials and determining officials.

Authority for maintenance of the system: Freedom of Information Act, as amended (Pub. L. 93-502).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For Annual Report to the Congress under section (d) of the Freedom of Information Act, as amended; and available for public inspection at all times.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed chronologically by date received.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Approved requests and denied requests which do not result in appeals or litigation: completed actions cut off at close of fiscal year and destroyed two years after cutoff in accordance with standard procedures. Denied requests resulting in appeals or litigation: cut off at close of fiscal year in which final determination is made. Transferred to Federal Archieves Records Center, Forth Worth, Texas, two years after cut off, and destroyed ten years after cutoff in accordance with standard procedures.

System manager(s) and address: Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Subject individuals, Section officers, and employees engaged in processing or making determinations with respect to Freedom of Information Act requests.

IBWC/US SEC.—11

System name: General Personnel Records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902, or Field Office where individual is employed.

Categories of individuals covered by the system: Current employees of the United States Section.

Categories of records in the system: General correspondence and files relating to employment or conditions of employment; promotion, Notification of Personnel Action (SF-50), and request for Personnel Action (SF-52) files; leave and training records; Central Personnel Data File (CPDF), and retirement records relating to personnel actions and determinations concerning an individual while employed. These records may contain information about an individual relating to name; date of birth; home address; telephone number; emergency, addresses; Social Security Number; Veteran's Preference; tenure; work connected injuries; handicap code; employment history; qualification background; past and present salaries; grades and position titles; training; awards and other recognition; counseling; performance appraisal; conduct; pay and leave; and data documenting reasons for personnel actions; decisions or recommendations concerning an emplòyee; and background data and documentation leading to an adverse action being taken against an employee.

Authority for maintenance of the system: 5 U.S.C. 1302, 2951, 4118, 4308, 4506, 7501, 7511, 7521; and Executive Order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records may be used:

(A) By an agency of the Federal government having oversight or review authorityo such as the United States Civil Service Commission.

(B) In the event an appeal is made outside the Section, records which are relevant may be referred to the appropriate agency charged with rendering a decision on the appeal.

(C) Information, without prior employee consent, can be disclosed as follows:

1. To the public: Employee name; position title/grade (past/present); salary (past/present); and duty station (past/present—as specific as building/room number).

2. To a prospective Federal employer: All items on Request for Preliminary Employment Data (SF-75).

3. To a prospective nonfederal employer: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present); tenure of employment; Civil Service status; length of service (Section/Federal government); and date/reason for separation (from Notification of Personnel Action SF-50).

4. To a police department/court: Any information requested for law enforcement purposes.

5. To a credit firm:

(a) May be provided: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present).

(b) May only be verified (the firm may be advised if its information is correct; if not correct, it is not permitted to disclose the "right answer"): Tenure of employment; Civil Service status; and length of service (Section/Federal government).

Any other disclosure requires prior written consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, index cards, and computer printouts.

Retrievability: Records are indexed by any combination of name, date of birth, Social Security Number, or employee identification number.

Safeguards: Records are located in locked metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained during the period of individual's employment with the Section; transferred to individual's Official Personnel Folder upon resignation, transfer or separation from Section service.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: From information supplied by applicable individuals, or as provided by applicable Section supervisors.

IBWC/US SEC.—12

System name: Investigative records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Current employees of the United States Section.

Categories of records in the system: Name, address, date and place of birth; citizenship status; physical characteristics; employment and military service history; arrest records; Federally-employed relatives; dates and purposes of visits to foreign countries; passport numbers; names of spouses, relatives, references, and personal associates; activities; and conflicts of interest, security, and suitability material.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine suitability for Federal employment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by employee name alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, and access limited to those individuals whose official duties require access.

Retention and disposal: The records consist of confidential background investigations for Section employees; and are filed in manila envelopes attached on the outside of the Official Personnel Folder, the envelopes bearing employee name and Social Security Number. When the employee transfers or separates, these records are placed in the Official Personnel Folder and disposed of as part of such Official Personnel Folder.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States section, International boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the section's rules published in the Federal Register (41 FR 19625).

Record source categories: Applications and other personnel and security forms furnished by the individual; investigative and other record material furnished by other Federal agencies; notices of personnel actions furnished by other Federal agencies; personal investigations or written inquires from sources such as employers, educational institutions, references, neighbors, associates, police departments, courts, credit bureaus, medical records, probation officials, prison officials, newspapers, magazines, periodicals, and other publications; and published hearings of Congressional Committees.

Systems exempted from certain provisions of the act: Certain records contained within this system of records are exempt from 5

U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), (I), and (f). Reference• Section's rules published in the Federal Register (41 FR 19625).

IBWC/US SEC.—13

System name: Employees' vehicle accident reports.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Full names and addresses of persons involved and their individual statements; vehicle tag number; service and repairs required; invoice number; cost code; and applicable appropriation symbol.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1941, as amended (40 U.S.C. 471, et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For Finance Section employees to complete billing procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By employee name, date of accident, and invoice number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retain on hand 3 fiscal years, and then dispose of and destroy in accordance with standard procedures.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules published in the Federal Register (41 FR 19625).

Record source categories: From subject individual, supervisors and/or Finance Section's standard references.

IBWC/US SEC.—14

System name: Records of cash receipts.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Individuals and companies making payments to cover goods acquired and services rendered; reimbursements for overpayments; and miscellaneous monies received by the Section.

Categories of records in the system: Names of individuals or companies; goods acquired or services rendered; amounts; dates; check numbers; locations; bank deposit information; and United States Treasury deposit numbers.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Accounting for all monies received by the Section.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable paper copy.

Retrievability: By name and/or account or invoice number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Retained for one year following the end of the fiscal year; then transferred to Federal Archives Records Center, Fort Worth, Texas.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Subject individual and/or company.

IBWC/US SEC.—15

System name: Disciplinary Action, Appeal, and Grievance Files; and Unfair Labor Practice Charges/Complaints.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Section employees who have had disciplinary actions taken against them, and who have filed appeals or grievances.

Categories of records in the system: Warning letters and official reprimand files; grievance files (Section or negotiated); adverse action decision letters; disciplinary action files; appeals hearing transcripts (if held); background information in support of disciplinary and adverse actions; and unfair labor practice charges/complaints.

Authority for maintenance of the system: Executive Orders 10987, 11491, 11787; and 5 U.S.C. 77.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(a) To the United States Civil Service Commission upon request in conjunction with any appeal or in conjunction with its official duties pertaining to personnel matters and investigations regarding complaints of Federal employees or applicants for employment.

(b) To designated officers and employees of other Federal agencies conducting investigations of an individual for the purpose of granting security clearance or access determination, and having a need to evaluate qualifications, suitablility and loyalty to the United States Government in connection with employment.

(c) In the event of any indication of violation or potential violation of the law, to the appropriate Federal agency charged with the responsibility of investigating or prosecuting such violation, or charged with enforcement or implementation of the statute, rule, regulation or order issued pursuant thereto.

(d) To respond to a court subpoena or response to a district court in connection with a civil suit.

(e) To designated hearing examiners, arbitrators, and third-party appellate authorities involved in the hearing or appeal processes.

(f) To investigative officials of the Department of Labor and Federal Labor Relations Council for settlement of a complaint or appeal.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By employee name, filed alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to individuals whose official duties require access.

Retention and disposal: Records involving court actions are retained permanently; all others retained 7 years after completion of action, and then disposed of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Individuals to whom records pertain; Section officials; affidavits or statements from employees; testimony of witnesses; official documents relating to appeals, grievances, or complaints; and correspondence from specific organizations or individuals.

IBEW/US SEC.—16

System name: Official Personnel Folders.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Official Personnel Folders containing name, Social Security Number; date of birth; employment history; education; job and pay data; performance reviews; letters of commendation; reprimands; training certificates; salary and benefits information, to include allowance and insurance data; travel orders and general correspondence; other personnel data such as security clearance, loyalty, military service evidence, injury reports, suggestions, health qualification records, etc.

Authority for maintenance of the system: Executive Order 10561; and United States Civil Service Commission Regulations (Federal Personnel Manual Chapters 293 and 294).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

(A) To provide hard-copy documentation on employees' current job and pay data, past job history, career progression, etc. Used to determine qualifications and to provide information for processing personnel actions.

(B) Information, without prior employee consent, can be disclosed as follows:

1. To the public: Employee name; position title/grade (past/present); salary (past/present); and duty station (past/present—as specific as building/room number).

2. To a prospective Federal employer: All items on Request for Preliminary Employment Data (SF-75).

3. To a prospective nonfederal employer: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present); tenure of employment; Civil Service status; length of service (Section/Federal government); and date/reason for separation (from Notification of Personnel Action SF-50).

4. To a police department/court: Any information requested for law enforcement purposes.

5. To a credit firm:

(a) May be provided: Employee name; position title/grade (past/present); salary (past/present); duty station (past/present).

(b) May only be verified (the firm may be advised if its information is correct; if not, it is not permitted to disclose the "right answer"): Tenure of employment; Civil Service status; and length of service (Section/Federal government).

Any other disclosure requires prior written consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders

Retrievability: Filed by employee name—alphabetically.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to individuals whose official duties require access.

Retention and disposal: Retained for duration of employment, and then folders are transmitted to the Personnel Records Center (Civilian) at 111 Winnebago Street, St. Louis, Missouri, 63118, within 30 days after separation—except for those employees leaving on military furlough, or with retirement applications pending, or compensation cases which are pending and which have not been adjudicated.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, as conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for acess for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Applications for employment; applications for fidelity bonds; college transcripts; personnel actions; performance reviews and/or personnel evaluation reports; letters of commendation or reprimand; training certificates; travel orders; employee insurance data; certificates of clearance; and loyalty affidavits.

IBWC/US SEC.—17

System name: Service records.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Official summary of employment history to include name, Social Security Number, date of birth, service computation date, Veteran's Preference, life insurance enrollment, retirement data, handicap code, performance reviews (date and type), service award data, and employment record to include date, type, job, pay, and separation data.

Authority for maintenance of the system: United States Civil Service Commission Regulations (Federal Personnel Manual Chapter 293-31).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To have a ready reference to official summary of employment histories, chronology of personal and service data of employees, and provide information for processing personnel actions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records filed in Kardex or file box.

Retrievability: Arranged by (a) budgeted position in organization sequence; (b) pay plan; and (c) descending grade level within each pay plan.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those individuals whose official duties require access.

Retention and disposal: Retain 3 years after employee's separation from the Section, then dispose of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Personnel actions, performance reviews and/or personnel evaluation reports; application forms, and training and service award certificates.

IBWC/US SEC.—18

System name: Employment resources files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Applicants for employment with the United States Section.

Categories of records in the system: Applications for employment; personal qualifications statement (SF-171); and other pertinent employment data.

Authority for maintenance of the system: 5 U.S.C. 301; 15 U.S.C. 634(b)(6); and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To maintain a source of qualified applicants for the purpose of filing vacancies.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records files in file folders.

Retrievability: Grouped by positions for which applicants appear qualified; arranged by name within position groupings.

Safeguards: Records are located in lockable metal file cabinets or metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Applications considered active for 2 years; then destroyed after 2 years from date signed, in accordance with standard procedures—except upon written request that they be returned to individuals.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules published in the Federal Register (41 FR 19625).

Record source categories: Applicants; previous employers.

IBWC/US SEC.—19

System name: Incentive Awards files.

System location: Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section, or non-employees who submit suggestions.

Categories of records in the system: Award certificates; letters of commendation, citation, and awards; letters of non-adoption of suggestions.

Authority for maintenance of the system: 5 U.S.C. 45.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To document staff or other agency comments in support of justification for, or disapproval of, award nominations in order to present findings to Incentive Awards Committee or other Section officials or, at its request, to the United States Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Suggestions—by number; performance nominations—chronologically by type of award.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured room or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at end of calendar year, retained for 2 years, and then disposed of in accordance with standard procedures.

System manager(s) and address: Director of Personnel, United States Section, International Boundary and Water Commission, Room 223, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC, Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Employees, supervisors, management officials, Incentive Awards Committee, officials of other agencies, and members of the public, if appropriate.

IBWC/US SEC.—20

System name: Travel advance information files.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section who are required to travel.

Categories of records in the system: Employees' names, areas of assignment, and dollar amounts advanced.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: By the Finance Section to monitor travel advance expenditures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index card records.

Retrievability: Filed by employee name, alphabetically.

Safeguards: Records are located in metal card file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at end of fiscal year; retained for 3 years, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned, appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: From Imprest Fund receipts signed by employee-traveler when amount is under 150 dollars, and from Bureau schedules for checks issued by the United States Treasury to employee-traveler when the amount is above 150 dollars.

IBWC/US SEC.—21

System name: Employer's tax return files.

System location: Room 229, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: All employees of the United States Section.

Categories of records in the system: Federal and State monthly and/or quarterly employee withholding tax form information; computer printouts, magnetic tapes and related documents showing reports of Federal and State taxes withheld from employees, and the banking and payment thereof.

Authority for maintenance of the system: Budget and Accounting Act of 1921; Budget and Accounting Procedures Act of 1950; and 31 U.S.C. 665.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For reconciliation and payment of taxes withheld from employees and employer's share; to provide Internal Revenue Service with record representing wages covered by Social Security.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manual and machine-readable copy.

Retrievability: By name and/or employee number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Cut off at the close of fiscal year, retained for 2 years, and then destroyed in accordance with standard procedures.

System manager(s) and address: Director, General and Financial Services, United States Section, International Boundary and Water Commission, Room 227, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Data stored in payroll master file.

IBWC/US SEC.—22

System name: Privacy Act request file.

System location: Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Categories of individuals covered by the system: Individuals requesting information on records concerning them or someone on whose behalf the individual is authorized to act which are in the custody of the United States Section, or individuals requesting access or amendment to such records under the provisions of The Privacy Act of 1974, 5 U.S.C. 552a.

Categories of records in the system: Copies of correspondence between individuals and Section custodian official; written summaries of conversations with individuals; coordination documents between the Section and other Federal, State, and local government agencies when records which are the subject of an individual inquiry were originated by another agency; and copies of documents which are the subject of an individual inquiry. Originals of amendment requests, refusals, and appeals accumulated by the custodian of the records concerned are included in the file containing those records.

Authority for maintenance of the system: The Privacy Act of 1974, 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To process and coordinate requests for information, access, and amendment of personal records; to process and record appeals by individuals against Section rulings; and to assure timely response to requesters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by requester's name.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises, with access limited to those individuals whose official duties require access.

Retention and disposal: Approved and/or denied requests not resulting in appeals or litigation—completed actions cut off at close of fiscal year and destroyed 2 years after cutoff in accordance with standard procedures. Denied requests resulting in appeals or litigation—cut off at close of fiscal year in which final determination is made; transferred to Federal Archives Record Center, Fort Worth, Texas, 2 years after cutoff; destroyed 10 years after cutoff in accordance with standard procedures.

System manager(s) and address: Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC Building, 4110 Rio Bravo, El Paso, Texas 79902.

Notification procedure: Information may be obtained from Comptroller, United States Section, International Boundary and Water Commission, Room 212, IBWC, Building, 4110 Rio Bravo, El Paso, Texas 79902.

Record access procedures: Requests from individuals should be addressed to Comptroller, same address as stated in the notification section above, and conform to the inquiry provisions of the Section's rules as published in the Federal Register (41 FR 19625).

Contesting record procedures: Rules for access for contesting contents and appealing initial determinations by the individual concerned appear in the Section's rules as published in the Federal Register (41 FR 19625).

Record source categories: Individual requesters, and agencies of the Federal, State, and local governments.

[FR Doc.77-27840 Filed 9-21-77;8:45 am]

INTERNATIONAL TRADE COMMISSION

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

The purpose of this document is to give notice that the systems of records identified in a notice published in the Federal Register at 40 F.R. 41981-41983 and modified by additional routine uses at 42 F.R. 1082-1084 continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.

Issued: August 29, 1977.

Kenneth R. Mason,
Secretary.

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Employment and Financial Disclosure Records
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System name: Employment and Financial Disclosure Records—U.S.I.T.C.

System location: Deputy Counselor for Employee Responsibilities and Conduct (Assistant to the General Counsel), Office of the General Counsel, United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

Categories of individuals covered by the system:

1. GS Employees: all current employees of the U.S.I.T.C. at grade 15 and above and all GS-14's employed by the U.S.I.T.C. who are in supervisory positions must file a Confidential Statement of Employment and Financial Interests for government employees.

2. Special Employees: all special employees of the U.S.I.T.C. must file a Confidential Statement of Employment and Financial Interests for "Special Government Employee" is defined at 18 U.S.C. 202 and includes, but is not limited to, experts, consultants and advisors hired for temporary duties either on a full-time or intermittent basis.

Categories of records in the system:

1. GS Employees: This system of records consists of a confidential statement of employment and financial interest. Employees of the U.S.I.T.C. required to file this statement must list the names of all corporation, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions: (a) with which the employee is connected as an employee, officer, owner, director, member, trustee, partner, adviser, or consultant; or (b) in which the employee has any continuing financial interests, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or (c) in which the employee has any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

An employee of the U.S.I.T.C. required to file this statement must also list the names of his creditors other than those to whom he may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom he may be indebted for current and ordinary household and living expenses such as household furnishings, automobiles, education, vacation and similar expenses.

Further, the U.S.I.T.C. employee required to file such a statement must list his interest in real property or rights in lands, other than property which he occupies as a personal residence. If any of the above information is to be supplied by other persons, e.g., trustee, attorney, accountant, relative, the employee must also list the names and addresses of such persons, the date upon which the employee requested that the information be supplied, and the nature of the subject matter involved.

2. Special Employees: this system of records consists of a confidential statement of employment and financial interests for special employees. The special appointee must disclose all other federal agencies and other organizational segments of the U.S.I.T.C. in which he is presently employed. He must also name all corporations, companies, firms, State or local Governmental organizations, research organizations, and educational or other institutions in which he is serving as employee, officer, member, owner, trustee, director, expert, adviser, or consultant, with or without compensation.

The Special Employee must also disclose his financial interests by listing the names of all corporations, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions in which he has any financial interest in any amount through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

Authority for maintenance of the system:

1. The Confidential Statement of Employment and Financial Interests for GS-employees is required by section 402 of Executive Order 11222, dated May 8, 1965, prescribing standards of ethical conduct for Government officers and employees.

2. The confidential statement of employment and financial interest for special Government employees is required by section 306 of Executive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

a. By the Deputy Counselor for Employee Responsibilities and Conduct to determine whether or not an employee has a direct or indirect financial interest which conflicts substantially, or appears to conflict substantially, with his U.S.I.T.C. duties or responsibilities.

b. By the Deputy Counselor to determine whether a U.S.I.T.C. employee has engaged in, directly or indirectly, a financial transaction as a result of, or primarily relying on, information obtained through U.S.I.T.C. employment.

c. For review by the Deputy Counselor. The Deputy Counselor is responsible for maintaining these records in confidence and may not disclose information from these records to other persons or agencies except as the Civil Service Commission or the Chairman of the U.S.I.T.C. may determine for good cause shown.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in folders.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained.

Safeguards: These records are kept in a locked filing cabinet in the office of the Deputy Counselor for Employee Responsibilities and Conduct (Assistant General Counsel), who is the only official with authorized access to them. However, the Statements of Employment and Financial Interest of the Deputy Counselor (Assistant General Counsel) and or of his immediate superior (the General Counsel) are submitted directly to the Counselor for Employee Responsibilities and Conduct (one of the U.S.I.T.C. commissioners).

Retention and disposal: These records are maintained by the Deputy Counselor while the employee is at the U.S.I.T.C. and for 5 years after the employee has left the U.S.I.T.C. Thereupon these records are destroyed.

System manager(s) and address: Deputy Counselor for Employee Responsibilities and Conduct (Assistant General Counsel), Office of the General Counsel, United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

Notification procedure: Director, Office of Personnel and Management Systems (Same address as above).

Record access procedures: Director, Office of Personnel and Management Systems (Same address as above).

Record source categories: Information in this system is supplied by the individuals to whom the records pertain.

System name: Budgetary and Payroll-Related Records—U.S.I.T.C.

System location:

1. For all budgetary and payroll-related records:
Office of Financial Management, United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

2. For activity accounting sheets only:
Office of Automatic Data Processing (Same address as above).

Categories of individuals covered by the system:

1. Current U.S.I.T.C. employees (e.g. three-year budget cards).

2. Former U.S.I.T.C. employees (e.g. lump-sum leave payments records).

Categories of records in the system: This system of records consists of 16 identifiable sub-systems: (1) action cards (of step increases and personnel actions); (2) three-year budget cards; (3) lump-sum leave payments; (4) reassignment and reclassification records; (5) overtime records; (7) financial statements; (8) leave

without pay records; (9) records of separations; (10) records of new appointments; (11) the comprehensive payroll; (12) bond listing; (13) the master list of employees; (14) activity accounting sheets; (15) financial aid applications for non-government training; (16) travel vouchers and travel authorizations records.

(1) Action cards contain information as to the dates and amounts of step increases, salary adjustments and promotions.

(2) Three-year budget cards give an employee's basic salary for the preceding year, grade for the current year, dates and amounts of step increases, basic salary at the end of the current year, basic salary in the interim, the activity, division and grade number.

(3) Lump sum leave payments record the amount paid, the number of days involved and are indexed by name and date.

(4) Reassignment and reclassification records are indexed by name and include information on the date of increase, the annual rate, the accumulated increase, the added cost per pay period, the estimated cost, the accumulated cost and the division.

(5) Overtime records are indexed by division and by name and contain information as to an employee's social security number, grade and salary, and the number of hours overtime.

(6) Cost of intermittent employees and consultants records list the hours the individual worked and the amount paid.

(7) Financial statements contain information by division by name which is used in computing the budget.

(8) Leave without pay records list the cumulative amount by pay period and by names.

(9) Records of separations list the date, division, grade, annual salary, accumulated annual salary, rate per pay period, number of pay periods, fiscal year cost, accumulated fiscal year cost, and appointment action.

(10) Records of new appointments contain the same types of information as records of separations.

(11) The Comprehensive payroll lists an employee's gross pay, deductions, federal and state taxes, insurance, bonds, overtime, leave used and accumulated.

(12) The bond listing shows what an employee spent on bonds, the purchase price, denomination, the previous balance, the amount deducted each pay period.

(13) The master list of employees contains an employee's grade, current address, all deductions to pay, and the number of hours worked.

(14) Activity accounting sheets contain the employee's name, project number and title.

(15) Financial aid applications for non-government training contain the employee's name, course number, institution, course description, reimbursable costs, tuition, and a listing of all government-sponsored training at non-government facilities which the employee has taken for the past ten years.

(16) Travel vouchers and travel authorizations list expenses which an employee has incurred while traveling on U.S.I.T.C. business, dates, destinations and names.

Authority for maintenance of the system: 31 U.S.C. 1 et seq. O.M.B. Circular A-11, June, 1975.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used only for the purpose of computing the budget and keeping a record of certain employees expenses. Certain of these records are also routinely kept by G.S.A. Disclosure of such records to C.S.C. auditors occurs periodically.

Routine uses of records maintained in this system shall include providing a copy of an employee's Department of the 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 jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517, or in the absence thereof, pursuant to 5 U.S.C. 5516, 5517, or 5520, or in the absence thereof in response to a written request from an appropriate official of the taxing jurisdiction to the Chief of Financial Management, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436. The request must include a copy of the applicable statute or ordinance 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.

Pursuant to a withholding agreement between a city and the Department of the Treasury (5 U.S.C. 5520), copies of executed city tax withholding certificates shall be furnished the city in response to a written request from an appropriate city official to the Chief of Financial Management, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

In the absence of a withholding agreement, the social security number will be furnished only to a taxing jurisdiction which has furnished this agency with evidence of its independent authority to compel disclosure of the social security number, in accordance with Section 7 of the Privacy Act, Public Law 93-579.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on index cards or in file folders as the case may be. Activity accounting records are maintained in two locations within the agency: The Office of Financial Management and the Office of Automatic Data Processing. A.D.P. punches this information and feels it, via the U.S.I.T.C. terminal, into the computer for the District of Columbia government, U.S.I.T.C. records in the custody of the D.C. government are maintained on tape in locable cabinets.

Retrievability: These records are indexed by the names of the individuals on whom they are maintained. In certain instances the social security number and certain dates (e.g. date of step increase) are also used as identifiers.

Safeguards: These records are all kept in lockable metal filing cabinets or secured rooms. Only authorized employees are permitted access to them.

Retention and disposal: These records are maintained for as long as necessary to fulfill their purpose. For instance, activity accounting records are only useful in computing costs of activities for a particular fiscal year, hence, these records are disposed of, or, in the case of tapes, erased at the end of each year. Where a general records retention and disposal schedule or the records control schedules of the U.S.I.T.C. are applicable, such records are retained in accordance with the periods specified therin and are disposed of in accordance therewith.

System manager(s) and address: Chief, Office of Financial Management, United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

Notification procedure: Director, Office of Personnel and Management Systems (Same address as above).

Record access procedures: Director, Office of Personnel and Management Systems (Same address as above).

Record source categories: Information in this system largely comes from personnel forms completed by the individual and from the original comprehensive payroll, maintained by G.S.A.

System name: Time and Attendance Records—U.S.I.T.C.

System location:

Office of the Chairman
Office of the Vice-Chairman
Offices of the other Commissioners
Office of the Secretary
Office of the Executive Director
Office of Financial Management
Services Division
Office of the Special Advisor—Trade Agreements
Office of Economic Research
Office of the General Counsel
Office of Investigations
Office of A.D.P.
Office of Trade and Industry
Support Division
Accounting
Suitland Office
New York Office
Agriculture Division
Ceramics Division
Chemicals Division
Lumber and Paper Division
Metals Division
Sundries Division
Textiles Division

United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

Categories of individuals covered by the system: All Current employees of U.S.I.T.C.

Categories of records in the system: This system of records contains an employee's name, address, social security number, service

computation date and leave category and is used to compute the employee's attendance by pay period. G.S.A. Form 873 is used to compute attendance on an annual basis and contains information as to the amount of annual leave, sick leave, comp. leave, L.W.O.P., A.W.O.L., military leave and other leave used. G.S.A. form 856-B is used to compute the same information for each two week pay period.

Authority for maintenance of the system: 5U.S.C. 6101. G.S.A. Forms 873 and 856-B.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used for the purpose of computing time and attendance for U.S.I.T.C. employees. Such records are routinely sent to G.S.A., the agency which maintains the master records on federal employee attendance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on the two forms as aforementioned.

Retrievability: These records are indexed by the name and social security number of the employees on whom they are maintained.

Safeguards: While these records are in the custody of the various division heads within the U.S.I.T.C., they are maintained in lockable metal filing cabinets or in secured rooms.

Retention and disposal: These records are retained and disposed of in accordance with general records schedules and the records control schedules, as applicable.

System manager(s) and address: Chief, Office of Financial Management, United States International Trade Commission, 701 E Street, N.W., Washington, D.C. 20436.

Notification procedure: Director, Office of Personnel and Management Systems (Same address as above).

Record access procedures: Director, Office of Personnel and Management Systems (Same address as above).

Record source categories: The individual on whom the record is maintained supplies the data for this system.

Appendix

In the event that a system of records maintained by this agency 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 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 pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of any 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 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 in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of Federal personnel management.

A record from this system of records may be disclosed to officers and employees of a Federal agency for purposes of audit.

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to this agency under agreement with GSA.

[FR Doc.77-27841 Filed 9-21-77;8:45 am]

JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

PRIVACY ACT OF 1974

System of Records; Annual Publication

In accordance with 5 U.S.C. 552a(e)(4), the Joint Board hereby publishes notices of systems of records currently maintained by the Joint Board. No changes in these systems have occurred since the last annual publication of notices on December 13, 1976 at 41 Federal Register 54465.

Dated: August 30, 1977.

Rowland E. Cross,
Chairman, Joint Board for the Enrollment of Actuaries.

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JBEA—1

System name: Application Files—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, N. W., Suite 1537, Washington, D. C.

Categories of individuals covered by the system: Individuals who have applied for enrollment to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies.

Categories of records in the system: 1) Completed application form. 2) Information relating to determination by the Joint Board as to whether individuals satisfy standards and qualifications established pursuant to Title 29 U. S. Code, Section 1242.

Authority for maintenance of the system: 29 U.S.C. 1242.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Determinations as to whether to enroll individuals to perform actuarial services with respect to plans to which the ERISA applies. 2) Apparent violations of civil or criminal laws will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil, court action or regulatory order. 3) References to Departments of Labor and/or Treasury for purposes of administering ERISA. 4) Reference to Department of Justice for advice or action when appropriate. 5) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Records contained in this system will be retained for five years from the date of receipt of the application.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's licenses and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D. C. 20220, (202) 634 5071

Contesting record procedures: Same as above.

Systems exempted from certain provisions of the act: Exemption from 5 U. S. Code, Section 552a(e)(4)(I), and from other provisions of the Privacy Act, is sought pursuant to 5 U. S. Code, Section 552a(k)(2).

JBEA—2

System name: Charge Case Inventory Files—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, NW., Suite 1537, Washington, D.C.

Categories of individuals covered by the system: Individuals enrolled to perform actuarial services under Employee Retirement Income Security Act (ERISA) with respect to whom derogatory information has been received.

Categories of records in the system: 1) Completed application form, 2) Additional information received pursuant to request of the Joint Board. 3) Derogatory information regarding individuals' eligibility to perform and performance of actuarial services with respect to plans to which ERISA applies.

Authority for maintenance of the system: Title 29, U. S. Code, Section 1242

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Determinations as to whether individuals' enrollment to perform actuarial services with respect to plans to which ERISA applies should be suspended or terminated. 2) Apparent violations of civil or criminal law will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action or regulatory order. 3) Reference to Department of Justice for advice or action when appropriate. 4) Reference to investigative offices of other agencies for fuller development of facts. 5) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Records contained in this system will be retained until the matters which justified their inclusion in the Inventory have been resolved. At that time, such records will be transferred to other appropriate systems.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury Washington, D. C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, drivers licenses and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals, and procedures for contesting information contained in such records, should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D. C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Systems exempted from certain provisions of the act: Exemption from 5 U. S. Code, Section 552a(e)(4)(I), and from other provisions of the Privacy Act, is sought pursuant to 5 U. S. Code, Section 552a(k)(2).

JBEA—3

System name: Denied Applications—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, N. W., Suite 1537, Washington, D. C.

Categories of individuals covered by the system: Individuals whose applications for enrollment to perform actuarial services, with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies, have been denied.

Categories of records in the system: 1) Completed application form 2) Information relating to determination by the Joint Board as to whether individuals satisfy standards and qualifications established pursuant to Title 29 U. S. Code, Section 1242.

Authority for maintenance of the system: Title 29 U. S. Code, Section 1242

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) In event of reapplication, determinations as to whether to enroll individuals to perform actuarial services. 2) Apparent violations of civil or criminal laws will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action or regulatory order. 3) Reference to Departments of Labor and/or Treasury for purposes of administering ERISA. 4) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unncessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Records contained in this system will be retained for 25 years from the date of receipt of an application.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries c/o Department of the Treasury Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director Joint Board for the Enrollment of Actuaries c/o Department of the Treasury Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's license and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director Joint Board for the Enrollment of Actuaries c/o Department of the Treasury Washington, D.C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Record source categories: Application files.

JBEA—4

System name: Enrollment Files—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director 2401 E Street, NW. Suite 1537 Washington, D.C.

Categories of individuals covered by the system: Individuals enrolled to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies.

Categories of records in the system: 1) Completed application for enrollment form. 2) Information relating to determination by the Joint Board that individuals satisfy standards and qualifications established pursuant to Title 29 U.S. Code, Section 1242. 3) Investigatory materials which have been used to determine whether to suspend or terminate individuals' enrollments.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Use in connection with disciplinary actions pursuant to Title 29 U.S. Code, Section 1242. 2) Apparent violations of civil or criminal laws will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action or regulatory order. 3) Verification of enrollment status. 4) Reference to Department of Justice for advice or action when appropriate. 5) Reference to Departments of Labor and/or Treasury for purposes of administering ERISA. 6) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Individuals' files are retained for ten years subsequent to the termination of their enrollments.

System manager(s) and address: Executive Director Joint Board for the Enrollment of Actuaries c/o Department of the Treasury Wasington, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director Joint Board forthe Enrollment of Actuaries c/o Department of the Treasury Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's license and credit cards will be accepted absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director Joint Board for the Enrollment of Actuaries c/o Deparment of the Treasury Washington, D.C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Systems exempted from certain provisions of the act: Exemption from 5 U.S. Code, Section 552a(e)(4)(I), and from other provisions of the Privacy Act, is sought pursuant to 5 U.S. Code, Section 552a(k)(2).

JBEA—5

System name: Enrollment Roster—JBEA

System location: Joint Board for the Enrollment of Actuaries Office of the Executive Director 2401 E Street, NW. Suite 1537 Washington, D.C.

Categories of individuals covered by the system: Individuals enrolled to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies.

Categories of records in the system: List of enrolled individuals.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Copies of roster may be furnished to representatives of Departments of Labor and Treasury who have occasion to meet and/or correspond with enrolled actuaries. 2) Disclosure to public pursuant to 5 U.S.C., Section 552. 3) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Three by five cards and/or computerized printout.

Retrievability: This system is indexed by name of individual.

Safeguards: This system is public information.

Retention and disposal: This system is permanently maintained and periodically updated.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220, (202) 634-5071

Contesting record procedures: Same as above

Record source categories: Enrollment files.

JBEA—6

System name: General Correspondence File—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, NW., Suite 1537, Washington, D.C.

Categories of individuals covered by the system: General Public.

Categories of records in the system: Generally inquiries and comments from the general public.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Provide answers to inquiries or other information regarding the operation of the Joint Board. 2) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Correspondence received is indexed alphabetically by last name of writer.

Safeguards: The Office of the Executive Director keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations will be conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Correspondence contained in this file is disposed of after five years from the date of receipt.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's license and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Record source categories: General public.

JBEA—7

System name: General Information—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, NW., Suite 1537, Washington, D.C.

Categories of individuals covered by the system: Individuals who have not applied for enrollment to perform actuarial services but with respect to whom information relevant to any future application has been received.

Categories of records in the system: 1) Information relating to determinations by the Joint Board as to whether individuals satisfy standards and qualifications established pursuant to Title 29 U.S. Code, Section 1242. 2) See Appendix to this notice.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Determinations, as to whether to enroll individuals to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies, to be made at such times as applications are received from such individuals. 2) Apparent violations of civil or criminal laws will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action or regulatory order. 3) Reference to Department of Justice for advice or action when appropriate. 4) Reference to investigative offices of other agencies for fuller development of facts. 5) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: General information is retained for 20 years after receipt thereof.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220.

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's license and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Systems exempted from certain provisions of the act: Exemption from 5 U. S. Code, Section 552a (e)(4)(I), and from other provisions of the Privacy Act, is sought pursuant to 5 U.S. Code, Section 552a(k)(2).

JBEA—8

System name: Suspension and Termination Files—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, NW., Suite 1537, Washington, D.C.

Categories of individuals covered by the system: Individuals whose enrollments to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies have been suspended or terminated.

Categories of records in the system: 1) Completed application for enrollment form. 2) Information relating to determination by the Joint Board as to whether individuals satisfy standards and qualifications established pursuant to Title 29 U.S. Code, Section 1242. 3) Additional information received pursuant to request of the Joint Board made under authority of 20 CFR, Section 901.10(b). 4) Derogatory information regarding individuals' eligibility to perform actuarial services with respect to plans to which ERISA applies or evidence of disreputable conduct within meaning of Title 20, CFR. 5) Record of administrative proceeding for suspension or termination.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Maintain record of those whose enrollment to perform actuarial services has been suspended or terminated. 2) Apparent violation of civil or criminal law will be referred to appropriate law enforcement authorities for investigation and possible criminal prosecution, civil court action or regulatory order. 3) Reference to Department of Justice for advice or action when appropriate. 4) Reference to Departments of Labor and/or Treasury for purpose of administering ERISA. 5) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: This system is indexed by name of individual.

Safeguards: This Office keeps all access doors locked when Office personnel are not present. Office personnel are cautioned against unnecessary exposure of information contained in Office files. Security investigations are conducted with respect to all Office of Executive Director personnel.

Retention and disposal: Retain until 25 years after case closed.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Individuals inquiring about records regarding them will be requested to provide reasonable identification. Items such as employment identification cards, driver's license and credit cards will be accepted as sufficient absent any indications to the contrary.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220 (202) 634-5071

Contesting record procedures: Same as above

Systems exempted from certain provisions of the act: Exemption from 5 U.S. Code, Section 552a (e)(4)(I), and from other provisions of the Privacy Act, is sought pursuant to 5 U.S. Code, Section 552a(k)(2).

JBEA—9

System name: Suspension and Termination Roster—JBEA

System location: Joint Board for the Enrollment of Actuaries, Office of the Executive Director, 2401 E Street, NW., Suite 1537, Washington, D.C.

Categories of individuals covered by the system: Individuals whose enrollments to perform actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies have been suspended or terminated.

Categories of records in the system: List of actuaries whose enrollment has been suspended or terminated.

Authority for maintenance of the system: Title 29 U.S. Code, Section 1242.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: 1) Copies of roster may be furnished to representatives of Departments of Labor and Treasury who have occasion to meet and/or correspond with enrolled actuaries. 2) Disclosure to public pursuant to 5 U.S. Code, Section 552. 3) See Appendix to this notice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Three by five cards and/or computerized printout

Retrievability: This system is indexed by name of individual.

Safeguards: This system is public information.

Retention and disposal: This system is permanently maintained and periodically updated.

System manager(s) and address: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220

Notification procedure: Inquiries should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220.

Record access procedures: Inquiries concerning access to records regarding identifiable individuals and procedures for contesting information contained in such records should be addressed to: Executive Director, Joint Board for the Enrollment of Actuaries, c/o Department of the Treasury, Washington, D.C. 20220, (202) 634-5071

Contesting record procedures: Same as above

Record source categories: 1) Suspension and Termination files.

APPENDIX: ADDITIONAL ROUTINE USES

A record maintained by the Joint Board for the Enrollment of Actuaries (the Joint Board) to carry out its functions 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, provided that disclosure is compatible with the purpose for which such record was collected.

A record maintained by the Joint Board to carry out its functions may be disclosed in response to a court subpoena, to appropriate parties engaged in litigation or in preparation of possible litigation such as potential witnesses for the purpose of securing their testimony when necessary to courts, magistrates or administrative tribunals, to parties and their attorneys for the purpose of proceeding with litigation or settlement of disputes, to individuals seeking information by using established discovery procedures, whether in connection with civil, criminal or regulatory proceedings.

Disclosure from the record of an individual may be made to a congressional office, in response to an inquiry which such congressional office presents as being made on behalf of, and at the request of, that individual.

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PANAMA CANAL COMPANY—CANAL ZONE GOVERNMENT

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

This notice describes the character and gives notice of the existence of the systems of records maintained by the Panama Canal Company and the Canal Zone Government. In this notice, "systems of records" means a system of records which contains information about individuals retrievable by name or other personal identifier. The Privacy Act of 1974, 5 U.S.C. 552a(e)(4) requires annual publication of such a notice.

These agencies last published such a notice at 41 FR 41358-41403 (September 21, 1976). In addition, these agencies gave notice on August 9, 1977 (42 FR 40419) of a proposed new system of records, Race and Ethnic Data, PCC-CZG/GVEO-1, and called for public comment on any aspect of that proposed system. The proposed system notice is included in this document. This system will come into effect on September 17, 1977, unless these agencies publish an announcement to the contrary. These agencies modified the system Minority Group Designator (MGD) Records, PCC-CZG/PR-11 by a notice published at 42 FR 36332 (July 14, 1977). When the new system PCC-CZG/GVEO-1 comes into operation, the former system will revert to its original form.

In late August, these agencies submitted to the Federal Register a description of an existing system of records, Canal Protection Division Activity Report Files, PCC-CZG/CACP-2, of which notice had not previously been given (see FR Doc. 77-26486, 42 FR 46261, September 14, 1977). This description appears also in this document. At the same time, these agencies requested a waiver (permitted by OMB Circular A-108, Transmittal Memoranda Nos. 1 and 3) of the 60-day period before a system of records can be put into effect. Unless these agencies publish an announcement to the contrary, this system will continue in operation.

This notice incorporates a number of corrections to, and clarifications of, previously-published system descriptions intended in most cases to make corrections of an editorial nature and in some cases to reflect minor changes in the systems themselves. None of these is a change for which the Privacy Act of 1974, 5 U.S.C. 552a(o) and Office of Management and Budget Circular A-108 (Transmittal Memoranda Nos. 1 and 3) require the submission of a report on new system.

The following systems have been deleted:

1. Automatic Data Processing and Retrieval Systems, PCC-CZG/FVDP-1. This system consisted basically of portions of other systems for which the Data Processing Division of these agencies provided automated programs. Accordingly, the system has been deleted from this notice and the relevant information transferred to the descriptions of the systems concerned. These systems are:

Accounts Receivable Records, PCC-CZG/FVAC-2
Medical Administration Records, PCC-CZG/HL-3
Payroll Master File for Panama Canal Company and Canal Zone Government Employees, PCC-CZG/FVAP-1
Operating Unit Personnel Records, PCC-CZG/OPR-1
Student Record System, PCC-CZG/CASC-1
Motor Vehicle and Motorboat Registration and Operator's License Files, PCC-CZG/CALS-8

The transfer is reflected in changes to such parts of the system descriptions as: location; storage; routine uses; retrievability; and retention and disposal. Since no separate system notice existed for the records maintained by the Data Processing Division for the Transit Operations Division, a new notice describing these records appears in this document, designated Pilot Workload Statistics, PCC-CZG/MRTO-2.

2. Canal Zone Vehicle Registration Listings, PCC-CZG/CAPL-17. This system duplicated part of the system Motor Vehicle and Motorboat Registration and Operator's License Files, PCC-CZG/CALS-8.

3. Hire-A-Kid Program File, PCC-CZG/GVYA-1. These agencies have discontinued the Hire-A-Kid program; the records have been destroyed.

Other changes include:

1. Correction of the retention period for the systems Advance Authorizations to Enter the Canal Zone, PCC-CZG/ADRM-2, and Vehicle Registration for RP-Series License Plates, PCC-CZG/CACU-9.

2. Clarification of the retrievability of records, establishment of a retention period, and additions to the method of storage for the systems Privacy Act Requests Records, PCC-CZG/ADRM-3, and Freedom of Information Act Requests Records, PCC-CZG/ADRM-4.

3. Correction of the information about storage of records in the following systems: State Department Visa Lookout Book, PCC-CZG/CACU-1; Immigration and Naturalization Service Lookout Book, PCC-CZG/CACU-2; Customs Fugitive Records, PCC-CZG/CACU-3; and Seamen's Locator List, PCC-CZG/CACU-7.

4. Revision of location, categories of records in the system, storage, and safeguards for U.S. Government Vehicle Operator's Identification and Material Handling Card Application Files, PCC-CZG/CALS-6, to reflect transfer of information on holders of Material Handling Cards, previously held on punched cards, to magnetic disks. In addition, the authorities for maintenance of the system and the retention period have been corrected.

5. Clarification of the categories of individuals covered, and of the categories of records in, the system Marriage License Records, PCC-CZG/CALS-9. The safeguards for the system have been amended to make clear that, while the records are not kept in a lockable cabinet, the room in which they are kept is locked when not in use.

6. Alteration of the system descriptions of Law Enforcement Case Report Files, PCC-CZG/CAPL-1, and of Traffic Accident reports, PCC-CZG/CAPL-16, to reflect the computerization of some of the information in these systems. Information is not retrievable from the computer by name or personal identifier. Computerization affects storage, safeguards, retrievability, retention, disposal, and location of the systems.

7. Substitution of "F" for "X" in the system designator PCC-CZG/FVXI-1, so that the system name now reads Incentive Awards Program Files, PCC-CZG/FVFI-1. In addition, categories of individuals covered by the system and categories of records in the system have been amended to reflect the fact that the system contains limited information on the supervisors of employees making suggestions or receiving incentive awards. The description of the storage of the information has been amplified.

8. Deletion of redundant routine uses and renumbering of remaining routine uses for the system Claims Files, PCC-CZG/FVAK-1. One routine use deleted was a subcategory of a broader routine use listed for the system. The two others deleted were redundant because the use of information contemplated by them is specifically permitted by the Privacy Act of 1974, 5 U.S.C. 552a(b)(10).

9. Amendment of the location of the system Marine Accident Reference Cards, PCC-CZG/MRTO-1, to reflect the relocation of the Transit Operations Division.

10. Updating of the categories of records in two personnel systems: Personal Data Records, PCC-CZG/PR-3 has been amended to show that information on debts and support payments is no longer maintained. Recruiting and Placement Records, PCC-CZG/PR-5 has been amended to show deletion of information pertaining to the counseling of handicapped persons and ready-reference records pertaining to qualifications of applicants and status of applications for transfer.

The descriptions of systems of records maintained by these agencies appear below, preceded by a statement of general routine uses and an alphabetical listing of all the systems of records.

Hazel Murdock,
Assistant to the Secretary, Panama Canal Company.

PREFATORY STATEMENT OF GENERAL ROUTINE USES

(35 CFR Part 10, Appendix A)

Information pertaining to individuals which is maintained in any system of records under the control of the Panama Canal Company or Canal Zone Government is subject to disclosure, as a routine use of such information, to any of the following persons or agencies under the circumstances described:

1. Information indicating a violation or potential violation of law (whether civil, criminal, or regulatory in nature, and whether involving a statute or regulation or a rule or order issued pursuant thereto) may be referred to the Federal, State, local, foreign, or international agency charged with investigating or prosecuting such violations or charged with implementing or enforcing the particular statute, or regulation, rule, or order, which is pertinent thereto.

2. Information which has a bearing on matters which may be in dispute may be disclosed in the course of presenting evidence or argument to a court or administrative tribunal, a judicial official, or counsel for a party in connection with litigation or administrative proceedings in which the agency, or its officers or employees, are or may become involved.

3. Information may be provided to persons or agencies from whom information is solicited, to the extent necessary to elicit facts which may be relevant to a financial audit or an agency decision to hire or retain an employee, issue a security clearance, award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

4. Information may be disclosed to a Federal agency, in response to its request in a particular case or in a category of cases, in connection with that agency's (a) decision in a personnel matter; (b) financial audits and accounting; (c) issuance of a security clearance; (d) investigation of an individual employed or formerly employed by the Panama Canal Company or Canal Zone Government; or (e) decision to award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

5. Information may be supplied in response to an inquiry from a Member of Congress on behalf of an individual or, at any stage of the legislative coordination and clearance process, to the Office of Management and Budget in connection with the review of private relief legislation.

6. Information which has a bearing on the qualifications of professional personnel (such as architects, attorneys, engineers, medical practitioners, pilots, and teachers) who have been employed by the agency or have had professional dealings with the agency may be provided to the appropriate authorities such as professional licensing and certifying boards and grievance committees.

TITLE LISTING OF PANAMA CANAL COMPANY-CANAL ZONE GOVERNMENT NOTICES OF SYSTEMS OF RECORDS

Accounts Payable Disbursement Records, PC-CZG/FVAC-8
Accounts Receivable Records, PCC-CZG/FVAC-2
Admeasurer Examination File, PCC-CZG/MRPA-1
Advance Authorizations to Enter the Canal Zone, PCC-CZG/ADRM-2
Appeals, Grievances, Complaints, and Assistance Records, PCC-CZG/CZPB-2
Applications for Importation, PCC-CZG/CACU-8
Arrest Record File, PCC-CZG/CAPL-13
Biographical Data, PCC-CZG/GVPR-1
Biographical Data Cards, PCC-CZG/ISO-5
Biographical Data Files, PCC-CZG/ISO-6
Canal Protection Division Activity Report Files, PCC-CZG/CACP-2
Canal Zone Awards and Service Contracts Control Records, PCC-CZG/FVAC-7
Canal Zone Board of Registration for Architects and Professional Engineers Directory, PCC-CZG/BRAE-2
Canal Zone Board of Registration for Architects and Professional Engineers Reference Files, PCC-CZG/BRAE-1
Canal Zone Library Registration Record, PCC-CZG/CALM-1
Cardex File—Contraband Violations, PCC-CZG/CACU-6
Cardex File—Smuggling; Narcotics; Violators or Suspects and Fugitives, PCC-CZG/CACU-4
Cardex File—Vehicle Exporters, PCC-CZG/CACU-5
Card Index System, PCC-CZG/ISO-3
Case Investigations, PCC-CZG/CAPS-2
Cash Audit Files, PCC-CZG/FVGA-1
Cash Collection Agents and Subagents, PCC-CZG/FVAC-6
Cash Register Receipt Shortages, PCC-CZG/FVGA-2
Civil and Amateur Radio Operator and Station License Files, PCC-CZG/CALS-4
Civil Defense and Natural Disaster Records, PCC-CZG/EPCD-1
Claims Files, PCC-CZG/FVAK-1
Complaints Against Policemen File, PCC-CZG/CAPL-15
Confidential Sources and Contacts, PCC-CZG/ISO-2
Contractor Employee Payroll Records, PCC-CZG/ECCN-2
Convict Files, PCC-CZG/CAPL-4
Customs Fugitive Records, PCC-CZG/CACU-3
Delegation of Authority for Procurement, PCC-CZG/FVAC-5
Detective Confidential Files, PCC-CZG/CAPL-3
Disability Relief, Retirement and Group Supplementary Life Insurance Records, PCC-CZG/PR-1
Driver's License Investigatory File, PCC-CZG/CALS-7
Driver's License Revocation Lists, PCC-CZG/CAPL-20
Embezzlements, Burglaries, and Cash Shortages, PCC-CZG/FVAC-1
Employee Application for Outside Employment, PCC-CZG/ADGS-2
Employee Benefits Records, PCC-CZG/PR-2
Employee/Dependent Photo-Identification Card Applications, PCC-CZG/CALS-1
Employees' and Dependents' Travel Orders PCC-CZG/ADTR-1
Equal Employment Opportunity Counseling and Investigation Files, PCC-CZG/GVEO-2
Ethyl Alcohol Certificates of Purchase, PCC-CZG/SC-5
Expert and Consultant Records, PCC-CZG/SC-3
Fingerprint File, PCC-CZG/CAPL-7
Fishing Pass Application File, PCC-CZG/CALS-3
Freedom of Information Act Requests for Records, PCC-CZG/ADRM-4
General Files of the Canal Agencies, PCC-CZG/ADRM-1
Grievances and Appeals Records, PCC-CZG/PR-4
Health, Medical, Dental, and Veterinary Records Systems, PCC-CZG/HL-1
Housing Complaints File, PCC-CAG/SC-2
Housing Files, PCC-CZG/SC-1
Hunting Permit Application File, PCC-CZG/CALS-2
Immigration and Naturalization Service Lookout Book, PCC-CZG/CACU-2
Immigration Detention Orders, PCC-CZG/CACU-12
Incentive Awards Program Files, PCC-CZG/FVFI-1
Index of Contractor Employees, PCC-CZG/ISO-4
Industrial Accident Prevention Supervisor/Unit Awards File, PCC-CZG/SF-1
Informant Name File, PCC-CZG/CAPL-9
Injury Compensation Payroll Records, PCC-CZG/FVAP-3
Inmate Trust Fund File, PCC-CZG/CAPL-14
Internal Revenue Service Notice of Levy Files, PCC-CZG/FVTR-2
Land License Record, PCC-CZG/CALS-5
Law Enforcement Case Report Files, PCC-CZG/CAPL-1
Mail Covers, PCC-CZG/CAPS-1
Marine Accident Reference Cards, PCC-CZG/MRTO-1
Marine License Files, PCC-CZG/MRBLI-1
Marriage License Records, PCC-CZG/CALS-9
Master Name File, PCC-CZG/CAPL-10
Medical Administration System-Exempt, PCC-CZG/HL-2
Medical Administration System-Nonexempt, PCC-CZG/HL-3
Merit System Recruiting, Examining, and Placement Records, PCC-CZG/CZPB-1
Minority Group Designator GD) Records, PCC-CZG/PR-ll
Motor Vehicle and Motorboat Registration and Operator's License Files, PCC-CZG/CALS-8
News Media Representatives, PCC-CZG/IO-2
News Morgue Records, PCC-CZG/IO-1
Office of the Secretary Operating Unit Personnel Files, PCC-CZG/WO-2
Official Permits to Have or Carry Firearms, PCC-CZG/CALS-11
Operating Unit Employment Inquiry Files, PCC-CZG/OPR-2
Operating Unit Personnel Records, PCC-CZG/OPR-1
Panama Canal Company Board of Directors, PCC-CZG/WO-1
Panama Canal Company Board of Directors Biographical and Correspondence Files, PCC-CZG/EPS-1
Payroll Deductions, PCC-CZG/FVAP/AC-4
Payroll Master File for Panama Canal Company and Canal Zone Government Employees, PCC-CZG/FVAP-1
Payroll System for Vessel Employees, PCC-CZG/FVAP-2
Pending Detective Investigation Records, PCC-CZG/CAPL-8
Personal Data Records, PCC-CZG/PR-3
Personnel Investigation Records, PCC-CZG/CZPB-3
Personnel Security Files, PCC-CZG/ISO-1
Philatelic Program, PCC-CZG/CAPS-5
Plumbing and Welding License Files, PCC-CZG/ECCN-1
Police Headquarters Confidential File, PCC-CZG/CAPL-2
Police Photo Files, PCC-CZG/CAPL-6
Poor Risk/Delinquent Citation/Warrant File, PCC-CZG/CAPL-19
Post Office Boxholder Records, PCC-CZG/CAPS-4
Postal Claims and Inquiries, PCC-CZG/CAPS-6
Presentence and Pre-Parole Investigation Reports, PCC-CZG/CAPR-2
Prisoner Property Record, PCC-CZG/CAPL-18
Prisoner Record Cards, PCC-CZG/CAPL-5
Privacy Act Requests Records, PCC-CZG/ADRM-3
Probation and Parole Unit Child Custody Reports, PCC-CZG/CAPR-1
Probation and Parole Unit Statistical File, PCC-CZG/CAPR-3
Prohibitory Orders Against Sending Pandering Advertisement in the Mails, PCC-CZG/CAPS-3
Protocol Unit Operational Files, PCC-CZG/GVPR-2
Purchase Authority Cards, PCC-CZG/ADGS-1
Quarterly Report of Employee Union Dues Deductions, PCC-CZG/GVLR-1

Race and Ethnic Data, PCC-CZG/GVEO-1
Recruiting and Placement Records, PCC-CZG/PR-5
Refugee Records, PCC-CZG/SC-4
Runners, Peddlers, and Solicitors Application and License Files, PCC-CZG/CALS-10
20/30/40 Year Safety Key Awards Files, PCC-CZG/SF-2
Seamen's Locator List, PCC-CZG/CACU-7
State Department Visa Lookout Book, PCC-CZG/CACU-1
Statements of Employment and Financial Interest, PCC-CZG/GE-2
Student Record System, PCC-CZG/CASC-1
Suspension of Check Cashing Privileges Files, PCC-CZG/FVTR-3
Telephone Exchange Directory, PCC-CZG/ECLE-1
Termination of Employment Actions Records, PCC-CZG/FVTR-1
Traffic Accident Reports, PCC-CZG/CAPL-16
Training and Employee Development Records, PCC-CZG/PR-6
Trust Fund Records, PCC-CZG/FVAC-3
U.S. Army Element, Canal Zone Government Military Administration System, PCC-CZG/MIL-1
U.S. Civil Service Commission systems applicable to the Canal agencies: General Personnel Records; Retirement, Life Insurance, and Health Benefits Records Systems (See PCC-CZG/PR-8)
U.S. Government Vehicle Operator's Identification and Material Handling Card Application Files, PCC-CZG/CALS-6
U.S. Immigration and Naturalization Service, U.S. Citizenship Certificate Application and Appointment Records, PCC-CZG/CACU-10
Unnegotiated Checks over One Year Old, PCC-CZG/FVAC-9
Vehicle Registration for RP-Series License Plates, PCC-CZG/CACU-9
Vessel Employee Records, PCC-CZG/TTWT-1
Visa Records, PCC-CZG/GE-1 (STATE-39)
Vital Installation Access File, PCC-CZG/CACP-1
Youth Unit Drug Abuse File, PCC-CZG/CAPL-11
Youth Unit Name Index File, PCC-CZG/CAPL-12

PCC-CZG/ADGS-1

System name: Purchase Authority Cards, PCC-CZG/ADGS-1

System location: Administrative Services Division, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Employees of private companies, organizations, and certain other government agencies, and other individuals that qualify for purchase authority.

Categories of records in the system: Name, employment status, residence, mailing address, purchase-authority status, marital status, citizenship, age, names and ages of dependents, and history of identification cards issued.

Authority for maintenance of the system: Article III, 1936 General Treaty of Friendship and Cooperation, 53 Stat. 1807; Articles XI and XII, 1955 Treaty of Mutual Understanding and Cooperation, 6 U.S.T. 2273.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system may be disclosed to court officials for the purpose of compiling jury duty rosters. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, 8 by 10 1/2 inches.

Retrievability: Alphabetically by name.

Safeguards: Lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Minimum of 5 years after individual ceases to qualify for purchase authority. Shredded.

System manager(s) and address: Chief, General Services Branch, Administrative Services Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notifications Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual.

PCC-CZG/ADGS-2

System name: Employee Application for Outside Employment, PCC-CZG/ADGS-2

System location: Administrative Services Division, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Employees or former employees who have applied for permission to engage in outside employment.

Categories of records in the system: Name of employee, name of outside employer, location of outside employment, number of hours employed weekly, nature of work performed, beginning and ending dates of outside employment, and conditions placed on employee concerning outside employment permission. Also may include letters from the Government of Panama stating there is no objection to the proposed employment.

Authority for maintenance of the system: 35 CFR 255.735-32; E.O. 11222 of May 8, 1965.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to Internal Revenue Service upon request to inform them which employees engage in outside employment. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form 8 by 10 1/2 inches.

Retrievability: Filed by expiration date. Separate index maintained by name.

Safeguards: Lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Minimum of 5 years after expiration of permit. Disposed of by shredding.

System manager(s) and address: Chief, General Services Branch, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual to whom application pertains.

PCC-CZG/ADRM-1

System name: General Files of the Canal Agencies, PCC-CZG/ADRM-1

System location: Records Management Branch, Panama Canal Company, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals who are the subject of correspondence or who correspond with the Office of the Governor/President and staff offices on a variety of subjects related to the operation, maintenance, and protection of the Panama Canal and the Government of the Canal Zone.

Categories of records in the system: Files retrievable by reference to individuals include records on subjects such as eligibility to engage in private business, purchase goods and services, use Canal facilities, and reside or remain in Canal Zone; licenses and permits in connection with utilization of land, water, resources and facilities; Congressional inquiries about or on behalf of individuals; detention and deportation of persons; biographical data on former Governors of the Canal Zone; certificates of good conduct; contracts with individuals, reports of Court dispositions of cases; Coroner reports; and inquiries and answers on Canal operations, laws and regulations pertaining to the Canal and the Canal Zone, and policies related thereto, generally.

Authority for maintenance of the system: 44 U.S.C. 3101 and 3102.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders or on backers and card indexes.

Retrievability: Filed by subject subdivided alphabetically by name, or filed alphabetically by name only.

Safeguards: Stored in metal file cabinets in file room locked when not in use in a building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Certificates of good conduct, 6 months; eligibility files, 3 years after last entry; general inquiries and answers, 3 years. Others transferred to Agency Records Center after 8 years and retained permanently. General files prior to 1914 are stored in National Archives.

System manager(s) and address: Chief, Records Management Branch, Panama Canal Company, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, Canal officials, and information from records.

PCC-CZG/ADRM-2

System name: Advance Authorizations to Enter the Canal Zone, PCC-CZG/ADRM-2

System location: Records Management Branch, Panama Canal Company, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals issued advance authorization to enter the Canal Zone.

Categories of records in the system: Advance authorizations to enter the Canal Zone and related papers, such as extensions of stay and changes in Canal Zone immigration status.

Authority for maintenance of the system: 2 C.Z.C. 841, 76A Stat. 32; E.O. 11305; 35 CFR 59.22-3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records on backers.

Retrievability: Filed alphabetically by name of entrant.

Safeguards: Stored in metal file cabinets in file room locked when not in use in a building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: After 2 years, transferred to Agency Records Center; then destroyed after 2 more years.

System manager(s) and address: Chief, Records Management Branch, Panama Canal Company, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Sponsors of entrant.

PCC-CZG/ADRM-3

System name: Privacy Act Requests Records, PCC-CZG/ADRM-3

System location: Records Management Branch, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals who have requested personal information from records systems of the Panama Canal Company/Canal Zone Government under provisions of the Privacy Act.

Categories of records in the system: Records maintained to process requests made under the Privacy Act of 1974, and to provide information for compiling an annual report for The Office of Management and Budget as required by the act. Files contain correspondence, documents, and file material references related to the receipt, processing and final disposition of requests received under the Privacy Act of 1974. File material under request is normally retained by the system manager of the system from which the information is requested.

Authority for maintenance of the system: 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; logs; index cards.

Retrievability: Documentation on requests processed by Privacy Act Staff filed by log number and retrievable by name. Documentation on requests processed by system managers field chronologically.

Safeguards: Records maintained in file cabinets in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Retained 6 years after final disposition of case, then destroyed.

System manager(s) and address: Chief, Records Management Branch, Administrative Services Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager. Rules published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to the Systems Manager designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individual on whom the record is maintained and from officials making determinations under the act.

PCC-CZG/ADRM-4

System name: Freedom of Information Act Requests Records, PCC-CZG/ADRM-4

System location: Records Management Branch, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals who have requested copies of Panama Canal Company/Canal Zone Government records under provisions of the Freedom of Information Act.

Categories of records in the system: Records maintained to process requests for information from records under the Freedom of Information Act, and to provide annual reports to Congress as required by the act. Files will normally contain correspondence, documents and file material references related to the receipt, processing and final disposition of requests received under the Freedom of Information Act.

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: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; logs; index cards.

Retrievability: Filed by log number; indexed by name.

Safeguards: Records maintained in metal file cabinet in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Retained 6 years after final disposition of case, then destroyed.

System manager(s) and address: Chief, Records Management Branch, Administrative Services Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual requesting information; and from officials making determinations under the act.

PCC-CZG/ADTR-1

System name: Employees' and Dependents' Travel Orders, PCC-CZG/ADTR-1

System location: Transportation Branch, Building 639, Balboa, Canal Zone

Categories of individuals covered by the system: Employees and designated dependents of Panama Canal Company/Canal Zone Government and other agencies whose travel arrangements are performed by the Transportation Branch of the Panama Canal Company.

Categories of records in the system: Records contain traveler's names, relationship to employee, identification number, occupation, dates and places of birth, origin and destination of travel as well as other pertinent travel information required to complete United States Transportation requests and United States Government Bills of Lading.

Authority for maintenance of the system: 5 U.S.C. 5701-42 and 5924, and such other authorities as are cited in 5721-1 and 1-2, PCPM.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: U.S. Government agencies, commercial carriers, U.S. and foreign customs, Immigration and diplomatic personnel, and others with a need to know; and for use in adjudicating claims relating to employee travel. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders and index cards.

Retrievability: Indexed by employee's name and travel order numbers.

Safeguards: Records maintained in file cabinets. Office is locked and protected by security alarms after office hours - access and use of records restricted to authorized personnel.

Retention and disposal: Retained 3 years. Transferred to Agency Records Center for disposition under applicable disposition schedules.

System manager(s) and address: Chief, Transportation Branch, Panama Canal Company, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom the record is maintained, employing unit, and by the Personnel Bureau, Panama Canal Company as necessary.

PCC-CZG/BRAE-1

System name: Canal Zone Board of Registration for Architects and Professional Engineers Reference Files, PCC-CZG/BRAE-1

System location: Canal Zone Board of Registration for Architects and Professional Engineers, Building 29-X, Balboa Industrial Area, Balboa, Canal Zone

Categories of individuals covered by the system: Active and inactive individuals certified as Engineers-In-Training (EIT) or registered as Professional Engineer (PE) or Architect (RA) in the Canal Zone.

Categories of records in the system: Complete application detailing personal history, educational record and references and record of professional practice; reference letters from individuals, verification letters from schools, State Boards, National Council of Engineering Examiners (NCEE)/National Council of Architectural Registration Boards (NCARB), etc.

Authority for maintenance of the system: 35 CFR 69(A) and 2 C.Z.C. 1171-75.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to National Council of Engineering Examiners (NCEE), National Council of Architectural Registration Boards (NCARB) and all State Board jurisdictions in connection with Publication of Roster, 35 CFR 69.141. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder 8 1/2 by 11 inches.

Retrievability: Alphabetically by status of certification and registration.

Safeguards: Active records maintained in locked file cabinet; inactive records maintained in office file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Active files maintained indefinitely. Inactive files maintained indefinitely or three years after death. Files disposed of by shredding.

System manager(s) and address: Chairman, Canal Zone Board of Registration for Architects and Professional Engineers, Box 223, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual applicant, personal references, NCEE, NCARB, State Boards.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources, or is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/BRAE-2

System name: Canal Zone Board of Registration for Architects and Professional Engineers Directory, PCC-CZG/BRAE-2

System location: Canal Zone Board of Registration for Architects and Professional Engineers, Building 29-X, Balboa Industrial Area, Balboa, Canal Zone

Categories of individuals covered by the system: All certified Engineers-in-Training (EIT) and registered Professional Engineers (PE) and Architects (RA).

Categories of records in the system: Numerical listing of Engineers-in-Training, Professional Engineers and Architects by number, name and methods of registration.

Authority for maintenance of the system: 35 CFR 69 and 2 C.Z.C. 1171-75 76A Stat. 40-41.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For routine use by the Board and for preparation of the annual report (35 CFR 69.232); and the Roster (35 CFR 69.141); Board members, Executive Secretary to the Board, and each architect and professional engineer and architect-in-training and engineer-in-training and other persons upon request as set forth in 35 CFR 69.144. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8½ by 11 inch papers in file folders.

Retrievability: Numerically by certification/registration number; cross referenced by name.

Safeguards: File cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Indefinite. Retained by Board for reference purposes.

System manager(s) and address: Chairman, Canal Zone Board of Registration for Architects and Professional Engineers, Box 223, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR, Part 10.

Record source categories: From applicant and other sources.

PCC-CZG/CACP-1

System name: Vital Installation Access File, PCC-CZG/CACP-1

System location: Canal Protection Division, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Private contractors, steamship agency personnel, employees of the Panama Canal Company and other persons who frequently require entrance to vital Panama Canal Company/Canal Zone Government installations.

Categories of records in the system: Individual's name, place of birth, date of birth, citizenship, residence, position or title, employer; firms business license number, address, telephone number, merchandise or contract services. Subsystems contain photomat cards containing name, employer, and card control number; apprehension, detention and incident records; persons holding Panama Canal Company/Canal Zone Government Runners licenses; and other information pertaining to granting, limiting, or denying access to various Canal Zone installations where access is controlled.

Authority for maintenance of the system: 50 U.S.C. 191, E.O. 10226 of March 27, 1961, 6 C.Z.C. 1602 (76A Stat. 472), CZAR 87.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 5⅛ inches and 8 by 10 1/2 inches.

Retrievability: Manual; Indexed by bearer's name.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained until card expires. Destroyed by shredder at expiration.

System manager(s) and address: Chief, Canal Protection Division, Civil Affairs Bureau, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/CACP-2

System name: Canal Protection Division Activity Report Files, PCC-CZG/CACP-2

System location: Canal Protection Division Pacific and Atlantic Area Commanders' Offices, at Paraiso, and Cristobal, Canal Zone, respectively.

Categories of individuals covered by the system: Persons who are or have been subjects of investigation by Canal Protection Division personnel, including those arrested and those who have committed, or are alleged to have committed, violations of laws or regulations in areas protected by the Canal Protection Division.

Categories of records in the system: Activity reports, index cards and logbooks containing information such as subject's name, identification number, occupation and employing unit and, when a subject has been barred from vital areas, a notation to that effect; date and time of incident and report; name of person making the report; information concerning the incident or arrest; and witnesses' or victims' names, identification numbers and employing units.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 50 U.S.C. 191; and E.O. 10226 of March 23, 1951 (now appearing as 35 CFR Part 129).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in 35 CFR Part 10, Appendix A. Information in connection with actual or potential violations of the security of areas guarded by the Canal Protection Division may also be disclosed to intelligence units or agencies of the United States Government including the State Deprtment and the Department of Defense.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8½ by 11 inches and index cards.

Retrievability: Alphabetical card file of names of subjects gives cross-reference to activity reports filed in numerical order.

Safeguards: Active files maintained in file cabinets in Area Commanders' offices. File cabinets and offices locked when not in use. Inactive files maintained at Agency Records Center, a building locked when not in use. Access to files and filing areas restricted to authorized personnel.

Retention and disposal: Activity reports retained at Area Commanders' offices for two years, subsequently held at Agency Records Center for three more years, then destroyed Index cards retained for up to ten years after date of last entry.

System manager(s) and address: Chief, Canal Protection Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of the Privacy Act of 1974, 5 U.S.C. 552a, and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-1

System name: State Department Visa Lookout Book, PCC-CZG/CACU-1

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and in Building 200, Cristobal, Canal Zone.

Categories of individuals covered by the system: Aliens subject to investigation or denial of entry into the United States.

Categories of records in the system: Name, number, place and date of birth, citizenship or nationality, and coded offenses.

Authority for maintenance of the system: 8 U.S.C. Chapter 12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Microfiche cards in file box.

Retrievability: Name and number.

Safeguards: Stored in combination safe when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Until revised by State Department. Destroyed by burning.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-2

System name: Immigration and Naturalization Service Lookout Book, PCC-CZG/CACU-2

System location: Investigations Unit, Canal Zone Customs, Building 101, Balboa, Canal Zone

Categories of individuals covered by the system: Individuals suspected of, involved in, or convicted of various offenses such as drug abuse, smuggling, etc.

Categories of records in the system: Name, place and date of birth, nationality, crime or offense in code.

Authority for maintenance of the system: 35 CFR Part 59.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in looseleaf binder.

Retrievability: Name and number.

Safeguards: Combination safe. Access and use are restricted to authorized personnel.

Retention and disposal: Until revised by Immigration and Naturalization Service. Destroyed by burning.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-3

System name: Customs Fugitive Records, PCC-CZG/CACU-3

System location: Investigations Unit, Canal Zone Customs, Building 101, Balboa, Canal Zone

Categories of individuals covered by the system: Fugitives.

Categories of records in the system: Name, number, coded data.

Authority for maintenance of the system: 35 CFR Part 59.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer printout in looseleaf binder.

Retrievability: Name and number.

Safeguards: File safe—combination lock. Access and use are restricted to authorized personnel.

Retention and disposal: Until revised by U.S. Customs Service. Destroyed by burning.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-4

System name: Cardex File—Smuggling; Narcotics; Violators or Suspects and Fugitives, PCC-CZG/CACU-4

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: Persons reported to be, or suspected of being involved in violation of existing laws and statutes pertaining to smuggling, narcotics possession, use or trafficking; also persons reported to be fugitives from justice.

Categories of records in the system: Name, identifying number, residence, age, nationality, violation information, confidential sources and other information pertaining to the violation or individual as may be included in the system in the process of investigation.

Authority for maintenance of the system: 2 C.Z.C. 761-784, 76A Stat. 30-31; P.L. 91-513.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards; logbooks; case reports; investigator's offense and incident reports; supplementary data and reports which are accessible through the cardex file system maintained by Canal Zone Customs.

Retrievability: Accessible by name, case number and other information carried on cardex forms. Backup data accessed by cardex retrieval system, otherwise filed by violation, investigator, reporting agency, etc.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Upon termination of usefulness. Destroyed by burning.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-5

System name: Cardex File—Vehicle Exporters, PCC-CZG/CACU-5

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: Exporters of vehicles from Canal Zone ports.

Categories of records in the system: Name; personal identification data; identity of shipment; vessel name; bill of lading number.

Authority for maintenance of the system: 2 C.Z.C. 33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form, 3 by 5 inches or 5 by 7 inches.

Retrievability: Name and number.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Upon termination of usefulness documents are burned.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-6

System name: Cardex File—Contraband Violations, PCC-CZG/CACU-6

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: Persons reported to be, or suspected of involvement in activities which are violations of Canal Zone regulations governing the importation, purchase, use, transfer of goods or services obtained through Canal Zone facilities; including but not limited to unauthorized entry into Canal Zone retail facilities posted against trespassing, transfer of duty free goods and services into the Republic of Panama without proper Canal Zone Customs clearances.

Categories of records in the system: Name, number, address, place of employment, case numbers, charge or violation, administrative or court action taken, and name of investigator. Other information as may be uncovered by investigating officers, including the name, dates and places of violations, names of accessories etc.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, 76A Stat. 7; 6 C.Z.C. 1602; 2 C.Z.C. 761-784, 76A Stat. 30-31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure as required to U.S. military component investigators, U.S. District Court officials, and Panamanian Customs officials having an interest in such information in connection with law enforcement or regulatory procedures. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, logbooks (chronological), case reports and supporting documentation maintained by Canal Zone Customs which are accessible by the cardex system.

Retrievability: Accessible by name, case number and other information on cardex forms. Backup data, including case reports accessed by cardex designators, otherwise filed by investigator's name.

Safeguards: Card file drawers. Access and use are restricted to authorized personnel.

Retention and disposal: Burned at the end of its useful service life.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-7

System name: Seamen's Locator List, PCC-CZG/CACU-7

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: U.S. licensed seamen and officers on merchant vessels.

Categories of records in the system: Name and number of individual in alphabetical order and reference code for the action requested.

Authority for maintenance of the system: 46 U.S.C. 643 and 689.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to U.S. Coast Guard in connection with notification of location of seamen and U.S. Port of Arrival, if known. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in looseleaf binder.

Retrievability: Name and number.

Safeguards: Kept in safe. Access and use are restricted to authorized personnel.

Retention and disposal: Indefinite, or until updated. Destroyed by burning when book has outlived its usefulness.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CACU-8

System name: Applications for Importation, PCC-CZG/CACU-8

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: Persons who apply for authorization to import goods into the Canal Zone.

Categories of records in the system: Name, identity number, citizenship, residence, place of employment, signature, and commodity description.

Authority for maintenance of the system: 35 CFR Parts 53 and 57.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form - 8 by 10 1/2 inches.

Retrievability: By name and number.

Safeguards: Standard file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: One year. Subsequently stored in Agency Records Center for disposition under applicable disposition schedules.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual applicant.

PCC-CZG/CACU-9

System name: Vehicle Registration for RP-Series License Plates, PCC-CZG/CACU-9

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone, and Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: U.S. Government employees, military personnel and dependents resident in Panama but entitled to Canal Zone duty free entry of vehicles.

Categories of records in the system: Name, number, citizenship, personal description, address, and vehicle description.

Authority for maintenance of the system: 35 CFR Part 57.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards - 3 by 5 inches.

Retrievability: Name and number.

Safeguards: File cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Retained for 1 year after close of calendar year in which records are created; then destroyed.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual applicant.

PCC-CZG/CACU-10

System name: U.S. Immigration and Naturalization Service, U.S. Citizenship Certificate Application and Appointment Records, PCC-CZG/CACU-10

System location: Office of the Chief, Customs Division, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Persons born outside the United States who are requesting United States citizenship certificates issued by the Immigration and Naturalization Service pursuant to one or more of the statutes referred to in the authority portion of this notice.

Categories of records in the system: The application forms with supporting documentation such as birth, death, and marriage certificates, affidavits and other related papers are forwarded directly to the U.S. Immigration and Naturalization Service for processing. An index card containing the applicant's name, address, the date the application was received locally, and the certificate number is retained locally for appointment scheduling purposes.

Authority for maintenance of the system: 8 U.S.C. 1101 note, 1443-4, 1451-4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine use includes the transmittal of the application and accompanying documents to the U.S. Immigration and Naturalization Service for processing. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 by 10 1/2 inch application form and paper certificates and documents; 3 by 5 inch file cards.

Retrievability: Name and address.

Safeguards: Stored in unlocked file drawers in office locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by paper shredder at end of useful life.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual to whom record pertains.

PCC-CZG/CACU-12

System name: Immigration Detention Orders, PCC-CZG/CACU-12

System location: Canal Zone Customs Offices in Building 101, Balboa, Canal Zone and in Building 200, Cristobal, Canal Zone

Categories of individuals covered by the system: Stowaways, deserters, crewmembers and passengers in violation of Canal Zone Immigration Regulations.

Categories of records in the system: Name, number, date and place of birth, nationality, and facts relating to issuance or enforcement of the detention order.

Authority for maintenance of the system: 2 C.Z.C. 841-3, 76A Stat. 32.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routinely sent to local law enforcement officials as necessary to direct the apprehension, detention and repatriation of such persons. Information may also be disclosed to commercial carriers when such persons were passengers or crewmen/employees of a shipping company, airline etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File cabinet folder.

Retrievability: Filed by name.

Safeguards: File cabinet (lockable). Access and use are restricted to authorized personnel.

Retention and disposal: Maintained for two years then burned.

System manager(s) and address: Chief, Customs Division, Box 2018, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From ship's documents and/or individual.

PCC-CZG/CALM-1

System name: Canal Zone Library Registration Record, PCC-CZG/CALM-1

System location: Canal Zone Library, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Applicants for Canal Zone Library check-out privileges.

Categories of records in the system: Applicant's name, identification number or Serial number, mailing address, citizenship, dependents, agency.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 76A Stat. 7; and Congressional appropriations acts providing for the operation of the Canal Zone Library system.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, 3 by 5 inch cards.

Retrievability: Indexed by name and Library reader's number.

Safeguards: Records are maintained in locked file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained for one year after library privilege has been cancelled. Destroyed by fire.

System manager(s) and address: Budget-Clerk, Canal Zone Library-Museum, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual on whom record is maintained.

PCC-CZG/CALS-1

System name: Employee/Dependent Photo-Identification Card Applications, PCC-CZG/CALS-1

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All permanent Panama Canal Company/Canal Zone Government employees and the members of their immediate family who have applied for Panama Canal Company/Canal Zone Government Photo-Identification/Purchase Authority cards. Application forms also maintained on employees of U.S. District Court in the Canal Zone and their dependents who have been issued Panama Canal Company/Canal Zone Government Photo-Identification cards. A Photo-Identification Photomat card file is maintained as a subsystem.

Categories of records in the system: Employee's name, identifying number, residence, birthdate, citizenship, employing unit. Names, birthdates and citizenship of members of immediate family over 12 years old residing with employee. Subsystem containing photomat cards containing names, identification number, employing unit, birthdate, citizenship and card control number.

Authority for maintenance of the system: Article III, 1936 General Treaty of Friendship and Cooperation, 53 Stat. 1807; Articles XI and XII, 1955 Treaty of Mutual Understanding and Cooperation, 6 U.S.T. 2273 and policies and regulations established pursuant thereto.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms and standard photomat cards.

Retrievability: Indexed by name and employee identification number. Recovered manually.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained until five years after employee terminates. Terminated employee records subsequently forwarded to Panama Canal Company Agency Records Center for storage and disposition. Photomat cards destroyed upon termination.

System manager(s) and address: Chief, License Section, Civil Affairs Bureau, Canal Zone Government, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom the record is maintained.

PCC-CZG/CALS-2

System name: Hunting Permit Application File, PCC-CZG/CALS-2

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All applicants and holders of permits to engage in hunting in the Canal Zone.

Categories of records in the system: Name, date of birth, place of employment, rank, photograph, signature.

Authority for maintenance of the system: 2 C.Z.C. 1471, 76A Stat. 49; 6 C.Z.C. 2573, 76A Stat. 495.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 1/2 by 10 inch printed form and 3 by 7 inch card.

Retrievability: Recovered manually.

Safeguards: Records maintained in lockable file. Access and use are restricted to authorized personnel.

Retention and disposal: Retained three years after expiration and thereafter forwarded to the Panama Canal Company Agency Records Center for disposition.

System manager(s) and address: Chief, License Section, Civil Affairs Bureau, Canal Zone Government, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addessees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained.

PCC-CZG/CALS-3

System name: Fishing Pass Application File, PCC-CZG/CALS-3

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All persons applying for, or holding valid Canal Zone fishing passes.

Categories of records in the system: Name, rank, street and postal address, date of birth, citizenship, occupation, identification number, place of employment and signature.

Authority for maintenance of the system: 2 C.Z.C. 1491, 76A Stat. 50.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 1/2 by 10 inch printed form and 3 by 7 inch card.

Retrievability: Filed by pass number and name, recovered manually.

Safeguards: Records maintained in lockable file. Access and use are restricted to authorized personnel.

Retention and disposal: Forwarded to Panama Canal Company Agency Records Center three years after expiration of license.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained.

PCC-CZG/CALS-4

System name: Civil and Amateur Radio Operator and Station License Files, PCC-CZG/CALS-4

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All persons applying for, or issued Canal Zone Amateur, Citizen's Band and Maritime Mobile Radio Operator and/or Station Licenses.

Categories of records in the system: Name of licensee or applicant, street and postal address, date of birth, citizenship, operator's qualification test scores and statements, phone number, station location, call sign, organization or affiliation. Also includes similar information on other persons who may be regularly operating radios licensed to other individuals, such as student or guest operators.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 76A Stat. 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed upon request to the Federal Communications Commission, local U.S. military frequency control coordinators, Government, State and local radio licensing authorities. Information may also be disclosed to licensing agencies of foreign governments where the applicant is claiming reciprocal licensing privileges in order to obtain a Canal Zone or foreign radio operator's license. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, questionnaires and cards.

Retrievability: Filed by name, call sign or license number.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Call sign logbook retained as a permanent record. Other materials retained for five years after expiration of the license.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom the record is maintained and the Federal Communications Commission.

PCC-CZG/CALS-5

System name: Land License Record, PCC-CZG/CALS-5

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All persons who have been issued revocable licenses to occupy or use tracts of land in the Canal Zone for residential, commercial, agricultural, recreational or boat repair purposes.

Categories of records in the system: Records showing the status of land licenses issued containing information such as the following:

Name of licensee, street and postal address, date of birth, citizenship, identification number, type of employment, photographs, signature, dependent information, police records, and letters of complaint (if any). Also contains signed copies of licenses, boundary information, area maps, rental rates, census reports, and types of structures on the site and conditions of licensing and date of revocation, if any.

Authority for maintenance of the system: 2 C.Z.C. 333-4, 76A Stat. 25-26.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to such agencies as the Bureau of Census, Civil Service Commission and the Internal Revenue Service. Information may also be disclosed to local U.S. military officials when such licenses are located adjacent to or within areas used by or under the control of the military. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 10 by 12 inch file folders, and cardex files.

Retrievability: Filed by name, recovered manually.

Safeguards: Records maintained in lockable file. Access and use are restricted to authorized personnel.

Retention and disposal: Retained as a permanent record.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained.

PCC-CZG/CALS-6

System name: U.S. Government Vehicle Operator's Identification and Material Handling Card Application Files, PCC-CZG/CALS-6

System location: License Section, Civil Affairs Building, Ancon, Canal Zone; and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: All persons who apply to the Canal Zone Government for Government Vehicle Operator's Licenses or for Material Handling Cards.

Categories of records in the system: Application forms containing name, identification number, position, date of birth, place of birth, citizenship, color of hair, color of eyes, height, weight, employment information, qualification statements. Letters of revocation, suspension, or cancellation, and/or medical evaluation material. Computer-produced list of current license-holders.

Authority for maintenance of the system: 5 U.S.C. 3301, 3302; 40 U.S.C. 491; E. O. 10577, 3 CFR, 1954-1958 Comp., p. 218; E. O. 11222, 3 CFR, 1964-1965 comp., p. 306; 5 CFR Part 930, Subpart A; and Panama Canal Personnel Manual, Chapter 930.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; computer printouts; magnetic disks.

Retrievability: Retrievable by name.

Safeguards: Paper records maintained in lockable file cabinet. Magnetic disks stored in locked room when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Application forms and related records destroyed 3 years after expiration of license or termination of employee or other recision of authority. Computer printouts held up to three months after printing and then destroyed.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained; supervisors.

PCC-CZG/CALS-7

System name: Driver's License Investigatory File, PCC-CZG/CALS-7

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All persons who have had their Canal Zone license or privilege to operate motor vehicles in the Canal Zone revoked, suspended, cancelled, or have a medical problem related to driving.

Categories of records in the system: Name, street and postal address, date of birth, citizenship, identification number, color of hair, color of eyes, height, weight, type and place of employment, grade or rank, qualification statements, photographs, and legal documents pertaining to arrests, court actions, hearings and/or related investigations.

Authority for maintenance of the system: 2 C.Z.C. 1001, 76A Stat. 37.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released to the U.S. Department of Transportation, State licensing agencies, courts and others having a need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 1/2 by 10 inch file folders.

Retrievability: Filed by name.

Safeguards: Records maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Retain record until operator dies or license is restored. Restored license material retained for the life of the license record. Non-renewed license records transferred to Agency Records Center, retained for ten years and then destroyed.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/CALS-8

System name: Motor Vehicle and Motorboat Registration and Operator's License Files, PCC-CZG/CALS-8

System location: License Section, Civil Affairs Building, Ancon, Canal Zone; and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Persons registering motor vehicles, motorcycles, trailers, motorboats, etc., with the License Section, Ancon, Canal Zone. Persons who have been issued, or applied for, licenses or permits to operate motor vehicles, boats, etc. in the Canal Zone, or in Canal Zone waters.

Categories of records in the system: Owner/operator information normally includes the following: Name, identification number, home address, post office box, date of birth, citizenship, employment data, distinguishing physical characteristics, height, weight, hair color. Certificate of Eligibility for active-duty members of U.S. Armed Forces who take advantage of special registration rates provided by law for such classes of persons. Information on the vehicle or craft includes engine number, manufacturer, model and color, license plate or registration number, and date of inspection.

Authority for maintenance of the system: 2 C.Z.C. 1001, 76A Stat. 37; 2 C.Z.C. 1331 and 1358-9, 76A Stat. 46-48.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: As necessary, vehicle and boat operator and registration information may be provided to:

1. Law enforcement agencies, court officials, and local military commands in connection with the investigation of violations of highway and vehicle regulations and the identification and apprehension of criminals;
2. Local air and sea rescue coordinators and local yacht clubs when a boat is overdue;
3. Officials of the Republic of Panama in connection with law enforcement and regulatory procedures;
4. Hospitals and dispensaries treating traffic accident victims;
5. The U.S. Department of Transportation, state licensing agencies, and other agencies to the extent of their need.

See also the general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Application for—forms, and related documentation; photomat cards; magnetic tapes/disks and punched cards; and computer printouts.

Retrievability: Retrievable by registration number; license plate number; operator/owner's name and identifying number.

Safeguards: Paper records maintained in lockable file cabinets. Magnetic tapes/disks and punched cards maintained in rooms locked when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Paper records other than computer printouts retained for three years after expiration of current license, then transferred to Agency Records Center; disposed of at end of ten-year retention period. Computer-produced reports destroyed when updated reports are issued.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained, and/or military command if the applicant is an active member of U.S. Armed Forces.

PCC-CZG/CALS-9

System name: Marriage License Records, PCC-CZG/CALS-9

System location: License Section, Civil Affairs Building, Ancon, Canal Zone.

Categories of individuals covered by the system: All persons applying for marriage licenses, or celebrating or witnessing marriages in the Canal Zone.

Categories of records in the system: Marriage licenses/certificates containing such information as the name, address, date of birth, and citizenship of each party to the marriage; the date and location of the marriage ceremony; the names of the marrying official and witnesses. Includes information concerning termination or annulment of previous marriages of persons requesting licenses.

Authority for maintenance of the system: 8 C.Z.C. 4, 76A Stat. 762.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: May be released to courts, diplomatic or consular officials, military and civilian personnel officials on a need to know basis. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms and binders.

Retrievability: Filed by date and recovered manually.

Safeguards: Records maintained in file cabinets in office locked when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Maintained as a permanent record.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained.

PCC-CZG/CALS-10

System name: Runners, Peddlers, and Solicitors-Application and License Files, PCC-CZG/CALS-10

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Persons applying for, or issued licenses to act as runners, peddlers, and solicitors (Definitions of these terms set forth in 35 CFR 63.1).

Categories of records in the system: Name, street and postal address, date of birth, parents' names, citizenship, Sanitation certificate (if required), and facts of employment or affiliation with commercial concerns being represented. Also contains information as to color of hair, color of eyes, weight, height, cedula number, etc., needed for identification purposes when applying for licenses authorizing access to certain vital installations in the Canal Zone.

Authority for maintenance of the system: 2 C.Z.C. 1441, 76A Stat. 49.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Local U.S. military authorities, courts, and others responsible for the prevention of crime or the apprehension of criminals. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8 by 11 inches.

Retrievability: Filed by license number, retreived manually.

Safeguards: Records maintained in lockable file. Access and use are restricted to authorized personnel.

Retention and disposal: Disposed of three years after expiration of license, excluding records retained for police or security reasons.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained, police, employer.

PCC-CZG/CALS-11

System name: Official Permits to Have or Carry Firearms, PCC-CZG/CALS-11

System location: License Section, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Persons who apply for, or are issued official permits to have or carry firearms in the Canal Zone.

Categories of records in the system: Name, date of birth, citizenship, identification number, place of employment, weapon serial number and description, and other information as may be required by the licensing officials.

Authority for maintenance of the system: 2 C.Z.C. 1471, 76A Stat. 49; 6 C.Z.C. 2572-3, 76A Stat. 495.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed or referred routinely to Law enforcement agencies, courts, military agencies of the U.S. Government. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms, correspondence, 3 by 7 inch cards.

Retrievability: Filed by name of permit holder.

Safeguards: Records maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Records routinely disposed of three years after expiration of permit. Certain records may be retained longer for police purposes, or to record the circumstances leading to a revocation or cancellation of a permit.

System manager(s) and address: Chief, License Section, Box L, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom record is maintained, police officials, and at times the applicant's employer if certification is required that the permit may be essential for personal safety, etc.

PCC-CZG/CAPL-1

System name: Law Enforcement Case Report Files, PCC-CZG/CAPL-1

System location: Balboa Police Station, Balboa, Canal Zone; Agency Records Center, Building 42-D, Diablo, Canal Zone; Cristobal Police Station, Administration Building, Cristobal, Canal Zone; and Police Headquarters, Civil Affairs Building, Canal Zone.

Categories of individuals covered by the system: Persons who are or have been subjects of police investigations, including persons who have committed crimes or are alleged to have committed crimes; persons witnessing or reporting criminal activities; missing persons; and persons filing official complaints about the conduct of other persons when such conduct is not a violation of law.

Categories of records in the system: Subject's and/or suspect's name, witness' or witnesses' names, complainant's name, identification or cedula number, residence, birth date, age, sex, citizenship, occupation, employer, date and time of incident, name of the investigating/arresting officer, investigative facts concerning the case. Subsystem contains subject's name, identification number, residence, birth date, age, sex, citizenship, photograph number, fingerprint classification, date and time of incident, location of case report, and notations of arrests and outstanding warrants.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to law enforcement agencies, court officials, and local military commands as necessary to assist in the apprehension and identification of criminals, and to conduct investigations related thereto. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8½ by 11 inches; computer printouts; magnetic tape; punch cards; logbooks; and index cards.

Retrievability: Logbooks and index cards permit retrieval of case report by name of arrestee, complainant, or person about whom complaint has been made. Information on computer not retrievable by personal identifier.

Safeguards: Active files maintained in locked file cabinets in police station while not in use. Inactive files maintained in Agency Records Center, a building locked when not in use. Case Report Files in Agency Records Center normally released only to designated Canal Zone Police officials. Magnetic tapes stored in locked rooms when not in use. Access to and use of all records restricted to authorized personnel.

Retention and disposal: Case reports retained by police for four years, subsequently held for seven years at Agency Records Center, and then destroyed. Case information and arrest records on magnetic tape automatically expunged five years after date of report unless longer retention specifically requested. Computer-produced reports retained at Police Records Branch up to ten years and then destroyed.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-2

System name: Police Headquarters Confidential File, PCC-CZG/CAPL-2

System location: Police Headquarters, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Persons who are or have been subjects of police investigations, including persons who have or are alleged to have been involved in incidents of police interest, and persons witnessing or reporting activities of interest to the police.

Categories of records in the system: Subject's name, identifying number, residence, birth date, age, sex, citizenship, occupation, employer, date and time of incident, date and time of investigation, facts of investigation, informants notations, the nature and disposition of the incident, and witnesses statements.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to law enforcement units of the local military commands, U. S. Courts etc., consistent with identifying and apprehending criminal offenders. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8 by 10 1/2 inches.

Retrievability: By persons name or name of organization.

Safeguards: Maintained in locked file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Retained indefinitely for reference purposes. Destroyed pursuant to Agency procedures.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-3

System name: Detective Confidential Files, PCC-CZG/CAPL-3

System location: Balboa Police Station, Balboa, Canal Zone and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: Persons who are or have been subjects of police investigations; persons who have made official complaints to the police, who have been reported to the police on official complaints, persons involved in pending criminal investigations, and persons involved in incidents of police interest.

Categories of records in the system: Subject's name, identifying number, residence, birth date, age, sex, citizenship, occupation, employer, date and time of incident, date and time of investigation, facts of investigation, confidential source information, the nature and disposition of the incident, and witnesses statements.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to law enforcement units of the local military commands, U.S. Courts, etc., consistent with identifying and apprehending criminal offenders. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed and typed forms.

Retrievability: Filed by name of subject.

Safeguards: Maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Retained indefinitely for reference purposes. Destroyed pursuant to Agency procedures.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-4

System name: Convict Files, PCC-CZG/CAPL-4

System location: Balboa Police Station, Balboa, Canal Zone, Cristobal Police Station, Administration Building, Cristobal, Canal Zone, and the Canal Zone Penitentiary, Gamboa, Canal Zone

Categories of individuals covered by the system: All persons who have been sentenced and have served any length of time in the Canal Zone Penitentiary.

Categories of records in the system: Convict's number, name, fingerprint classification, entrance and discharge dates, charge against convict, residence, citizenship, names of family, and related personal information. Also has history record of stay in penitentiary, disciplinary comments, brief case history of arrest and conviction, other pertinent information concerning case involved.

Authority for maintenance of the system: 6 C.Z.C. 6501-7, 76A Stat. 555-6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to provide historical data and reference information, regarding release, parole, probation, pardon, and other pertinent data on former and present inmates of the Canal Zone Penitentiary; to police, courts, and investigatory agencies with a legitimate interest in such information. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms and typed pages.

Retrievability: Filed by convict number.

Safeguards: Maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: The original of the record is forwarded to the Current Records Section, Records Management Branch upon sentencing. Duplicates are maintained at the Balboa and Cristobal Police Stations and the Canal Zone Penitentiary. The original record and duplicates are maintained indefinitely.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-5

System name: Prisoner Record Cards, PCC-CZG/CAPL-5

System location: Balboa Police Station, Balboa, Canal Zone, Cristobal Police Station, Cristobal, Canal Zone, and the Civil Affairs Building Security Vault, Ancon, Canal Zone.

Categories of individuals covered by the system: All persons who have been arrested by the Canal Zone Police.

Categories of records in the system: Subject's name, identifying number, residence, birth date, age, citizenship, occupation, employer, date and time of arrest, arresting officer, sex, convict number, alias, arrest charge, name of complainant, final disposition received, and brief account of activities while individual was incarcerated.

Authority for maintenance of the system: 6 C.Z.C. 6501-7, 76A Stat. 555-6; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to law enforcement agencies, courts, and investigatory agencies. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, 8 by 10 inches and micro-film cassettes.

Retrievability: Filed by name of prisoner, and date of arrest.

Safeguards: Records maintained at main desk until discharge, then stored in locked file cabinets, and in locked micro-film cabinets. Copies of micro-film are stored in security vault. Access and use are restricted to authorized personnel.

Retention and disposal: Retained indefinitely, no disposition schedule in effect.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-6

System name: Police Photo Files, PCC-CZG/CAPL-6

System location: Balboa Police Station, Balboa, Canal Zone, and Cristobal Police Station, Cristobal, Canal Zone

Categories of individuals covered by the system: All persons who have been arrested, booked, and photographed by the Canal Zone Police.

Categories of records in the system: Subject's photo number, height, date of arrest, and the district in which the arrest occurred.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed to civilian and military investigative and law enforcement departments of the U.S. Government, courts, and other parties, including eye-witnesses to crimes as required to assist in identification of known or alleged criminal offenders.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 by 5 inch photographs.

Retrievability: By photo number, and by police blotter showing name etc.

Safeguards: Maintained in ID Office. Access and use are restricted to authorized personnel, including witnesses to criminal activities.

Retention and disposal: Indefinitely. No disposition schedule established.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-7

System name: Fingerprint File, PCC-CZG/CAPL-7

System location: Balboa Police Station, Balboa, Canal Zone, and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: All persons having been fingerprinted by, or whose prints have been provided to the Canal Zone Police in the process of authorized law enforcement activities in the Canal Zone.

Categories of records in the system: Subject's name, occupation, age, fingerprint classification, offense or reason for printing, actual prints.

Authority for maintenance of the system: 6 C.Z.C. 3701-44, 76A Stat. 503-5; 2 C.Z.C. 31, 76A Stat. 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed upon request to other law enforcement agencies and to courts consistent with the identification and/or apprehension of criminal offenders. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 4 by 6 inches.

Retrievability: By fingerprint classification.

Safeguards: Maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Retained indefinitely for police and law enforcement purposes.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-8

System name: Pending Detective Investigation Records, PCC-CZG/CAPL-8

System location: Balboa Police Station, Balboa, Canal Zone, Cristobal Police Station, Administration Building, Cristobal, Canal Zone, and Police Headquarters, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Offenders, alleged offenders, witnesses, victims, investigating officers, and informants who are subjects of, or involved in cases pending investigation by the Detective Unit, Canal Zone Police.

Categories of records in the system: Names of offenders, alleged offenders, witnesses, victims, investigating officers, facts of investigations, statements of witnesses, type of crime or offense being committed, date and time of case actions, locations of offense, warrants, individual data; such as age, sex, residence, telephone number, citizenship, occupation, employer, etc. and informant information.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed in the process of investigations to interested law enforcement agencies, investigatory agencies, courts, and federal and state justice agencies. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, memorandums, and typed pages.

Retrievability: By case name or by name of person under investigation.

Safeguards: Maintained in locked file cabinets and safe. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained for the duration of the investigation. No fixed disposition schedule.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-9

System name: Informant Name File, PCC-CZG/CAPL-9

System location: Balboa Police Station, Balboa, Canal Zone

Categories of individuals covered by the system: All persons acting as informants for the Canal Zone Police.

Categories of records in the system: The name of police officer the informant reports to, the informant's name and number.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 by 5 inch cards.

Retrievability: By informant's number.

Safeguards: Maintained in a locked safe. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by fire once informant is no longer used.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-10

System name: Master Name File, PCC-CZG/CAPL-10

System location: Balboa Police Station, Balboa, Canal Zone, and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: Persons who have been arrested; reported offenses to the police; been involved in an incident coming to the attention of the Canal Zone Police; been reported missing; and, persons who have outstanding warrants.

Categories of records in the system: Name, identifying number, residence, birth date, citizenship, occupation, employer, photograph number, fingerprint classification, convict number, alias, sex, type of warrant, violations of law committed, date and time of the arrest/incident, investigating/arresting officer, notations about the arrest/incident.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to investigatory agencies and law enforcement agencies as required to assist in the apprehension and/or identification of known or alleged criminals, to prevent crime, locate witnesses etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 by 5 inch cards.

Retrievability: Filed by name of person.

Safeguards: Maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely on persons who have been arrested and prosecuted for a felony. All others destroyed by fire ten years after reported incident.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-11

System name: Youth Unit Drug Abuse File, PCC-CZG/CAPL-11

System location: Youth Unit, Balboa Police Station, Balboa, Canal Zone, Youth Unit, Cristobal Police Station, Administration Building, Cristobal, Canal Zone, and Office of the Chief, Police Headquarters, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: All juveniles who have appeared before the Canal Zone Drug Abuse Board.

Categories of records in the system: Juvenile's name, birth date, residence, sex, citizenship, school, parent's name, parent's residence, parent's occupation and employer, facts of all investigations involving the juvenile, date and time of the incident, investigating officer, youth officer, witnesses, and comments by the Drug Abuse Board.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to investigatory agencies, law enforcement agencies, courts, and the Canal Zone Drug Abuse Board on a need to know basis. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed case reports, memos, and letters.

Retrievability: Filed by name of juvenile.

Safeguards: Maintained in locked file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Until juvenile becomes 21 years old, or leaves the Canal Zone, then destroyed by fire.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-12

System name: Youth Unit Name Index File, PCC-CZG/CAPL-12

System location: Balboa Police Station, Balboa, Canal Zone and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: Juveniles who have been the subjects of Canal Zone Police Division juvenile reports, arrest reports, missing person reports, etc.

Categories of records in the system: Name, birth date, residence, sex, telephone number, facts of the case or investigation, date and time of the report, date and time of the incident, date and time of the interview, parent's name, parent's identifying numbers, parent's residence, investigating officer and youth officer.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701-44, 76A Stat. 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To reference reports pertaining to a juvenile, to investigatory agencies, law enforcement agencies, courts, and others with a need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards 4 by 6 inches.

Retrievability: Filed by juvenile's name.

Safeguards: Maintained in locked file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by fire once juvenile becomes 21 years of age or leaves the Canal Zone.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13 and 10.14.

PCC-CZG/CAPL-13

System name: Arrest Record File, PCC-CZG/CAPL-13

System location: Balboa Police Station, Balboa, Canal Zone

Categories of individuals covered by the system: All individuals who have been arrested, fingerprinted, photographed for violations of law. Also includes those persons required to appear in Magistrates Court for traffic violations.

Categories of records in the system: Name, alias, age, birth date, marital status, color, sex, felony or misdemeanor, charge, type of arrest, convict number, photograph number, nationality, residence, occupation, employer, drivers license number, identifying numbers, complainant, location of arrest, court dates and dispositions.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 1691-1716, 3701-44, 76A Stat. 474-6, 503-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide statistical data, to identify criminal offenders, and to index such information for use by law enforcement agencies, courts, consular and diplomatic officials and others with a valid need to know.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed cards 4 by 6 inches and micro-film cassettes.

Retrievability: Indexed by name.

Safeguards: Maintained in locked Kard-Veyer (rotary file) and locked micro-film file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely, no disposition schedule established.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Compiled from individual arrest reports, from person arrested, and from identifying case report serial numbers.

PCC-CZG/CAPL-14

System name: Inmate Trust Fund File, PCC-CZG/CAPL-14

System location: Canal Zone Penitentiary, Gamboa, Canal Zone

Categories of individuals covered by the system: All persons actively serving sentences in the Canal Zone Penitentiary who are enrolled in the Inmate Trust Fund program.

Categories of records in the system: Inmate's name, convict number, date of debit or credit to his account and the account balance.

Authority for maintenance of the system: 6 C.Z.C. 6501-7, 76A Stat. 555-6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed as required to courts, probation, parole and pardon board officials, federal penal institutions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8 by 10 1/2 inches.

Retrievability: By convict number.

Safeguards: Maintained in file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained until discharge of inmate, filed with convict record and transferred with record to Agency Records Center for storage.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From inmate and Trust Fund Officer.

PCC-CZG/CAPL-15

System name: Complaints Against Policemen File, PCC-CZG/CAPL-15

System location: Balboa Police Station, Balboa, Canal Zone, Cristobal Police Station, Administration Building, Cristobal, Canal Zone, and Police Headquarters, Civil Affairs Buildinq, Ancon, Canal Zone

Categories of individuals covered by the system: All police personnel about whom written complaints have been submitted from citizens.

Categories of records in the system: Subject's name, badge number, date and time of the complaint, facts of the complaint as stated by the complainant, officer's statements as to his actions, decision on complaint, actions taken by person investigating the complaint, results of the complaint.

Authority for maintenance of the system: 2 C.Z.C. 31, 76A Stat. 7; 6 C.Z.C. 3701, 76A Stat. 503.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Original letter of complaint.

Retrievability: By name of subject-police officer.

Safeguards: Maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. No disposition schedule established.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Request should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From person making complaint; from employee; witnesses; investigating officer(s).

PCC-CZG/CAPL-16

System name: Traffic Accident Reports, PCC-CZG/CAPL-16

System location: Balboa Police Station, Balboa, Canal Zone; and Cristobal Police Station, Administration Building, Cristobal, Canal Zone.

Categories of individuals covered by the system: Persons involved in traffic accidents occurring in the Canal Zone.

Categories of records in the system: Driver's name, identifying number, license number, residence, birth date, age, sex, citizenship, occupation, employer, address of employer, description of vehicle or vehicles involved, violations committed, notations of court proceedings and dispositions, investigating officer's name, and facts and observations of the investigation. Subsystem contains driver's name, identifying number or date of birth, and traffic accident number.

Authority for maintenance of the system: 2 C.Z.C. 1001-3, 76A Stat. 37.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routinely released to court officials, insurance companies, and law enforcement agencies with a need to know. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms 8½ by 11 inches; index cards; punch cards; magnetic tape; and computer-produced reports.

Retrievability: Accident reports filed by accident number and date, cross-indexed by name of driver. Information on magnetic tape not retrievable by personal identifier.

Safeguards: Active files maintained in file cabinets in offices locked when not in use. Magnetic tapes stored in locked rooms when not in use. Inactive files maintained in Agency Records Center, a building locked when not in use. Accident report files in Agency Records Center normally released only to designated Canal Zone Police officials. Access to and use of all records restricted to authorized personnel.

Retention and disposal: Manual files destroyed five years and final disposition of case. Information on magnetic tape automatically expunged three years after date of report unless longer retention is specifically requested. Computer-produced reports retained at Police Records Branch up to ten years and then destroyed.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Compiled from information provided by the vehicle operator, witnesses, and the investigating officer.

PCC-CZG/CAPL-18

System name: Prisoner Property Record, PCC-CZG/CAPL-18

System location: Balboa Police Station, Balboa Canal Zone, and Cristobal Police Station, Administration Building, Cristobal Canal Zone.

Categories of individuals covered by the system: Persons whose personal property is held or seized by the police at the time of arrest or incarceration.

Categories of records in the system: Consists of the receipt number, prisoner's name, money, and other property seized or held; the name of the receiving officer, and the receipt for return of the property.

Authority for maintenance of the system: 6 C.Z.C. 4901-7, 76A Stat. 544-5

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms

Retrievability: Filed and retrieved by receipt number.

Safeguards: Kept at main police desk, and then later in locked storeroom. Access and use restricted to authorized personnel.

Retention and disposal: Held 3 years after property is returned. Destroyed.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From prisoner, and officer completing the form.

PCC-CZG/CAPL-19

System name: Poor Risk/Delinquent Citation/Warrant File, PCC-CZG/CAPL-19

System location: Balboa Police Station, Balboa, Canal Zone, and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: All persons who have failed to honor their written promises to appear and pay in court for traffic citations received; and/or are being sought on outstanding warrants.

Categories of records in the system: Subject's name, date of birth, identifying number, driver's license number; the name of the officer who issued original citation; and the type of warrant and citation number.

Authority for maintenance of the system: 2 C.Z.C. 31, 1001-03, 76A Stat. 7, 37.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Released to investigatory agencies, courts, and law enforcement agencies as required. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed cards 4 by 6 inches.

Retrievability: Filed by name.

Safeguards: Maintained in rotary file in dispatcher's office.

Retention and disposal: Destroyed after two years.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Compiled from traffic citations, arrest records, and warrants.

PCC-CZG/CAPL-20

System name: Driver's License Revocation Lists, PCC-CZG/CAPL-20

System location: Balboa Police Station, Balboa, Canal Zone, and Cristobal Police Station, Administration Building, Cristobal, Canal Zone

Categories of individuals covered by the system: All persons who have had their driving privileges revoked in the Canal Zone.

Categories of records in the system: Name, identifying number, residence, date of revocation, photograph and police number, and copy of order revoking driving privileges issued by the License Section.

Authority for maintenance of the system: 2 C.Z.C. 31, 1001-3, 76A Stat. 7, 37.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form 8 by 10 inches.

Retrievability: Filed by date received, cross-referenced by name of driver.

Safeguards: Maintained at Police Dispatcher's desk. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed once revocation is suspended.

System manager(s) and address: Chief, Police Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Police reports, license files.

PCC-CZG/CAPR-1

System name: Probation and Parole Unit Child Custody Reports, PCC-CZG/CAPR-1

System location: Probation Office, U.S. District Court, Ancon, Canal Zone

Categories of individuals covered by the system: Parent or custodian of minor child when custody of the child is contested.

Categories of records in the system: All background information available to the Probation Officer that would be helpful in determining appropriate custody of the child.

Authority for maintenance of the system: Judicial request under 7 C.Z.C. 2807 or 8 C.Z.C. 338, 76A Stat. 647, 689.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to officials of U.S. District Court for the District of the Canal Zone. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Reports 8 by 10 1/2 inches.

Retrievability: Alphabetized.

Safeguards: Records maintained in metal file cabinets with access by Probation Office personnel only.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: Probation and Parole Officer, Box 2020, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/CAPR-2

System name: Presentence and Pre-Parole Investigation Reports, PCC-CZG/CAPR-2

System location: Probation Office, U.S. District Court, Ancon, Canal Zone

Categories of individuals covered by the system: All persons convicted of crimes and referred to the Probation Office for investigation.

Categories of records in the system: All background information available to the Probation Officer, including full indentity of the person and his family, police history, employment history, financial status, military history, and details of the offense in which the person was involved.

Authority for maintenance of the system: 18 U.S.C. 3651-53, 3655; 6 C.Z.C. 4491-92, 6621-25 (76A Stat. 533, 558).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to officials of U.S. District Court for the District of the Canal Zone and Administrative Office of the U.S. Courts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Typed reports and printed forms 8 by 10 1/2 inches.

Retrievability: Indexed by name and kept in alphabetized individual jackets.

Safeguards: Records maintained in metal file cabinets with access by Probation Office personnel only.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: Probation and Parole Officer, Box 2020, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/CAPR-3

System name: Probation and Parole Unit Statistical File, PCC-CZG/CAPR-3

System location: Probation Office, U.S. District Court, Ancon, Canal Zone

Categories of individuals covered by the system: All persons convicted of crimes and referred to the Probation Office for investigation.

Categories of records in the system: Name, age, residence, category of crime and Court disposition.

Authority for maintenance of the system: Federal Probation Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to officials fo the U.S. District Court for the District of the Canal Zone and Administrative Office of the U.S. Courts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form 5 by 8 inches.

Retrievability: Indexed by name.

Safeguards: Records maintained in metal file cabinets with access by Probation Office personnel only.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: Probation and Parole Officer, Box 2020, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/CAPS-1

System name: Mail Covers, PCC-CZG/CAPS-1

System location: Director of Posts, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Individuals on whom a mail cover has been duly authorized to obtain information in the interest of (1) protecting the national security, (2) locating a fugitive, or (3) obtaining evidence of commission or attempted commission of a crime.

Categories of records in the system: Name and addresses of individuals appearing on the outside cover of mail matter under review. May also include interoffice memorandums and correspondence with other agencies.

Authority for maintenance of the system: 2 C.Z.C. 1131, 76A Stat. 38.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information kept in individually assigned folders.

Retrievability: Filed by date of request and subject's name.

Safeguards: Maintained in lockable metal cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Retained for the period of eight years. Destroyed with obsolete records.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/CAPS-2

System name: Case Investigations, PCC-CZG/CAPS-2

System location: Director of Posts, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Persons involved in, witnesses to, or suspected of activities related to offenses involving narcotics, obscene literature, fraud, prohibited mail matter, rifling of mails, tampering of mail boxes, theft of mail, threatening letters, theft of money orders, theft of postal keys, vandalism of mail boxes, wrong payment of money orders.

Categories of records in the system: Names, addresses, dates and facts of case.

Authority for maintenance of the system: 2 C.Z.C. 1131-32, 76A Stat. 38-39; 6 C.Z.C. 2001, 76A Stat. 481.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in folders.

Retrievability: Filed by Case number, name of individual and/or offense or irregularity.

Safeguards: Maintained in lockable metal cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Indefinite.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individuals, employees, witnesses, law enforcement agencies, courts, postal patrons, U.S. and Foreign Postal Administrations.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/CAPS-3

System name: Prohibitory Orders Against Sending Pandering Advertisement in the Mails, PCC-CZG/CAPS-3

System location: Director of Posts, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Any individual who elects to have his name and address and those of his children placed on a list of persons who do not wish to receive sexually oriented advertisements through the mail.

Categories of records in the system: The record contains: (1) the name and address of individual or parent of minor addressees under the age of 19 years receiving pandering advertisements; and, (2) the sender's name and address and a copy of the Prohibitory Order requiring that the mailer, and his (its) agents or assignees, be directed to refrain from making further mailings of pandering advertisements offering for sale erotically arousing or sexually provocative matter.

Authority for maintenance of the system: 39 U.S.C. 3010.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Originals forwarded to the U.S. Postal Service. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual forms.

Retrievability: Filed alphabetically by name of recipient.

Safeguards: Maintained in metal lockable desk. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by burning after five years.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual submitting request.

PCC-CZG/CAPS-4

System name: Post Office Boxholder Records, PCC-CZG/CAPS-4

System location: At Canal Zone Post Offices where the individual's mail is delivered.

Categories of individuals covered by the system: Persons who have applied for postal delivery service at Canal Zone Post Offices, including persons obtaining boxholder and general delivery service. Persons submitting change of address requests, Post Office box cancellations, etc.

Categories of records in the system: The boxholder or recipient's name, military or employee identification number, residence, Post Office box number, rental payment record, and the names of persons other than the boxholder who are authorized to receive mail at the assigned box or station.

Authority for maintenance of the system: 2 C.Z.C. 1131-1143, 76A Stat. 38, 40.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual cards.

Retrievability: Originals filed numerically by Box number, and cross-referenced by name, duplicates filed alphabetically in the unit master directory.

Safeguards: Maintained in metal file drawers. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed two years after box is closed.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual boxholder.

PCC-CZG/CAPS-5

System name: Philatelic Program, PCC-CZG/CAPS-5

System location: Director of Posts, Civil Affairs Building, Ancon, Canal Zone

Categories of individuals covered by the system: Stamp collectors and others making inquiries of a philatelic nature.

Categories of records in the system: The record normally contains correspondence showing the names and addresses of persons ordering stamps, first day covers, etc., through the philatelic program. Records of, the date and amount of payment, items shipped, and related information is also contained in the system.

Authority for maintenance of the system: 2 C.Z.C. 1131-1143, 76A Stat. 38, 40.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Maintained in metal lockable cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed two years after file becomes inactive.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individual to whom the record pertains.

PCC-CZG/CAPS-6

System name: Postal Claims and Inquiries, PCC-CZG/CAPS-6

System location: Director of Posts, Civil Affairs Building, Ancon, Canal Zone, and all Canal Zone post offices and branches as required.

Categories of individuals covered by the system: Persons requesting tracing of undelivered mail or parcels, or presenting claims for loss or damage of registered mail or insured parcel post.

Categories of records in the system: The record contains the information necessary to properly examine, prepare, process and adjudicate claims for loss or damage of registered mail or insured parcel post or tracing of ordinary articles, including: names and addresses of senders and addressees, date of mailing, description of articles value, the registration, insured, or certified number or description of an unnumbered ordinary article, purpose of claim, post office disposition and/or any other pertinent information relating to the claim or inquiry.

Authority for maintenance of the system: 2 C.Z.C. 1131-32, 76A Stat. 38-39.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referred to Foreign Postal Administrations or law enforcement agencies when applicable. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Individual file folders.

Retrievability: Filed alphabetically by name of addressee.

Safeguards: Maintained in metal lockable cabinets or desk drawers. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed two years after disposition of claims.

System manager(s) and address: Director of Posts, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The sender, addressee, and, as applicable, the Postal Service or Administration officials of the country of origin or destination.

PCC-CZG/CASC-1

System name: Student Record System, PCC-CZG/CASC-1

System location: Office of Superintendent of Schools, Civil Affairs Building, Ancon, Canal Zone; Data Processing Division, Administration Building, Balboa Heights, Canal Zone; and individual schools:

Balboa, Box F, Balboa, C.Z.
Coco Solo, Box 5032, Coco Solo, C.Z.
Curundu, Box M, Balboa Heights, C.Z.
Diablo, Box M, Balboa Heights, C.Z.
Ft. Clayton, Box 906, Ft. Clayton, C.Z.
Ft. Davis, Box P, Ft. Davis, C.Z.
Ft. Gulick, Box 9X, Ft. Gulick, C.Z.
Ft. Kobbe, Box 3030, Howard AFB, C.Z.
Gamboa, Box W, Gamboa, C.Z.
Howard, Box 3034, Howard AFB, C.Z.
Los Rios, Box M, Balboa Heights, C.Z.
Margarita, Box 5008, Margarita, C.Z.
Balboa High, Box C, Balboa, C.Z.
Cristobal Jr-Sr. High, Box 5034, Coco Solo, C.Z.
Curundu Jr. High, Box M, Balboa Heights, C.Z.
Paraiso Jr-Sr. High, Box 2011, Paraiso, C.Z.
Rainbow City Jr-Sr. High, Box 2026, Rainbow City, C.Z.
Canal Zone College, Box 3009, Balboa, C.Z.

Categories of individuals covered by the system: Students in the Canal Zone school system.

a. Enrollment Records: Documents relating to the admission, registration and departure of all students attending Canal Zone schools. Included are: registration/sponsorship cards, registration and class lists, kindergarten information cards, authorization for tuition student enrollment, tuition payment records and loan file, withdrawal records, and similar or related documents.

b. Daily Attendance Register Records: Documents reflecting the daily attendance of pupils at schools. Included are absent and tardy reports, student pass slips, detention lists, suspension lists, and correspondence dealing with attendance.

c. Student Evaluation Records: Documents reflecting grades, personality traits, and promotion or failure. Included are: report cards, unsatisfactory work reports, weekly progress reports, academic suspension lists, and similar or related documents.

d. Cumulative Records: Documents pertaining to individual school students. Included in each folder are: standardized test scores, health records, accident reports, special test results, student grades and credits earned, attendance records, individual reading records, activity record card, rank in class, honors, correspondence, anecdotal records related to pupil progress and characteristics, educational evaluation reports, transcripts of academic work at other educational institutions, and similar or related documents.

e. Guidance Records: Documents pertaining to individual school students. Included are: test scores, personality rating, grades, conference reports, teacher comments and observations, anecdotal records, parental interviews, educational evaluations, psychological reports, and similar or related documents.

f. Rosters: Documents listing students who participate in or are members of curricular or extracurricular activities. Included, for example, are participants in athletic, scholarship, Junior ROTC, driver and motorcycle training, and Safe Haven programs; dormitory residents; student assistants; members of student associations; and applicants to the U.S. Service academies.

g. Student Scholastic Records Program: Information pertaining to scholastic records of students registered in Canal Zone schools. Includes student's name and address; parent/sponsor's name and address; employee or sponsor status; class rosters; grade and class schedules; billing information (sponsored, non-sponsored, or reimbursable rates for sponsoring agency); transportation and residence codes; contract information; scheduling information; student grades and attendance; student testing, analysis, and evaluations.

Authority for maintenance of the system: 2 C.Z.C. 31 and 33; Congressional appropriations acts providing for operation of Canal Zone schools.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed to the following individuals or organizations outside the Canal agencies for the specific purposes indicated:

1. A school to which transcript of individual's record is sent and with which correspondence is exchanged in connection with individual's possible or actual transfer or entry into that school.

2. Prospective employers, when record of individual's academic history is requested in connection with individual's application for employment.

3. Organizations offering scholarships to students, and committees appointed by the Governor to screen and make recommendations to him for appointments to the U.S. Service and Merchant Marine academies.

4. President's Council for Physical Fitness to compile comparative data on physical fitness of students and to evaluate students and schools for achievements.

5. Community athletic leagues, youth programs, and other organizations sponsoring activities and events for students, to the extent that the information is public information or is required by the organization, under an agreement with the Schools Division, to assure that the student meets school standards for participation.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; individual forms; cards; microfilm; magnetic tape/disks, punched cards, and computer printouts.

Retrievability: Student records are filed alphabetically by school and by name of student, and chronologically by school year. The teacher class register file is filed alphabetically by school and by name of teacher, and chronologically by school year. Information in the Student Scholastic Records Program is retrieved from the computer by student number.

Safeguards: Paper records and microfilm stored in metal file equipment in buildings or offices locked when not in use. Magnetic tapes/disks and punched cards stored in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: When students graduate or withdraw from school, their cumulative files are transferred to the Agency Records Center for permanent retention. All other student files are maintained at individual schools for 1 to 5 years and then destroyed.

System manager(s) and address: Superintendent of Schools, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager, school principals, college dean, or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to any of the officials designated in Notification Procedures, preceding. Written requests should contain the following information: current name and, if different, the name used while a student, date of birth, names of schools attended and dates of attendance.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Students, parents or guardians or responsible persons, counselors, teachers, other school staff, medical personnel, and other schools attended by students.

PCC-CZG/CZPB-1

System name: Merit System Recruiting, Examining, and Placement Records, PCC-CZG/CZPB-1

System location: Canal Zone Civilian Personnel Policy Coordinating Board and Central Employment Office, Building 363, Ancon, Canal Zone, and personnel and other offices of Federal agencies in the Canal Zone authorized to make appointments to positions and to act for the Board by delegated authority.

Categories of individuals covered by the system: Individuals seeking eligibility for positions with Federal agencies in the Canal Zone and current and former employees of Federal agencies in the Canal Zone.

Categories of records in the system: Records compiled for determining an individual's suitability, qualifications, and ratings to establish status for eligibility for employment; for referring and placing individuals for employment, transfer, promotion, reassignment, and reappointment; and for providing statistical information for conducting personnel research and management studies. They contain information concerning education and training; employment history and earnings; appraisal of past performance by current and previous employers, educators, and personal references; convictions for offenses against the law; responses to test items and questionnaires; results of tests; rating sheets; appraisals of potential; honors, awards, or fellowships; military service and veterans preference; birthdate and birthplace; citizenship; identification numbers; legal residence; home addresses and telephone numbers; general suitability and medical fitness for Federal employment; applicant's conditions and preferences for employment; special qualifications; registers and certificates of eligibles; actions taken; and related correspondence.

Authority for maintenance of the system: 2 C.Z.C. 141-56, 76A Stat. 16-20; E.O. 10794 and 11171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Apoendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, individual forms and cards, and computer printouts.

Retrievability: Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards: Sensitive information is stored in locked metal file equipment and other records are stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Applications and supporting documents:

a. Transferred to employing agency when applicant is selected for permanent appointment.

b. Transferred to designated U.S. Civil Service Commission area office on transfer of eligibility.

c. Eligible applicants: Destroyed three years after closing of a register.

d. Canceled or ineligible applicants: Destroyed two years after determination on cancellation or ineligibility is made, or at expiration of register, whichever is sooner.

e. Vouchers and correspondence are filed with applications. Index Cards:

a. Permanent Examination Records Cards are transferred to Agency Records Center ten years after initiated; destroyed five years later.

b. Pending Record Cards are destroyed upon completion of processing and rating of applications.

Certificates of eligibles referred to agencies are retained in Central Employment Office for two years, then transferred to Agency Records Center and destroyed after three additional years. Registers of eligibles are retained in Central Employment Office for two years, then transferred to Agency Records Center and destroyed after three additional years. Routine Examining Program Test Answer Sheets:

a. Eligibles answer sheets are destroyed after three years.

b. Ineligibles answer sheets are destroyed after six months.

Other records, permanent.

System manager(s) and address: Executive Officer, Canal Zone Civilian Personnel Policy Coordinating Board, Drawer 2008, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager, his delegate, the Manager, Central Employment Office, Balboa Heights, Canal Zone, or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Individual should provide name, date of birth, approximate date of record, and title of examination or announcement with which concerned. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to one of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, employers, schools, references, neighbors, associates, credit bureaus, law enforcement agencies, probation officials, prison officials, personnel managers, medical officers and records, government agencies, and others.

Systems exempted from certain provisions of the act: All information in this system which would reveal the identity of confidential sources or is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/CZPB-2

System name: Appeals, Grievances, Complaints, and Assistance Records, PCC-CZG/CZPB-2

System location: Canal Zone Civilian Personnel Policy Coordinating Board and Central Employment Office, Building 363, Ancon, Canal Zone, and personnel and other offices of Federal agencies in the Canal Zone authorized to make appointments to positions and act for the Board by delegated authority.

Categories of individuals covered by the system: Applicants for Federal employment and current and former Federal employees in the Canal Zone who have appealed a qualification or rating or who have registered complaints or made requests for assistance on any phase of the operations of the Board and the Central Employment Office.

Categories of records in the system: Records relating to a decision, process, determination or reply made by the Board on an appeal, grievance, complaint, or request for assistance affecting an individual's consideration for employment through the Canal Zone Merit System, and used also to provide statistical information for conducting personnel research and management studies. The records consist of the initial appeal or complaint; letters or notices from and to the individual; records of hearings when conducted;

documentation supporting a decision or determination; affidavits or statements; testimonies of witnesses; investigative reports; instructions to an agency about action to be taken to comply with decisions; related correspondence, opinions, and recommendations; and results of rating panels.

Authority for maintenance of the system: 2 C.Z.C. 141-56, 76A Stat. 16-20; E.O. 10794 and 11171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and binders, and index cards.

Retrievability: Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards: Stored in locked metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Executive Officer, Canal Zone Civilian Personnel Policy Coordinating Board, Drawer 2008, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Individual should provide name, date of birth, and approximate date and kind of action taken. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals; agency and Board officials; affidavits of employees; testimonies of witnesses; documents in file related to the appeal, grievance, complaint, or request for assistance; and correspondence from organizations or persons with pertinent knowledge.

Systems exempted from certain provisions of the act: All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/CZPB-3

System name: Personnel Investigation Records, PCC-CZG/CZPB-3

System location: Canal Zone Civilian Personnel Policy Coordinating Board and Central Employment Office, Building 363, Ancon, Canal Zone, and personnel and other offices of Federal agencies in the Canal Zone authorized to make appointments to positions and to act for the Board by delegated authority.

Categories of individuals covered by the system: Current and former applicants for employment in the Federal service and current and former Federal employees in the Canal Zone.

Categories of records in the system: Investigative records compiled to evaluate applications for employment and to provide statistical information for conducting personnel research and management studies. They contain information regarding an individual's physical and mental health, character, conduct, and behavior in the community where the individual has lived; arrests and convictions for any violations against the law; reports of interviews with former supervisors, co-workers, associates, educators, etc.; reports about the overall qualifications of an individual for a specific position; reports from law enforcement or corrective/parole agencies, former employers, educational institutions, and medical officers and institutions; veterans' preference claims for veterans' wives, widows, widowers, and mothers; lists of persons barred from military installations and pier areas; lists of persons deported from the Canal Zone; lists of police checks; police records; and penitentiary predischarge reports, parole officers' postdischarge statements, and wardens' postdischarge statements.

Authority for maintenance of the system: 2 C.Z.C. 141-56, 76A Stat. 16-20; E.O. 10794 and 11171.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders and individual forms and cards.

Retrievability: Filed or retrievable alphabetically by name of individual and by date of birth.

Safeguards: Stored in locked file equipment in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Lists of persons barred from military installations and piers and those deported from the Canal Zone are destroyed when the bar or restriction is lifted. Penitentiary predischarge reports, parole officer and warden statements are transferred to:

1. The application file when a decision is made to permit the individual to compete for Federal employment.
2. To the Suitability Investigations Index Card (Personal Data Card) when a decision is made to suspend the individual from competition for Federal employment.

Canal Zone or United States police records and check lists are destroyed when the data is transferred to the Suitability Investigations Index Card (Personal Data Card) subsequent to receipt. Police records received from the Republic of Panama which are owned by the individual are returned to the owner after transfer of the data to the Suitability Investigations Index Card (Personal Data Card). Statements from the individual and from other sources are transferred to the application file when the individual is cleared for Federal employment. Suitability Investigations Index Cards (Personal Data Cards) and other records are destroyed upon death, retirement or at age 70 of the individual.

System manager(s) and address: Executive Officer, Canal Zone Civilian Personnel Policy Coordinating Board, Drawer 2008, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager, his delegate, the Manager, Central Employment Office, Balboa Heights, Canal Zone, or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Individual should provide name, date of birth, and the approximate date and kind of action taken. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to one of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, employers, schools, references, neighbors, associates, credit bureaus, law enforcement agencies, probation officials, prison officials, personnel managers, medical officers and records, government agencies, and others.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/ECCN-1

System name: Plumbing and Welding License Files, PCC-CZG/ECCN-1

System location: Construction Division, Building 29-X, Balboa, Canal Zone

Categories of individuals covered by the system: All persons who have plumbing or welding licenses on file with the Construction Division.

Categories of records in the system: License numbers, name of licensee, date license issued, test results, category of license, name of certification board or examiner.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, 76A Stat. 7, 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: License information routinely released to contractors, employers, and license examining and review boards. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in file folders.

Retrievability: Filed by type and number of license.

Safeguards: Records maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: No retention and disposal schedule established. Actively maintained as long as licensee is known to be actively engaged in employment. Retained permanently for record purposes.

System manager(s) and address: Chief, Construction Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Examining officials and licensee.

PCC-CZG/ECCN-2

System name: Contractor Employee Payroll Records, PCC-CZG/ECCN-2

System location: Construction Division, Building 29-X, Balboa, Canal Zone

Categories of individuals covered by the system: Employees of contractors working on Canal Zone contracts when such employees are working in the Canal Zone and being paid hourly wages.

Categories of records in the system: The contract number, contractor, employee's name, cedula number, hourly rate of pay, hours worked, total hours worked, total amount paid and other information as required to assure contractor's compliance with the Hours and Safety Standards Act and the Fair Labor Standards Act.

Authority for maintenance of the system: 40 U.S.C. 327 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: US Department of Labor, US Court of Claims, US Army Corps of Engineers Board of Contract Appeals, insurance companies (sureties), GOP Department of Labor, US Embassy and others as required to assure contractor's compliance with above Acts regarding minimum wage, and maximum daily and weekly hours of work. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Individual pay data and hours of work retrieved chronologically by date.

Safeguards: Records maintained in file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Retained by contracting officer for one year after final payment of contract, then transferred to Agency Records Center. Destroyed three years later unless claim pending.

System manager(s) and address: Chief, Construction Division, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Provided by the contractor.

PCC-CZG/ECLE-1

System name: Telephone Exchange Directory, PCC-CZG/ECLE-1

System location: Electrical Division, Building 66-A, Balboa, Canal Zone

Categories of individuals covered by the system: Panama Canal Company telephone service subscribers, including persons or organizations requesting residential, office, and/or pay phone installations, directory listings, repair services, etc.

Categories of records in the system: Name, employee identification and/or customer number, of all persons and organizations having listed and unlisted telephone numbers. Dates of installation, work order numbers, types of equipment and numbers of installation, location, etc. are also included.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, 76A Stat. 7, 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system is used to compile listings used to produce the Panama Canal Company Telephone Directory, answer requests for telephone directory assistance etc. Telephone numbers which are requested to be kept unlisted, while a part of the system, are maintained under lock and key. Such numbers are only divulged to the party to whom they pertain, and only upon positive face-to-face identification. For other routine uses see general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information maintained on printed cards.

Retrievability: Filed by name and telephone district.

Safeguards: Cards maintained in lockable revolving files.

Retention and disposal: Maintained for five years after individual cancels or terminates service, then destroyed.

System manager(s) and address: Chief, Electrical Division, Box 2010, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From employee on whom record is maintained.

PCC-CZG/EPCD-1

System name: Civil Defense and Natural Disaster Records, PCC-CZG/EPCD-1

System location: Various locations in the Canal Zone as may be designated by the Agency Records Officer, Personnel Director, or other appropriate officials.

Categories of individuals covered by the system: Those persons to whom, and by whom, emergency services would be rendered in times of emergency or natural disaster.

Categories of records in the system: As may be required, the names, addresses, ages, employment, citizenship, next of kin and other information needed to identify persons who may provide, or require, temporary housing assistance, medical care, etc., in times of emergency or natural disaster.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 76A Stat. 7, 8; 50 App. U.S.C. 2251 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to the Department of Health, Education, and Welfare, military commands, and the U.S. Customs and Immigration Service. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms in file folders.

Retrievability: By name.

Safeguards: Stored in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Retained until revised or no longer required.

System manager(s) and address: Chief, Planning Division, Executive Planning Staff, or his designee, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individual, employer and, Housing and Personnel Bureau records as required.

PCC-CZG/EPS-1

System name: Panama Canal Company Board of Directors Biographical and Correspondence Files, PCC-CZG/EPS-1

System location: Executive Planning Staff, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Past and present members of the Panama Canal Company Board of Directors.

Categories of records in the system: Names and addresses, newspaper clippings, personal resumes, biographies and official correspondence between Company/Government officials and board members. May also include other information as may be provided by Executive Planning Staff in the process of routine responses to inquiries by Board of Directors.

Authority for maintenance of the system: 2 C.Z.C. 63, 76A Stat. 10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Memorandums, letters, newspaper clippings etc. Maintained in standard folders.

Retrievability: Filed by name of board member.

Safeguards: Lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Director, Executive Planning Staff, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Information obtained from the individual, public media and protocol sources.

PCC-CZG/FVAC-1

System name: Embezzlements, Burglaries, and Cash Shortages, PCC-CZG/FVAC-1

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Panama Canal Company and Canal Zone Government employees under investigation for embezzlements, burglaries, and cash shortages.

Categories of records in the system: Records collected and maintained in connection with investigations of embezzlements, burglaries, and cash shortages, such as, police reports, audit reports, statements by individuals involved and their employers, decisions made about liability and responsibility, statements of actions taken to recover, and court decisions.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 76A Stat. 7, 8; 2 C.Z.C. 65, 66, 76A Stat. 11; 6 C.Z.C. 502-6, 1341-58, 1381-93, 76A Stat. 428-29, 458-63; 5 U.S.C. 5511-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to the General Accounting Office for decision on responsibility for losses sustained and method of recovery or forgiveness and to the Civil Service Commission for recovery from retirement annuities or contributions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Employers, agents, investigators, witnesses, and the courts.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/FVAC-2

System name: Accounts Receivable Records, PCC-CZG/FVAC-2

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone; Panama Canal Company, 4400 Dauphine Street, New Orleans, Louisiana; and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Individuals billed by the Panama Canal Company and Canal Zone Government for services and purchases. Included are: all employees of the Panama Canal Company/Canal Zone Government; employees and active duty personnel of U.S. military commands; employees of other U.S. Government agencies, including U.S. Embassy and State Department personnel located in the Republic of Panama; Civil Service annuitants; and all other persons having charges or unpaid balances payable to the Panama Canal Company and/or Canal Zone Government.

Categories of records in the system: Records maintained to support and effect customer billings, collections, and credit standing, including customer listings and data files (name, address, account number and balance, roll and gang, history of debit and credit transactions, etc.), charge account applications, transaction detail and analysis and statistical accumulations, active and inactive credit accounts, schedules of advance payments and security deposits, and account written off. Information relates to such charges as retail store and storehouse sales, hospital services, and other services provided by the Panama Canal Company/Canal Zone Government.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 65, 66, and 411, 76A Stat. 7, 8, 11, and 27; 3 C.Z.C., Chapter 11, 76A Stat. 67-69; Section 6.5 of Article VI, Panama Canal Company Bylaws; 5 U.S.C. 301; 5 U.S.C. 5511-14; 31 U.S.C. 951-3; 42 U.S.C. 2651-3; and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to General Accounting Office for audit and collection assistance; Department of Justice for collection assistance; Internal Revenue Service for determination of tax liabilities; Veterans Administration for its administration of laws pertaining to veterans; and other U.S. Government organizations, private employers, labor unions, lending and credit institutions, foreign consulates and embassies, foreign governments, insurance carriers, attorneys, courts, and executors of estates for collection assistance, credit information, offset of accounts receivable against amounts due customers, and possible litigation. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in folders; index cards; magnetic tapes/disks and punched cards; computer printouts.

Retrievability: Paper records filed or retrievable alphabetically by name; information retrieved from computer by customer/account number.

Safeguards: Paper records filed in locked and unlocked metal file cabinets, shelf files, tub files, desks, and table tops in building locked when not in use. Magnetic tapes/disks and punched cards filed in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Paper records destroyed five years after account closed, except those pertaining to accounts written off (destroyed after fifteen years) and customer listings (destroyed when superseded by new listings). Information retained on computer for one year after closing of account.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Units providing chargeable services, billing offices, collection agents, subject individuals, officials authorized to forgive debts and to authorize adjustments of existing charges, and offices making inquiries or to which inquiries are directed.

PCC-CZG/FVAC-3

System name: Trust Fund Records, PCC-CZG/FVAC-3

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Prisoners in Canal Zone Penitentiary; patients of Palo Seco Hospital; patients of Canal Zone Mental Health Hospital; and estates escheated to the Canal Zone Government by court order.

Categories of records in the system: Records maintained on funds held, including earnings for persons held in detention or institutionalized and incapable of handling their own affairs. The records show the beneficiary's name, amounts received and earned, dates received and earned, account and receipt.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 76A Stat. 7, 8; 5 C.Z.C., Chapter 57, 76A Stat. 353-60; 6 C.Z.C. Chapter 35, 76A Stat. 355-6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure of information is authorized to administrators of the subject funds, including the Public Administrator, for use in the performance of their duties. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed five years after termination of fund.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Fund administrators and agent cashiers.

PCC-CZG/FVAC-4 (See PCC-CZG/FVAP/AC-4)

PCC-CZG/FVAC-5

System name: Delegation of Authority for Procurement, PCC-CZG/FVAC-5

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Panama Canal Company and Canal Zone Government personnel authorized to procure and/or approve payments, and personnel of the District Court and other government agencies that approve payments that are made by the Panama Canal Company.

Categories of records in the system: Records maintained to show individuals and positions authorized to procure goods or services and approve disbursements. Records contain such information as name; organization; title; type of authority; dollar limitations; payment authorization and limitations; letters of additions, deletions and revisions; and sample signatures.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; Section 6.5 of Article VI, Panama Canal Company Bylaws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to officials of the District Court and other government agencies for which the Panama Canal Company makes disbursements. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and papers in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed two years after authority expires.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Officials of the Canal agencies and subject individuals.

PCC-CZG/FVAC-6

System name: Cash Collection Agents and Subagents, PCC-CZG/FVAC-6

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Employees responsible for handling cash.

Categories of records in the system: Records maintained to identify personnel responsible for cash, their location, the authorized amount of their cash banks, and limitations as to the use of the banks.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; Section 6.5 of Article VI, Panama Canal Company Bylaws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to insurance companies for bonding purposes. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records.

Retrievability: Filed by agent cashier number and retrievable by name.

Safeguards: Stored in locked desks in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed one year after superseded.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Administrative Officers of operating divisions, Personnel Bureau records, and the Treasurer.

PCC-CZG/FVAC-7

System name: Canal Zone Awards and Service Contracts Control Records, PCC-CZG/FVAC-7

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Individuals and organizations that have personal service contracts and sale agreements with the Panama Canal Company and Canal Zone Government.

Categories of records in the system: Control records on Canal Zone Awards and service contracts showing transaction history, payment history, history of orders placed against awards, modifications to initial agreement, amount contracted for, and undelivered orders placed against awards.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; Section 6.5 of Article VI, Panama Canal Company Bylaws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to contractors in reviewing the status of their accounts, the General Accounting Office and the Office of Management and Budget in the performance of their functions, and the District Court and other Government agencies for which the Panama Canal Company makes disbursements. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards.

Retrievability: Filed alphabetically by name and cross-referenced to contract and award numbers.

Safeguards: Stored in locked desk in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed five years after expiration of award or contract.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Contracting officers, budget officers, disbursement records, and contractors.

PCC-CZG/FVAC-8

System name: Accounts Payable Disbursement Records, PCC-CZG/FVAC-8

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone. New Orleans Office, Panama Canal Company, 4400 Dauphine Street, New Orleans, Louisiana

Categories of individuals covered by the system: Persons to whom payments have been made by the Canal agencies.

Categories of records in the system: Records maintained to show payments from accounts of Canal agencies including such documentation as purchase orders, vendors invoices, payment authorizations and approvals, check follow copies, and accounting classifications.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; Section 6.5 of Article VI, Panama Canal Company Bylaws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to freight carriers and rate making institutions in connection with the determination of rates, other Federal agencies gathering statistical information, contracting officers, banks with which the Canal agencies maintain checking accounts, and the District Court and other Governent organizations for which the Panama Canal Company disburses funds. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in folders and individual forms.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed after twelve years.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Procurement Officer, contracting officer, officials authorized to incur liabilities and approve payments disbursed by the Panama Canal Company, and subject individuals.

PCC-CZG/FVAC-9

System name: Unnegotiated Checks Over One Year Old, PCC-CZG/FVAC-9

System location: Agents Accounts Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Persons issued Panama Canal Company checks for which there is no record of their having been cashed for over one year.

Categories of records in the system: Records maintained on unnegotiated checks over one year old used to investigate claims for funds, determine if funds are available which can be offset against accounts receivable, and investigate alleged liabilities. Records contain information such as payee name, identification number, check number, check date, name of bank drawn on, amount of check, and related correspondence.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; Section 6.5 of Article VI, Panama Canal Company Bylaws.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to individuals and organizations affected by the non-negotiation of the check. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and papers in file folders.

Retrievability: Filed alphabetically by name of payee.

Safeguards: Filed in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed five years after liability is paid off or otherwise settled.

System manager(s) and address: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Disbursements system, payees, and other persons concerned.

PCC-CZG/FVAK-1

System name: Claims Files, PCC-CZG/FVAK-1

System location: Claims Branch, Building 38, Balboa, Canal Zone

Categories of individuals covered by the system: Persons making or filing claims against the Panama Canal Company or the Canal Zone Government; and/or persons and companies who are subjects of claims by the Panama Canal Company and/or the Canal Zone Government.

Categories of records in the system: This system of records contains information or documents needed to audit and settle claims for pay and allowances, uncollectible debts, amounts due estates of deceased employees, travel expense reimbursement, personal injury or death (including injury occurring in the performance of duty), and personal property loss and/or damage. The records consist of documentation of the circumstances giving rise to the claim and basis of the claim; claimant's or individual's name, names and relationship of immediate family, address, identification number, occupation, date of birth; when, where and how the loss of or damage

to property occurred; when and how individual was injured, nature and extent of injury, medical treatment, diagnosis and prognosis; payroll information; travel orders and other travel information, investigative, police, fire, autopsy, accident and medical reports, and various other materials placed into the record to perfect the claim and relating to the actions, decisions, or determinations made by the Agency on claims.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 271, 291-297, 76A Stat. 11, 22, 23-25; 5 U.S.C. 301; 5 U.S.C. 5581 et seq.; 5 U.S.C. 5701 et seq.; 5 U.S.C. 8101 et seq.; 31 U.S.C. 240-243; 31 U.S.C. 951-953; 46 U.S.C. 1300 et seq.-Bill of Lading Contract of Carriage; 4 CFR 91-93; 28 CFR Part 14.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information or a record from this system may be furnished to and information acquired from federal, state, local or foreign agencies, the claimant and other parties of interest in connection with the audit and settlement of claims and demands by or against the Panama Canal Company/Canal Zone Government, such as the following:

1. Physicians and medical facilities for the purpose of medical treatment, examination, opinions and evaluations of claimants.
2. Insurance companies in connection with claims for or against their insured under subrogation rights or in connection with the bonding of employees of the Panama Canal Company/Canal Zone Government.
3. Lawyers representing claimants or the agency.
4. Labor unions representing claimants.
5. Steamship agencies and/or their legal representatives for furnishing services or adjusting cargo and other claims from the Panama Canal Company/Canal Zone Government or other claimants.
6. Contractors who furnish services to the Panama Canal Company/Canal Zone Government such as the packing, crating, and transportation of household goods and personal effects of employees under recruitment and repatriation.
7. Consultants who furnish services to the Panama Canal Company/Canal Zone Government, i.e., doctors, engineers, management firms, etc.
8. Transportation companies such as airlines, steamship companies, railroads, buses, and car rental agencies who furnish services to the Panama Canal Company/Canal Zone Government.
9. National Safety Council for safety purposes.
10. Department of Labor for advice on a particular case and appeals to the Employees' Compensation Appeals Board.
11. Social Security Administration for verification of earnings record of beneficiaries under the Federal Employees' Compensation Act.
12. Civil Service Commission for furnishing record of compensation payments to beneficiaries under the Federal Employees' Compensation Act.
13. Department of Justice for the defense or prosecution of cases on behalf of the agency.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Filed alphabetically by name of claimant, etc.

Safeguards: Records maintained in lockable file cabinets in office locked other than during office hours. Access and use of records limited to authorized personnel only.

Retention and disposal: Records maintained a minimum of one year after disposition of claim. Transferred to Agency Records Center for retention and disposition in accordance with established Agency Records Retention Schedule No. 3, as revised.

System manager(s) and address: Chief, Claims Branch, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Claimants, officials of Panama Canal Company or Canal Zone Government, other government officials, physicians, medical facilites, private individuals and companies.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the Agency's regulations. See 35 CFR 10.14.

PCC-CZG/FVAP-1

System name: Payroll Master File for Panama Canal Company and Canal Zone Government Employees, PCC-CZG/FVAP-1

System location: Payroll Branch, Panama Canal Company, Ancon, Canal Zone; and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Present and former employees of the Panama Canal Company and Canal Zone Government.

Categories of records in the system: Master payroll system consisting of payroll-related or employment-related information necessary to compute gross and net pay, retirement credit, leave balances, overtime, etc., and to account for payments. Includes such information as name, employee identification number, rate number, rate of pay, deductions, date hired, where hired, roll and gang, position number, occupation, pay level, base rate, frozen or saved rate, tropical differential code, annual premium compensation, security classification, step due date, labor distribution accounts, work week, retirement code, tenure, rehired annuitant, part-time hours, social security code and number, FEHBA plan, FEGLI income tax data, Fair Labor Standards Act code, medical identification card, residence, citizenship, sex, marital status, veterans preference, physical examination, suspended leave, employee address, birth date, Federal service date, Canal service date, travel leave, check distribution code, employee status, and Combined Federal Campaign pledges.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 65, 66, 101, 121, 141 et seq., 76A Stat. 7, 8, 11, 14ff.; 5 U.S.C., Chapter 55.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be disclosed to the following agencies and organizations, in connection with their authorized functions: Civil Service Commission; Internal Revenue Service; Social Security Agency; General Accounting Office; U.S. military agencies; state unemployment compensation offices; city, county, and state tax offices; employee credit unions; banks; labor unions; insurance carriers; and Combined Federal Campaign. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape/disks, punched cards, computer printouts, and microfilm of printout.

Retrievability: Retrievable by employee's name, identification number, and pay rate code.

Safeguards: Paper records and microfilm stored in building locked when not in use. Magnetic tape/disks and punched cards filed in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Paper records or microfilm destroyed sixty years after individual's first day of employment, provided individual has been separated from service for five years. Terminated employees are carried on the computer until six weeks after the end of the calendar year in which they terminate.

System manager(s) and address: Chief, Payroll Branch, Box 2032, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject employee, personnel action form (SF-50), employing unit, time reports, and computer-generated and manual calculations from varied input data.

PCC-CZG/FVAP-2

System name: Payroll System for Vessel Employees, PCC-CZG/FVAP-2

System location: Payroll Branch, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Former and present vessel employees on Panama Canal Company steamships.

Categories of records in the system: Records maintained to accumulate pay-related data, calculate pay, and account for payments to crew members of Company steamships, including such information as name, Social Security number, article number, rate, and position title.

Authority for maintenance of the system: 2 C.Z.C. 65, 66 and 121, 76A Stat. 11 and 15; 5 U.S.C. 5342(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In connection with their authorized functions, disclosure is authorized to the U.S. Civil Service Commission; Internal Revenue Service; Federal Social Security Administration; municipal, county and state tax offices in the United States, employee credit unions, financial institutions, labor unions, insurance carriers, state unemployment compensation offices. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Journals and cards.

Retrievability: Filed by Social Security number and retrievable by name.

Safeguards: Stored in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed sixty years after first day of employment of vessel employee by Panama Canal Company.

System manager(s) and address: Chief, Payroll Branch, Box 2032, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individual and ship's purser.

PCC-CZG/FVAP-3

System name: Injury Compensation Payroll Records, PCC-CZG/FVAP-3

System location: Payroll Branch, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Beneficiaries under the Federal Employees Compensation Act.

Categories of records in the system: Records maintained to account for payments of awards and as the basis for a variety of reports on payments of injury compensation, containing information on beneficiaries, such as name, identification number, address, amount of payment, amount of insurance premiums, and miscellaneous hospital bills.

Authority for maintenance of the system: 5 U.S.C. 301 and 810 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Submission of reports to U.S. Civil Service Commission and insurance carriers for use in their functions related to the Federal Employees Compensation Act. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Journals and cards.

Retrievability: Filed by identification number and retrievable by name.

Safeguards: Stored in shelf or tub files in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Chief, Payroll Branch, Box 2032, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Branch, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Panama Canal Company Personnel Bureau and Claims Branch.

PCC-CZG/FVAP/AC-4

System name: Payroll Deductions, PCC-CZG/FVAP/AC-4

System location: Payroll Branch, Building 365, Ancon, Canal Zone

Categories of individuals covered by the system: Active and retired employees of the Panama Canal Company and the Canal Zone Government.

Categories of records in the system: Records maintained by the Payroll Branch as part of the Payroll Master File for Panama Canal Company and Canal Zone Government employees and used also by Agents Accounts Branch as part of the Accounts Receivable Records System for accounts collectible by payroll deduction. Records contain individual's gross pay, net pay, and payroll deduction detail and support data.

Authority for maintenance of the system: 2 C.Z.C. 65-66, 101, 103, 121, 141 et seq., 76A Stat. 11, 14ff.; Section 6.5 of Article VI Panama Canal Company Bylaws; 5 U.S.C. 5511-27.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to insurance carriers in connection with payments of health insurance benefits. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, ledgers, and papers in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in metal file cabinets and ledger buckets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed after four years.

System manager(s) and address: For Payroll Master File use: Chief, Payroll Branch, Accounting Division, Box 2032, Balboa Heights, Canal Zone. For accounts receivable use: Chief, Agents Accounts Branch, Accounting Division, Box K, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Billing units and subject individuals.

PCC-CZG/FVFI-1

System name: Incentive Awards Program Files, PCC-CZG/FVFI-1

System location: Incentive Awards Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: All employees of Panama Canal Company/Canal Zone Government who have filed suggestions or received honorary awards under the Incentive Awards Program since 1954. Supervisors of suggesters since 1974.

Categories of records in the system: Employee's name, identifying number, grade, occupation, employing unit, suggestion number, rejection or approval date, amount awarded, card control number. Supervisor's name, employing unit, number of suggestions submitted by his employees, amount awarded, and savings to the Company/Government.

Authority for maintenance of the system: 5 U.S.C. 4501 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system of records may be used to: (a) prepare reports for the U.S. Civil Service Commission; (b) promote the awards program through the local news media; and (c) respond to inquiries from labor unions, award recipients, employee and professional organizations.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 3 by 5 inch cards; suggestion forms; related documents.

Retrievability: Filed or indexed by name.

Safeguards: Records maintained in metal card files and lockable metal filing cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Held three years after employee's termination and then destroyed by fire.

System manager(s) and address: Incentive Awards Secretary, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From suggestion forms prepared by employees to whom the record pertains and from honorary award recommendations submitted by authorized management officials.

PCC-CZG/FVGA-1

System name: Cash Audit Files, PCC-CZG/FVGA-1

System location: General Audit Division, Building 6530, Corozal, Canal Zone

Categories of individuals covered by the system: Panama Canal Company and Canal Zone Government collecting agents whose accounts are audited by the General Audit Division.

Categories of records in the system: Records of cash audits to evaluate internal controls over cash and determine whether the custodian is carrying out his responsibilities with respect to Government property and to identify weaknesses in cash controls and to make necessary changes in those controls. In case of cash shortages, records are used to determine amount recoverable from agent. Records contain information such as the identifying agent number, employee's name, employing unit, and employee's accountability at the time the audit was performed. In instances where cash shortages are found, the records will also contain information on the recovery of these amounts from the agents.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Payee records in file folders.

Retrievability: Filed by fiscal year and agent number audited. Retrievable by name.

Safeguards: Stored in locked file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by burning after ten years.

System manager(s) and address: General Auditor, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, auditors, and employees of Agents Accounts Branch.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exemot from certain subsections of 5 U.S.C. 552a and from the procedures of access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/FVGA-2

System name: Cash Register Receipt Shortages, PCC-CZG/FVGA-2

System location: General Audit Division, Building 6530, Corozal, Canal Zone

Categories of individuals covered by the system: Employees who experience cash register shortages.

Categories of records in the system: Records maintained to determine potential weakness in cash controls and may be referred to in routine cash audits or as the basis for a cash audit. Records contain information such as employee's name, cash register number, retail unit, date and amount of cash shortage.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms in file folders.

Retrievability: Filed by retail area in chronological sequence. Retrievable by employee name.

Safeguards: Stored in locked file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by shredding after two years.

System manager(s) and address: General Auditor, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Retail unit managers.

PCC-CZG/FVTR-1

System name: Termination of Employment Actions Records, PCC-CZG/FVTR-1

System location: Treasury Branch, Building 287, Ancon, Canal Zone

Categories of individuals covered by the system: All employees of the Panama Canal Company/Canal Zone Government terminating their employment with this agency.

Categories of records in the system: Employees name, identification number, position and grade, post office address, house number and town, office and home telephone number, date of termination, future mailing address, nature of termination, reason for termination, disposition of final pay, date of travel, transportation request, members of family with whom traveling, final destination, destination of household effects, signature of employee, employee's position number, roll and gang, whether recruited from states and whether replacement is required.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 8 by 10 1/2 printed form 194-T.

Retrievability: Indexed by name and identification number.

Safeguards: Records maintained in locked file. Access and use are restricted to authorized personnel.

Retention and disposal: Five years after retirement of employee. Destroyed by fire.

System manager(s) and address: Treasurer, Panama Canal Company, Drawer F, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From employee and employing Unit, Division, or Bureau.

PCC-CZG/FVTR-2

System name: Internal Revenue Service Notice of Levy Files, PCC-CZG/FVTR-2

System location: Treasury Branch, Building 287, Ancon, Canal Zone

Categories of individuals covered by the system: Employees of the Panama Canal Company/Canal Zone Government whose salaries are being levied by the U.S. Internal Revenue Service.

Categories of records in the system: Employees name, address and social security number, amount of Federal Income Tax owed to Internal Revenue Service, tax period ended, date and amount of assesment, unpaid balance of assesment and statutory additions.

Authority for maintenance of the system: Chapter 64, Internal Revenue Code of 1954.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To disclose to the Internal Revenue Service that the employee has been notified of his or her indebtedness, and to collect amounts owed and forward same to Internal Revenue Service to satisfy levy. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed form, 8 by 10 1/2 inches.

Retrievability: Indexed by name.

Safeguards: Records maintained in locked file. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained until employee terminates and then destroyed by fire.

System manager(s) and address: Treasurer, Panama Canal Company, Drawer F, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Internal Revenue Service, Panama Canal Company payroll records and the individual on whom record is maintained.

PCC-CZG/FVTR-3

System name: Suspension of Check Cashing Privileges Files, PCC-CZG/FVTR-3

System location: Treasury Branch, Building 287, Ancon, Canal Zone

Categories of individuals covered by the system: Persons who have cashed unnegotiable checks, and persons who request cancellation or suspension of their own check-cashing privilege.

Categories of records in the system: Records maintained to assist in attempts to recover losses from bad checks and to aid in the determination of whether a person's checks are acceptable or whether credit may be extended to a person. Records may show the individual's name, social security number (optional) and identification number (if any), employer, telephone number, dates the checks were returned, dates of checks, number of checks returned, and monetary value of each check.

Authority for maintenance of the system: 2 C.Z.C. 65, 66, 76A Stat. 11; 4 C.Z.C. 2253, 76A Stat. 180.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Listings disclosed to U.S. Government check-cashing facilities in the Canal Zone, including Army, Navy, and Air Force Exchanges. Information may be disclosed to commercial banks, credit agencies, labor unions, and employers consistent with collection practices. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and listings.

Retrievability: Indexed by name.

Safeguards: Stored in locked file in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Lists are destroyed when superseded by new lists. Cards are destroyed when no longer required for control purposes.

System manager(s) and address: Treasurer, Panama Canal Company, Drawer F, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Banks or clearing houses to which checks are sent for negotiation and the subject individual.

PCC-CZG/GE-1 (STATE-39)

System name: Visa records, PCC-CZG/GE-1 (STATE-39)

System location: Visa Office, Office of the Executive Secretary, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals who have applied for visas; aliens who may be ineligible to receive visas.

Categories of records in the system: Visa applications accompanied by documents such as birth certificates, marriage certificates, spouses' birth certificates, affidavits of support, police records, and medical examinations; letters from interested parties; and communications between the Visa Office and the Visa Office, Department of State, consulates, other U.S. Government agencies, international organizations, and foreign missions regarding the eligibility, issuance, revalidation, and extension of visas.

Authority for maintenance of the system: 8 U.S.C. 1101-1503; see in particular 8 U:S.C. 1101 (a) (9).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from these records may be released to the Visa Office, Department of State, other U.S. consular offices, and the Immigration and Naturalization Service to coordinate the issuance of visas; to other government agencies that have statutory or other lawful authority to maintain such information; and to interested parties inquiring as to the status of a particular case. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, cards, and individual forms.

Retrievability: Filed alphabetically by name of applicant.

Safeguards: Filed in a locked file cabinet in a building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Retention of these records varies from one year to an indefinite period of time, depending upon the specific type of record involved. They are retired or destroyed in accordance with published schedules of the Department of State.

System manager(s) and address: Deputy Executive Secretary of the Canal Zone, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager, the Visa Examiner in the Office of the Executive Secretary, or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to one of the addressees in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individuals; members of Congress; the public interested in the visa applicant's case; Department of State and other U.S. Government agencies; U.S. Consular offices; foreign missions; international organizations; and local sources.

Systems exempted from certain provisions of the act: Certain records contained within this system of records are exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f) by the Department of State. See 22 CFR 6a.6(i), and (j)(1)-(3).

PCC-CZG/GE-2

System name: Statements of Employment and Financial Interest, PCC-CZG/GE-2

System location: Office of the Executive Secretary, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Employees designated in 35 CFR 255.735-72 of the Panama Canal Company and the Canal Zone Government, and special Government employees as provided in 35 CFR 255.735-80.

Categories of records in the system: Reports by designated employees of their outside employment and financial interests, as required by law, and regulations.

Authority for maintenance of the system: 18 U.S.C. 201, E.O. 11222, E.O. 11590(35 CFR 255.735-71/80).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine whether the designated employees have unacceptable conflicts of interest with relation to their U.S. Government employment. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Papers in sealed envelopes.

Retrievability: Manually by name of individual.

Safeguards: File cabinet with combination lock. Access and use restricted to authorized personnel.

Retention and disposal: 3 years and disposed of by burning or shredding.

System manager(s) and address: Executive Secretary of the Canal Zone, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From employee on whom record is maintained, and from investigations.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is kept in systems PCC-CZG/CAPL-1, 2 or 3 or ISO-2 and is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/GVEO-1

System name: Race and Ethnic Data, PCC-CZG/GVEO-1

System location: Office of Equal Opportunity, Balboa Heights, Canal Zone, and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Active employees of the Panama Canal Company/Canal Zone Government.

Categories of records in the system: A minority group designator, together with information in the payroll system of the Panama Canal Company/Canal Zone Government, including such information as name, employee identification number, date hired, roll and gang, position number, occupation, pay level, base rate, position security classification, work week, social security code and number, residence, citizenship, sex, marital status, birth date, Federal service date, Canal service date and employee status.

Authority for maintenance of the system: 5 U.S.C. Chapter 55; 42 U.S.C. 2000e-16; 2 C.Z.C. 31-33, 65, 66, 101, 121, 141 et. seq., 76A Stat. 7, 11, 14, 15 ff.; E.O. 11478 of August 8, 1969; 5 CFR 713.301 and 713.302; Bylaws of the Panama Canal Company, Section 6.8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A. The System Manager is prohibited, by the provisions of 5 CFR 713.302(b), from disclosing minority group data in the system except in the form of gross statistics (except insofar as an individual is entitled, under the Privacy Act, to access to information pertaining to him which is contained in the system.)

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tapes or discs, computer printouts and Panama Canal forms No. 2823, used for computer input.

Retrievability: By any or all of the categories of records in the system.

Safeguards: Printouts containing names or other personal identifiers together with the minority group designator code maintained in locked file cabinet and accessible only to the Director of the Office of Equal Opportunity or that official's designated representative. Magnetic tapes stored in locked rooms when not in use; access and use restricted to authorized personnel. Printouts will be produced only upon written request from the Director of the Office of Equal Opportunity.

Retention and disposal: Printouts retained up to five years and then destroyed. Records on magnetic tape retained until six weeks after the end of the calendar year in which the employee terminates. Tapes and discs erased and reused. Panama Canal forms No. 2823 destroyed after minority group information entered in computer and checked for accuracy.

System manager(s) and address: Director of Equal Opportunity, Office of Equal Opportunity, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of the officials designated in Notification Procedure, preceding.

Contesting record procedures: Rules governing how an individual may request the amendment of any information about him in this system are published in 35 CFR 10.7.

Record source categories: Minority group designator code: A visual identification of the employee's race and ethnic category made by the employee's supervisor for those employed as of June 30, 1977 and, for those entering service after June 10, 1977, by staff of the Employee Processing Unit of the Personnel Bureau. All other data: Subject employee, personnel actions forms (SF 50), employing unit, time reports, computer-generated and manual calculations from varied input data.

PCC-CZG/GVEO-2

System name: Equal Employment Opportunity Counseling and Investigation Files, PCC-CZG/GVEO-2

System location: Equal Employment Opportunity Office, Railroad Station, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Employees and applicants for employment who complain of discrimination based on race, color, sex, age, religion or national origin.

Categories of records in the system: A. Pre-complaint record, consisting of informal complaint, final report from the Equal Employment Opportunity Counselor, and related documents.

B. Formal investigation, consisting of formal complaint; acceptance of formal complaint; sworn statements from complainant, witnesses, and alleged discriminatory officer; Environmental Survey for comparison purposes (without names); and summary made by Investigator.

Authority for maintenance of the system: 42 U.S.C. 2000e-16; 5 U.S.C. 554; E.O. 11478 of August 8, 1969; E.O. 11590 of April 23, 1971.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosed to employees of the U.S. Civil Service Commission in connection with their oversight responsibilities under the law. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of complainant.

Safeguards: Stored in locked file cabinets; office locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Retained in office for 2 years after final disposition of case and transferred to Agency Records Center for destruction 7 years after final disposition of case.

System manager(s) and address:

Director of Equal Employment Opportunity
Box M
Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the System Manager. See Chapter 713 of Panama Canal Personnel Manual (PCPM 713).

Record access procedures: Requests should be addressed to the System Manager. Investigatory records are not released until investigation has been completed. Hearing records are not released until final decision has been made.

Contesting record procedures: See Panama Canal Personnel Manual 713.

Record source categories: Complainant; individuals involved in complaint; other witnesses; investigator; examiner; and officials making determinations in the case.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/GVLR-1

System name: Quarterly Report of Employee Union Dues Deductions, PCC-CZG/GVLR-1

System location: Labor-Management Relations Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Current Panama Canal Company/Canal Zone Government employees who pay union dues through payroll deductions.

Categories of records in the system: Name of employee, identification number and dues deduction amounts. Payroll information cross-referenced with payroll dues deduction requests received from unions and individual employees.

Authority for maintenance of the system: 5 U.S.C. 5525.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer printout provided upon request by the Data Processing Division, Panama Canal Company.

Retrievability: Reported by employee identification number and name.

Safeguards: Maintained in locked cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed every three months upon receipt of updated quarterly listings.

System manager(s) and address: Special Assistant to Governor/President for Labor-Management Relations, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The employee's payroll dues deduction request.

PCC-CZG/GVPR-1

System name: Biographical Data, PCC-CZG/GVPR-1

System location: Protocol Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Governor, Lt. Governor, Governor's staff, and members of their families; Board of Directors; local military and Diplomatic Corps officials; visiting officials including Congressional and high ranking military personnel; Secretary of the Army and members of his staff; local Panama Canal Company/Canal Zone Government employees; local businessmen and officials; Civic Council officers.

Categories of records in the system: Information on individuals including names, identification numbers, dates of birth, number of children and their names, education, honors bestowed, telephone numbers, addresses, job titles, marital status, citizenship, employing unit, photographs.

Authority for maintenance of the system: 2 C.Z.C. 33 and 66.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General biographical data may be provided to interested members of Congress, diplomatic corps, public media, etc., consistent with official protocol functions. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard 8 by 10 1/2 inch paper.

Retrievability: Filed and indexed by name.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. Forwarded to Agency Records Center for disposition according to established procedures and where applicable to libraries or the National Archives.

System manager(s) and address: Aide to Governor/Civic Council Staff Officer, Protocol Office, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom the record is maintained.

PCC-CZG/GVPR-2

System name: Protocol Unit Operational Files, PCC-CZG/GVPR-2

System location: Protocol Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Civic Council officers; Panama Canal Company/Canal Zone Government employees and officials; local officials; officers of local organizations, official visitors to the Canal Zone.

Categories of records in the system: Telephone numbers; addresses; photographs; stenographic transcriptions of Civic Council meetings, recordings, speeches, etc.

Authority for maintenance of the system: 2 C.Z.C. 33 and 66.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To establish appointment schedules, contact protocol counterparts in other agencies. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Standard 8 by 10 1/2 inch paper, index cards.

Retrievability: Indexed by name.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. Forwarded to Agency Records Center for disposition according to established procedures, and where applicable to libraries and the National Archives.

System manager(s) and address: Aide to Governor/Civic Council Staff Officer, Protocol Office, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom the record is maintained.

PCC-CZG/HL-1

System name: Health, Medical, Dental, and Veterinary Records Systems, PCC-CZG/HL-1

System location:

Health Bureau, Box M, Balboa Hts., C.Z.
Gorgas Hospital, Box O, Balboa Hts., C.Z.
Coco Solo Hospital,Box 5007, Cristobal, C.Z.
CZ Mental Health Ctr., Box 2013, Balboa Hts., C.Z.
Palo Seco Hospital, Box 2012, Balboa, C.Z.
Div Veterinary Med., Box M, Balboa Hts., C.Z.
Div of Sanitation, Box M, Balboa Hts., C.Z.
Div of Public Health. Box M, Balboa Hts., C.Z.

Categories of individuals covered by the system: Employees of the Canal agencies; individuals in the service of and sponsored by a U.S. Government agency (U.S. Armed Forces, State Department, Veterans Administration, U.S. Public Health Service, Federal Aviation Administration; Federal Highway Administration; Smithsonian Institute); retired U.S. Government employees; district dentists and their employees; concessionaires of the Canal organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employees; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; and noneligible, nonsponsored individuals receiving emergency treatment.

Categories of records in the system: Qualification physical examinations: Pre-employment, and periodic medical examinations to determine fitness for duty consistent with job qualifications and requirements. Inpatient hospital medical charts: All medical information and records relating to an individual's hospitalization. Outpatient medical charts: Documentation of medical treatment received by an individual on an outpatient basis from hospitals, clinics, first aid stations, and other health facilities. Also may contain abstracts of inpatient hospitalizations. Public health records: Information on individuals in community health programs for control of communicable diseases, industrial health, school health, quarantine, sanitation, and environmental quality control. Mental health records: All medical information and records which pertain to an individual's outpatient and/or inpatient treatment for psychiatric services, drug and alcohol rehabilitation, and other social service or psychological support. Dental care records: Information relating to an individual's history of dental care as documented in separate and distinct dental care records. Animal care and hospitalization records: Information which pertains to the quarantine, care and treatment of animals. Mortuary service records: Information regarding mortuary services furnished.

Authority for maintenance of the system: 2 C.Z.C. 911 and 912, 76A Stat. 36; 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 1101, 2, and 9, 76A Stat. 448 and 450; 6 C.Z.C. 4784, 76A Stat. 540; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; and P.L. 93-282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information that does not relate to alcohol or drug abuse may be released from these records to the extent needed, as follows:

1. To other Federal agencies and offices that are responsible by statute or other competent authority for Federal programs to which the records are pertinent, such as the components of the U.S. Armed Forces, the Social Security Administration, the Veterans Administration, the Civil Service Commission, retired military pay centers.

2. To the Communicable Disease Center, Atlanta, Georgia, and private contractors providing benefits under the auspices of the Canal or other Federal agencies.

3. To the police or other competent authority when the director of the hospital or other Health Bureau unit determines that prompt release of such information is essential for the apprehension of a criminal, protection of the patient, or protection of the public. Examples would be cases involving suspected child abuse, death from unnatural causes, or communicable disease.

Information may be released from these records to the extent needed, as follows:

1. To officials of other Federal agencies when requested in writing for purposes of determination of cause of death, compilation of vital statistics, management or financial audits or program evaluation, and approved scientific research in which patient identity will not be disclosed.

2. To respond to general requests for statistical information, under the Freedom of Information Act while maintaining individual anonymity.

3. To provide documentation to sponsoring agencies or other foreign governments as regards their patients consistent with the need-to-know rules of confidentiality, and procedural security in the release of information.

4. To provide basis for administrative and professional decisions regarding the coordination with U.S., foreign, and international health agencies in disease prevention and control, including information related to zoonotic and agricultural disease; inspection, surveillance, and control of food products; and international quarantine measures.

5. To medical personnel to the extent necessary to meet a bona fide emergency.

6. To a court of competent jurisdiction if authorized by an appropriate order granted after application showing good cause therefor.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, individual forms, and cards.

Retrievability: Records or cross-reference index cards providing access to records are filed alphabetically by name.

Safeguards: Stored in metal file cabinets or shelf files in either file rooms locked when not in use, buildings locked when not in use, or buildings with around-the-clock guards. Access and use are restricted to authorized personnel.

Retention and disposal: Physical examination records except for those held for transfer into official personnel folder destroyed after 6 years; hospital inpatient medical charts destroyed 25 years after patient's discharge from hospital; outpatient medical charts destroyed 6 years after year of last entry in file; medical x-rays and radiographic reports filed separately from medical charts destroyed after 8 years except for selected items held indefinitely for teaching or claims purposes; veterans' case files destroyed 6 years after date of last papers in folders; venereal disease charts filed separately from medical charts destroyed 6 years after last entry; mental health patient charts destroyed 25 years after patient's discharge; animal patient records destroyed 6 years after last entry; patient index cards are permanent; program files are permanent; and duplicate records are destroyed after 3 years.

System manager(s) and address: Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained as appropriate from the following officials:

1. Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone
2. Assistant Director/Administration, Gorgas Hospital, Box O, Balboa Heights, Canal Zone
3. Administrative Officer, Coco Solo Hospital, Box 5007, Cristobal, Canal Zone
4. Administrative Officer, Canal Zone Mental Health Center, Box 2013, Balboa Heights, Canal Zone
5. Administrative Officer, Palo Seco Hospital, Box 2012, Balboa, Canal Zone
6. Chief, Division of Veterinary Medicine, Box M, Balboa Heights, Canal Zone
7. Chief, Division of Sanitation, Box M, Balboa Heights, Canal Zone
8. Chief, Division of Public Health, Box M, Balboa Heights, Canal Zone

Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to the Systems Manager. Procedures for disclosure of information from the medical records of the individual requesting access are set forth in 35 CFR 10.6.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individual to whom the medical record pertains; attending physicians and allied health personnel involved in the patient's treatment; medical records and information received from outside sources; and information from sponsoring agencies.

PCC-CZG/HL-2

System name: Medical Administration System Exempt, PCC-CZG/HL-2

System location:

Health Bureau, Box M, Balboa Heights, C.Z.
Gorgas Hospital, Box O, Balboa Heights, C.Z.
Coco Solo Hospital, Box 5007, Cristobal, C.Z.
CZ Mental Health Ctr., Box 2013, Balboa Heights, C.Z.
Palo Seco Hospital, Box 2012, Balboa, C.Z.
Div. Veterinary Med., Box M, Balboa Heights, C.Z.
Div. of Sanitation, Box M, Balboa Heights, C.Z.
Div. of Public Health, Box M, Balboa Balboa Heights, C.Z.

Categories of individuals covered by the system: Employees of the Canal agencies; individuals in the service of and sponsored by a U.S. Government agency (U.S. Armed Forces, State Department, Veterans Administration, U.S. Public Health Service, Federal Aviation Administration; Federal Highway Administration; Smithsonian Institute, etc.); retired U.S. Government employees; district dentists and their employees; concessionaires of the Canal organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employees; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; noneligible, non-sponsored individuals receiving emergency treatment; and children placed for adoption or in foster homes.

Categories of records in the system: Medico-legal: Documentation and correspondence which relates to medical records and is obtained in the processing of blood alcohol and urine drug screening procedures, rape cases, injury and claim cases, deaths and other unusual incidences. Investigation records: Detailed audits, special and routine investigations and inquiries regarding Health Bureau activities. Child abuse program: Files relating to the administrative and professional management of suspected and actual cases of child abuse. Social Services files: Files containing personal information resulting from case studies and social work counseling. Adoption program: Background information on social services management of pre-adoption home studies, child placement, counseling and follow-up actions. Foster home program: Personal data and background studies on persons interested in participation in the Foster Home Program. Complaints: Background information and investigative correspondence promulgated by complaints regarding medical care rendered. Utilization and peer review files: Sensitive information regarding the quality of care provided to patients, reasons for length of stay of patients, and other monitoring requirements as specified by accrediting agencies.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 911 and 912, 76A Stat. 7, 76A Stat. 36; 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 541 and 4784, 76A Stat. 429 and 540; 8 C.Z.C. 381-7, 76A Stat. 690-1; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; and P.L. 91-513, and 93-282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released from these records to the extent needed, as follows:

1. To the Joint Commission for Accreditation of Hospitals for hospital accreditation.

2. To officials of other Governments and private organizations in the Canal Zone to coordinate the medical treatment of victims of child abuse and the provision of professional assistance for those involved in such cases.

3. To members of the community and other Government organizations who are serving on committees or are assigned to adoption, foster home, and other social service programs.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed or cross-referenced alphabetically by name.

Safeguards: Stored in locked file cabinets in buildings locked when not in use or buildings with around-the-clock guards. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained as appropriate from the following officials:

1. Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone
2. Assistant Director/Administration, Gorgas Hospital, Box O, Balboa Heights, Canal Zone
3. Administrative Officer, Coco Solo Hospital, Box 5007, Cristobal, Canal Zone
4. Administrative Officer, Canal Zone Mental Health Center, Box 2013, Balboa Heights, Canal Zone
5. Administrative Officer, Palo Seco Hospital, Box 2012, Balboa, Canal Zone
6. Chief, Division of Veterinary Medicine, Box M, Balboa Heights, Canal Zone
7. Chief, Division of Sanitation, Box M, Balboa Heights, Canal Zone
8. Chief, Division of Public Health, Box M, Balboa Heights, Canal Zone

Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to the Systems Manager. Procedures for disclosure of information from the Medical records of the individual requesting access are set forth in 35 CFR 10.6.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: The individual to whom the medical record pertains; attending physicians and allied health personnel involved in the patient's treatment; medical records and information received from outside sources; administrative, professional, and investigatory personnel and records; testimonies and statements of individuals concerned with case; court, police, and personnel records; and information from sponsoring agencies.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/HL-3

System name: Medical Administration System-Nonexempt, PCC-CZG/HL-3

System location:

Health Bureau, Box M, Balboa Heights, C.Z.
Gorgas Hospital, Box O, Balboa Heights, C.Z.
Coco Solo Hospital, Box 5007, Cristobal, C.Z.
CZ Mental Health Ctr., Box 2013, Balboa Heights, C.Z.
Palo Seco Hospital, Box 2012, Balboa, C.Z.
Div. Veterinary Med., Box M, Balboa Heights, C.Z.
Div. of Sanitation, Box M, Balboa Heights, C.Z.
Div. of Public Health, Box M, Balboa Heights, C.Z.
Data Processing Division, Administration Building, Balboa Heights, C.Z.

Categories of individuals covered by the system: Employees of the Panama Canal Company and Canal Zone Government; individuals

in the service of and sponsored by other U.S. Government agencies (U.S. Armed Forces, State Department, Veterans Administration, U.S. Public Health Service, Federal Aviation Administration; Federal Highway Administration; Smithsonian Tropical Research Institute, etc.); retired U.S. Government employees; district dentists and their employees; concessionaires of the Canal organization; Canal Zone land licensees; Canal Zone religious, social, charitable, and educational workers; U.S. Government contractors and their employees; Canal Zone commercial company employees; and the dependents of individuals in the preceding categories who reside with the individuals. Persons other than dependents who are U.S. Government-authorized Canal Zone visitors or residents; merchant seamen in transit and unsponsored individuals from ocean-going vessels; prisoners at the Canal Zone Penitentiary; charity cases sponsored by the Canal Zone United Way and teaching cases; nonresident private pay patients; and noneligible, nonsponsored individuals receiving emergency treatment.

Categories of records in the system: Vital statistics records: Birth and death records, and correspondence related thereto. Individual registration, licensure, and certification records: Information maintained in connection with the monitoring of medical specialty training programs and certification of accreditation, including information on state and Canal Zone medical licenses held by individuals. Curriculum vitaes: Comprehensive information on qualifications and background of key Health Bureau employees and visiting consultants. Drug and controlled substances records: Administrative files maintained in accordance with regulations relating to the control of narcotics. Program accreditation and certification records: Correspondence and reports relating to the management and control of activities by the professional and administrative staff, including identification of deficiencies. Medical treatment indices: Records maintained by patient, disease code, physician, patient age, patient length of stay, discharge, diagnoses, and operative procedures to meet requirements of the Joint Commission for Accreditation of Hospitals. Hospital billing and bill reduction and cancellation records: Billings to insurance companies and through Agents Accounts and Payroll Branches and information obtained to make determinations regarding the ability of individuals to pay for medical treatment. Housing exceptions records: Medical backup information used in evaluating formal written requests from employees for assignment for medical reasons to government housing for which they are otherwise ineligible. Fiscal accounting records: Information regarding medical treatment rendered and tariff charges, including patient invoices. Blood bank and donor records: Information specifying donors' blood types, addresses, telephone numbers, and blood donations. Locator records: Information on location, status, and assignments of patients and employees. Hospital population records: Listings of patients. Veterans Administration data: Information pertinent to the hospitalization and treatment of Veterans Administration beneficiaries. Medical evaluation boards: Information on the composition and administration of medical evaluation boards. Aeromedical evacuation records: Information obtained for making determinations on the necessity of evacuating patients by air. Incident reports on such evacuations. Radiation exposure records: Data on individuals exposed to radiation. Community health and environmental reports. Medical Correspondence records.

The following portions of the system are on computer.

a. Hospital Census Program: Persons who are inpatients at Canal Zone medical facilities at the time the report is compiled. Includes the patient's name and/or name of sponsoring employee or agency; the patient's sex, marital status, religion, citizenship, residence, dates of admission, treatments and discharge.

b. Hospital Inpatient Billing and Statistical Program: Information, including name of patient, name of employee/sponsor or sponsoring agency, employing unit, address, telephone number, citizenship, insurance carrier, etc. of persons who are obtaining inpatient service at Canal Zone Government medical facilities.

c. Hospital Outpatient Billing Program: Information, including name of person receiving treatment during the period for which the report is compiled, the name of employee/sponsor or his sponsoring agency, employing unit, address, citizenship, telephone number, insurance carrier, etc. of persons obtaining outpatient services at Canal Zone Government medical facilities.

Authority for maintenance of the system: 2 C.Z.C. 31-33, 911 and 912, 76A Stat. 7, 76A Stat. 36; 5 C.Z.C. 1631-56, 76A Stat. 353-360; 6 C.Z.C. 1101, 2, and 9, 76A Stat. 448 and 450; 6 C.Z.C. 4784, 76A Stat. 540; 21 U.S.C. 1171-5 and 1180; 42 U.S.C. 257 and 4561; and P.L. 91-513, and 93-282.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information that does not relate to alcohol or drug abuse may be released from these records to the extent needed, as follows:

1. To Federal agencies and other organizations responsible by statute or other competent authority for programs to which the information is pertinent, such as components of the U.S. Armed Forces, the Social Security Administration, the Veterans Administration, the Civil Service Commission, retired military pay centers, and the Joint Commission for Accreditation of Hospitals;

2. To law enforcement officials when Health Bureau officials determine that such disclosure is essential for the apprehension of a criminal, protection of the patient, or protection of the public;

3. To insurance companies and sponsoring agencies, organizations, or foreign governments for the purpose of documenting treatment or billings;

4. To officials of other agencies, foreign governments, and private organizations in the Canal Zone in connection with treatment and professional assistance in child abuse cases and in connection with adoption, foster home, and other social service programs; and

5. To United States, foreign and international health officials and agencies, including the Communicable Disease Center, in connection with the reporting of human and animal communicable diseases.

See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; cards; individual forms; magnetic tape/disks and punched cards; and computer printouts.

Retrievability: Paper records or cross-reference index cards providing access to records are filed alphabetically by name. Information retrievable from computer by patient's or employee's number.

Safeguards: Paper records stored in file equipment in rooms or buildings locked when not in use or in buildings with around-the-clock guards. Magnetic tape/disks and punched cards filed in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Accounting and billing records destroyed after four years; blood donor cards, when donor no longer available or able to give blood; location records, when superseded; Veterans Administration beneficiaries, six years after date of last paper in folder; aeromedical evacuation records, after three years. Curriculum vitaes and individual registration, licensure, and certification records: for civilians, destroyed 1 year after separation; for military, retained 7 years after departure, transferred to Agency Records Center for 3 additional years, then destroyed. Drug and controlled substances records destroyed after 2 years. Program accreditation and certification records retained at least 3 years. Medical correspondence records retained 10 years before transfer to Agency Records Center. Computer-produced reports: Hospital Census Report destroyed when updated report issued; Hospital Inpatient and Statistical Report destroyed when updated report issued; Hospital Outpatient Billing Report retained for 2 months after processing by billing personnel. Other records permanent.

System manager(s) and address: Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained as appropriate from the following officials:

1. Assistant Health Director/Administration, Health Bureau, Box M, Balboa Heights, Canal Zone
2. Assistant Director/Administration, Gorgas Hospital, Box O, Balboa Heights, Canal Zone
3. Administrative Officer, Coco Solo Hospital, Box 5007, Cristobal, Canal Zone
4. Administrative Officer, Canal Zone Mental Health Center, Box 2013, Balboa Heights, Canal Zone
5. Administrative Officer, Palo Seco Hospital, Box 2012, Balboa, Canal Zone
6. Chief, Division of Veterinary Medicine, Box M, Balboa Heights, Canal Zone
7. Chief, Division of Sanitation, Box M, Balboa Heights, Canal Zone
8. Chief, Division of Public Health, Box M, Balboa Heights, Canal Zone

Individuals requesting information should provide full name, date of birth, social security number (optional), agency affiliation at time of medical treatment, inclusive dates when medical treatment was rendered, or other specific information applicable to the inquiry that might assist in identification. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to the Systems Manager. Procedures for disclosure of information from the medical records of the individual requesting access are set forth in 35 CFR 10.6.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual to whom the record pertains, medical and other administrative records, physicians and allied health personnel, other offices of the Canal agencies, schools and colleges, certifying and accrediting officials, the United States Armed Forces and the Veterans Administration, and other hospitals, physicians, boards, and committees.

PCC-CZG/I0-1

System name: News Morgue Records, PCC-CZG/I0-1

System location: Panama Canal Information Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Newsworthy and potentially newsworthy individuals.

Categories of records in the system: Records maintained as a ready reference from which to obtain background information for news stories and articles about individuals for publication in house organs and news media. Records include biographical sketches, press releases, media clippings, interview notes, and photographs.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 1108 and 3101; and 2 C.Z.C. 65(a) (5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to news media and other publishers for publication is authorized. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Index cards, individual forms, and paper records in file folders.

Retrievability: Filed alphabetically by name of individual.

Safeguards: Stored in file cabinets in building with around-the-clock guards. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Administrative Officer, Panama Canal Information Office, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, individuals interviewed about subject individuals, and information published about subject individuals.

PCC-CZG/IO-2

System name: News Media Representatives, PCC-CZG/IO-2

System location: Panama Canal Information Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: News media representatives who come in contact with Panama Canal Information Office.

Categories of records in the system: Records maintained on news media representatives who cover events related to the Panama Canal and the Canal Zone, including their requests for press cards and record of issuance, their local and home addresses, and their news affiliations.

Authority for maintenance of the system: 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure is authorized to Information Officers and Public Relations Officers of other Government agencies in the area who work with the Panama Canal Information Office in briefing newsmen in the area. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Bound record book.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in metal file cabinet in building under around-the-clock guard.

Retention and disposal: Destroyed when superseded by new information or upon death or retirement of representative.

System manager(s) and address: Administrative Officer, Panama Canal Information Office, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals.

PCC-CZG/ISO-1

System name: Personnel Security Files, PCC-CZG/ISO-1

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Current and former employees of the Panama Canal Company and the Canal Zone Government.

Categories of records in the system: Personal history statements, security clearance, results of background investigations, and documents containing information obtained under a pledge of confidentiality.

Authority for maintenance of the system: E.O. 10450; E.O. 10865; Part 60.11, Sub-Chapter B of Chapter 1, Title 35 CFR.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, 8 by 10½ inches, microfilm.

Retrievability: Indexed by name.

Safeguards: Maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: No established retention schedule. When the individual dies in service, file is destroyed; when the individual is separated with possibility of reemployment with PCC or another Government agency, Civil Service documents are returned to CSC, remainder of documents are microfilmed; when the individual retires, file is microfilmed.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/ISO-2

System name: Confidential Sources and Contacts, PCC-CZG/ISO-2

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Individuals who furnish information to the Internal Security Office.

Categories of records in the system: Name of individual, code number, place of employment, telephone number, type of information on which he is capable of reporting. Reporting performance, i.e., timeliness, accuracy and completeness of information reported.

Authority for maintenance of the system: E.O. 10450; E.O. 10226; Part 129.121, Sub-Chapter B of Chapter 1, Title 35 CFR.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to intelligence units or agencies of the United States Government including the

State Department and Department of Defense in connection with listing of confidential sources and contacts. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Printed forms, 8 by 10 inches.

Retrievability: Name and code.

Safeguards: Maintained in a three-number combination safe. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. When destroyed, destruction is made in accordance with existing regulations concerning the destruction of classified information/material.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/ISO-3

System name: Card Index System, PCC-CZG/ISO-3

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: U.S. and non-U.S. citizens who reside on the Isthmus or in the United States.

Categories of records in the system: Name of individual and indentifying number, birth date, citizenship, employment, residence, biographical data on immediate family and close friends, political affiliations, and any other pertinent information concerning individual. This system cross-references other internal records systems concerning individual.

Authority for maintenance of the system: E.O. 10450; E.O. 10226; Part 60, Sub-Chapter B of Chapter 1, Title 35 CFR.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, 4 by 6 inches.

Retrievability: Indexed alphabetically by name.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. When destroyed, destruction is made in accordance with existing regulations concerning the destruction of classified information/material.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/ISO-4

System name: Index of Contractor Employees, PCC-CZG/ISO-4

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: U.S. and non-U.S. citizens employed by contractors who are working in vital installations of the Canal Zone Government/Panama Canal Company.

Categories of records in the system: Name of individual, identifying number, employing company, date and place of birth, and date of clearance for employment in Canal Zone Government/Panama Canal Company vital installations.

Authority for maintenance of the system: Chief of Internal Security; E.O. 10226.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Disclosure to law enforcement and Base Security Units of the Department of Defense in connection with maintaining internal security. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, 3 by 5 inches.

Retrievability: Indexed alphabetically by name.

Safeguards: Records maintained in lockable desk drawer. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained indefinitely. When destroyed, destruction is made in accordance with existing regulations concerning the destruction of classified information/material.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/ISO-5

System name: Biographical Data Cards, PCC-CZG/ISO-5

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Prominent personalities residing on the Isthmus.

Categories of records in the system: Biographical data and general information concerning the individual obtained from unclassified sources, or from classified sources under a pledge of confidentiality.

Authority for maintenance of the system: Chief of Internal Security.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards, 4 by 6 inches.

Retrievability: Indexed alphabetically by name.

Safeguards: Records maintained in a lockable file. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed when individual dies. Destroyed in accordance with existing regulations concerning the destruction of classified information/material.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/ISO-6

System name: Biographical Data Files, PCC-CZG/ISO-6

System location: Internal Security Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Various persons residing on the Isthmus or in the United States.

Categories of records in the system: General information pertaining to individuals obtained from unclassified and classified sources under a pledge of confidentiality.

Authority for maintenance of the system: Chief of Internal Security; E.O. 10226.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, 8 by 10 1/2 inches.

Retrievability: Indexed alphabetically by name.

Safeguards: Records maintained in a vault. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed when individual dies. Destroyed in accordance with existing regulations concerning the destruction of classified information/material.

System manager(s) and address: Chief of Internal Security, Box 37, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.13.

PCC-CZG/MIL-1

System name: U.S. Army Element, Canal Zone Government Military Administration System, PCC-CZG/MIL-1

System location: Assistant to the Health Director/Executive Officer, U.S. Army Element, Canal Zone Government, Box M, Balboa Heights, Canal Zone

Categories of individuals covered by the system: U.S. Army military personnel assigned to the U.S. Army Element, Canal Zone Government which includes the Governor, Lieutenant Governor, Army Medical Department personnel (Health Bureau) and Corps of Engineer officers (E&C Bureau).

Categories of records in the system: Standard Installation/Division Personnel System (SIDPERS): Includes a variety of SIDPERS records, personnel action files, and subsystems which provide comprehensive and detailed personnel accounting, name, age, social security number, date of birth, previous assignments, awards, schooling, leave data, specialty designator codes; also includes the requirement for a unit personnel file on each member.

Table of Distribution and Allowances (TDA): Listing of authorized positions in the U.S. Army Element by title, MOS, and grade and assigned incumbents by name, MOS, and grade.

COMCENTER Messages: Daily TWX traffic of a medical nature received by the SOUTHCOM Communications Center which may identify individuals or consist of personalized information about individuals.

Graduate Level Training Requirements - Army Educational Requirements Board (AERB): Educational data on all Engineer Corps officers assigned to the U.S. Army Element to include name, rank, specialty, training level, and position.

Military Physicians Variable Incentive Pay (VIP): Information on payment of incentive pay to military physicians to include physicians name, years of service, rank, monthly pay and authorized VIP payment.

Training files: Information regarding mandatory training and continuing educational training.

Orders, permanent orders, and letters of authorization: Information includes identifying data of the military member, civilian, or dependent named in the order.

Hazardous duty pay file: Authorization by competent order for designated military members to receive hazardous duty pay.

Officer Efficiency Report (OER) and Enlisted Efficiency Report (EER) Working files: Information relative to job performance of individuals.

Attached Military Personnel: Information on all USAR and NG personnel attached to U.S. Army Element for temporary training purposes to include identifying information and correspondence regarding individual's military experience.

Military Awards: Narrative justification of job accomplishments during assignment and concurrence/recommendation of supervisors in chain of command.

Authority for maintenance of the system: 5 U.S.C. 301; 10 U.S.C. 3201-4021; 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 may be released for the following purposes to the organizations and individuals indicated:

1. To provide input to Department of the Army (DA) and local military support units, including suspense and feeder information relative to status, change of position, pay, etc. of individuals.

2. To provide current listing of personnel by TDA position for reporting to personnel action officer at Department of the Army and local levels; copies provided each officer assigned.

3. To enable actions to be initiated regarding medical treatment requests for individuals; used to obtain update on current medical policies and requirements issued by DA, The Office of the Surgeon General, Washington, D.C., and the Health Services Command, Fort Sam Houston, Texas; routed to key staff personnel and appropriate action officers.

4. To provide verifications/justifications to DA of graduate level training requirements for engineer positions assigned to U.S. Army Element for consideration and validation by the AERB.

5. To monitor and report VIP program participation to DA and to suspense requirements for contract renewal with physicians for VIP and service obligation.

6. To process OER/EER's as required by Army regulation; includes establishing a rating scheme and monitoring system suspense and distribution to individual military members and appropriate DA agencies.

7. To compile evaluation and performance reports and submit same to the individual's reserve headquarters in accordance with Army regulations.

8. To justify military awards and provide backups to the approving authority (DA or Commander); used to provide supervisors in chain of command information on which to base concurrence and recommendations. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, cards, individual forms, and lists.

Retrievability: Filed or cross-referenced for retrieval alphabetically by name.

Safeguards: Stored in locked, metal, file cabinets in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: See DA PAM 310-1 December 30, 1971.

System manager(s) and address: Assistant to Health Director/Executive Officer, U.S. Army Element-Canal Zone Government, Health Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to the Systems Manager.

Contesting record procedures: See rules published in 35 CFR Part 10 and 32 CFR Part 505.

Record source categories: The individual to whom the record pertains and military sources.

PCC-CZG/MRBLI-1

System name: Marine License Files, PCC-CZG/MRBLI-1

System location: Board of Local Inspectors, Terminal Building, Balboa, Canal Zone

Categories of individuals covered by the system: All permanent employees of the Panama Canal Company in positions for which a Panama Canal marine license is required. Subsystem includes individual applications and examination papers filed in license file, Records Section, Records Management Branch, Administration Building.

Categories of records in the system: Employee's name, identification number, employing unit, work area, size and type of license, competence of applicant, examination grades, promotions, salaries, license serial number.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, 297, 1331, 1351 et seq., 76A Stat. 7, 25, 46-8; E.O. 11305.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Book shelf for license stubs, file cabinet for file folders with correspondence and card file for license cards.

Retrievability: Indexed by name; by license serial number.

Safeguards: File folders in lockable file cabinet. Cards and license stubs available for unit personnel screening. Access and use are restricted to authorized personnel.

Retention and disposal: Indefinite. Not to be destroyed.

System manager(s) and address: Chairman, Board of Local Inspectors, Box 5012, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual; Proctors for examinations; Port Captains, examination graders; Board of Local Inspectors.

Systems exempted from certain provisions of the act: All information in this system which is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/MRPA-1

System name: Admeasurer Examination File, PCC-CZG/MRPA-1

System location: Admeasurement Office, Terminal Building, Cristobal, Canal Zone

Categories of individuals covered by the system: All Boarding Inspectors, Admeasurer assistants, and Admeasurers.

Categories of records in the system: Examinations, answer sheets, scoring sheets, evaluation sheets.

Authority for maintenance of the system: 2 C.Z.C. 411(1), 76A Stat. 27; Presidential Proclamation 2248, August 28, 1937, continued in force by virtue of Sec. 19 of Act, October 18, 1962, 76A Stat. 1, 700.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Manila folders.

Retrievability: By name.

Safeguards: Maintained in lockable file cabinet. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed upon employee termination.

System manager(s) and address: Director of Admeasurement, Box 2418, Cristobal, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system which is testing or examination material is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/MRTO-1

System name: Marine Accident Reference Cards, PCC-CZG/MRTO-1

System location: Pilot Administrative Unit, Transit Operations Division, Marine Traffic Control Building, La Boca, Canal Zone

Categories of individuals covered by the system: Panama Canal Company Pilots employed by the Transit Operations Division.

Categories of records in the system: Employee's name, identification number, date of birth, dates of promotion, and ship accident data; including the ship's name, description, date of occurrence and fault or no fault of employee involved. When a ship incident does not require a Board of Local Inspector's investigation, an administrative report noting the date, ship's name and description is included.

Authority for maintenance of the system: 2 C.Z.C. 1331, 76A Stat. 46; E.O. 11305.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper cards and sheets.

Retrievability: Filed alphabetically by last name.

Safeguards: Kept in lockable file cabinet or desk. Access and use are restricted to authorized personnel.

Retention and disposal: No retention schedule established. Retained indefinitely.

System manager(s) and address: Administrative Officer, Transit Operations Division, Box 3661, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Chairman, Board of Local Inspectors, Port Captains (Balboa and Cristobal).

PCC-CZG/MRTO-2

System name: Pilot Workload Statistics, PCC-CZG/MRTO-2

System location: Transit Operations Division, Marine Traffic Control Center, La Boca, Canal Zone; and Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Panama Canal pilots.

Categories of records in the system: A pilot master file and information for producing reports on the workload of the pilot force. The master file contains information such as pilot's name, identification number, mailing address, home telephone number, residence, education level, professional licensing data, and officer and maritime experience. Also included is such Panama Canal Company employment information as employee status, pilot's home district, qualification and group numbers, seniority number and date, current and permanent nonwork days, pilot-in-training data including dates licenses issued, Federal service date, and termination dates and reasons. Reports produced include, for each pilot, such information as daily details of transits, hours worked, travel hours, available time, and leave scheduled.

Authority for maintenance of the system: 2 C.Z.C. 1331, 76A Stat. 46; 35 CFR Part 105.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Magnetic tape and punched cards; computer printouts; computer input forms.

Retrievability: By name of pilot.

Safeguards: Computer printouts and input forms kept in lockable cabinets in rooms locked when not in use. Magnetic tapes kept in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Input forms kept at Marine Traffic Control Center up to three months, then sent to Agency Records Center, where retained for three years and then destroyed. Pilot master file purged and updated weekly; workload data retained on magnetic tape indefinitely. Computer printouts retained up to one year at Transit Operations Center, then sent to Agency Records Center, where retained for three years and then destroyed.

System manager(s) and address: Administrative Officer, Transit Operations Division, Box 3661, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the System Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Pilots.

PCC-CZG/OPR-1

System name: Operating Unit Personnel Records, PCC-CZG/OPR-1

System location: May be maintained in Section, Branch, Division, Independent Unit, Staff Office, Bureau or other employing unit to which employee is assigned. Computerized employee records of the Schools Division are also located at the Data Processing Division, Administration Building, Balboa Heights, Canal Zone.

Categories of individuals covered by the system: Former and present employees with category of full-time permanent, part-time permanent, full-time temporary, part-time temporary, and intermittent.

Categories of records in the system: Records maintained by operating officials and used in administering employees and or-

ganizational segments under their technical and administrative control. They include office copies of documents kept in the official personnel folder and documents pertaining to the administration of individual employees which are not appropriate for inclusion in the official personnel folder. The records may contain information such as: Employee's name, Panama Canal Company/Canal Zone Government identification number; mail address; home address and telephone number; social security number (optional); birth date; marital status; position number and title; position descriptions; employment history; educational qualifications; professional qualifications; performance review and evaluation, including date and rating; training and management development records, including types of courses taken and completion dates; special assignments; counseling interview record; award data; commendations; oral admonishments; disciplinary, adverse, and other personnel actions; grievances; leave and travel records, including official business travel vouchers; accident or injury records; attendance and absenteeism records; relief assignment records; job equipment checkout listings; U.S. Government vehicle and equipment operators license records; work, overtime and shift schedules; timekeeping records; tuition refund agreements; key and equipment inventory control listings; potential retirement date listings; native and foreign languages; blood donor information; copies of W-4, employee withholding statements; names, addresses and telephone numbers of next of kin for notification in emergency situations; participation in civic, welfare, recreational and union activities; eligibility for tropical differential.

Among the data included in the computerized Schools Division employee records program are: name, identification number, hourly rate of pay, type and grade of employment, telephone numbers, date of employment, and leave schedule.

Authority for maintenance of the system: 2 C.Z.C. 101, 121, 142-3, 76A Stat. 14-16; 5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To have as ready reference for use in compiling training reports required by the Civil Service Commission; referrals to promotion boards; in responding to inquiries from professional and medical societies, bar associations, prospective employers, employment agencies, etc., concerning personal characteristics and qualifications, employment background, job performance and advancement potential, etc. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper files maintained in file folders stored in desk drawers or filing cabinets. Certain data on Schools Division employees maintained on magnetic tape/disks, punched cards, and computer printouts.

Retrievability: Employee name, identification number, or position number.

Safeguards: Paper records maintained in lockable file cabinets or supervisor's desk. Magnetic tape/disks and punched cards filed in locked rooms when not in use. Access and use restricted to authorized personnel.

Retention and disposal: Records reviewed at end of calendar year and documents which have been superseded or are no longer applicable are to be destroyed by burning or shredding. Schools Division Employee Records computer-produced reports are disposed of as updated; basic information retained on computer until six months after employee terminates.

System manager(s) and address: Head of Section, Branch, Division, Independent Unit, Staff Office, Bureau of other employing unit where employee works.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual to whom information applies; personnel actions; performance review or personnel evaluation reports; letters of commendation or reprimand; travel orders; college transcripts; training records; and other related papers.

PCC-CZG/OPR-2

System name: Operating Unit Employment Inquiry Files, PCC-CZG/OPR-2

System location: May be maintained in Section, Branch, Division, Independent Unit, Staff Office, Bureau or other unit receiving informal inquiries or requests for employment.

Categories of individuals covered by the system: Members of the public and employees of other units or agencies who anticipate, or are in the process of applying for jobs with the Panama Canal Company/Canal Zone Government unit maintaining the record.

Categories of records in the system: Records maintained by operating officials to whom applicants have applied directly for employment. The records may contain copies of SF-171, application for Federal employment, showing applicant's name, address, telephone number, social security number, employment experience, school transcripts, educational, professional or skilled craft history and background, native or foreign languages, other skills, awards or special commendations, references, statements from previous employers, resumes, etc. May also contain record of interviews, if any, name of interviewer, and evaluation of applicant.

Authority for maintenance of the system: P.L. 93-112; Panama Canal Company Bylaws, Sec. 6.8; 2 C.Z.C. 101, 121, 141-49, and 155, 76A Stat. 14-19; E.O. 10794, December 10, 1958.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders stored in desk drawers or file cabinets.

Retrievability: Filed alphabetically by name of applicant.

Safeguards: Maintained in lockable file cabinet or operating unit official's desk. Access and use are restricted to authorized personnel.

Retention and disposal: Records may be sent to Canal Zone Civilian Personnel Policy Coordinating Board for determination of applicant's eligibility and consideration for employment under the Canal Zone Merit System; to the Panama Canal Company Personnel Bureau directly for consideration if vacancy is excluded from Canal Zone Merit System; returned to applicant; or destroyed twelve months after initial inquiry.

System manager(s) and address: Official in Section, Branch, Division, Independent Unit, Staff Office or Bureau maintaining such records.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: From individual to whom information applies.

Systems exempted from certain provisions of the act: All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations as part of systems PCC-CZG/CZPB-1 or, if position is exempt from Canal Zone Merit System, PCC-CZG/PR-5.

PCC-CZG/PR-1

System name: Disability Relief, Retirement and Group Supplementary Life Insurance Records, PCC-CZG/PR-1

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Disability Relief annuitants and surviving widows; Civil Service Retirement annuitants; employees who died while in service; survivors of deceased employees and annuitants; and employees and annuitants enrolled in the Supplementary Life Insurance Program sponsored by the Canal Zone Group Insurance Board.

Categories of records in the system: Information used in the administration of the Cash Relief Act of July 8, 1937, as amended,

and in the application of related policies on medical treatment and care, annuitants' group life insurance, and the eligibility of widows of deceased annuitants for annuities.

Reference files from which information or statistical data may be furnished quickly on employees who retired under the Civil Service Retirement Act, employees who died while in service, and survivors who submitted applications or claims for death benefits and unpaid compensation.

Identification of employees and annuitants enrolled in the Group Supplementary Life Insurance Program and their beneficiaries.

Authority for maintenance of the system: 5 U.S.C., Chapters 83 and 87; 2 C.Z.C. 181, 76A Stat. 20; E.O. 7837 of March 12, 1938

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, cards, and individual forms.

Retrievability: Filed alphabetically by name or filed by indentification number.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Index cards on persons designated to act as the agents of Disability Relief annuitants are destroyed when annuitant dies. Other records: Permanent.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, official personnel files, and medical and welfare personnel.

PCC-CZG/PR-2

System name: Employee Benefits Records, PCC-CZG/PR-2

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Current and former employees and their dependents or other members of their household.

Categories of records in the system: Determinations of employees' eligibility for, or entitlement to, the tropical differential, home leave and repatriation travel, Company housing, and other employee benefits.

Determination of an individual's status as dependent or member of household of employee to establish his or her eligibility for Canal Zone residence, medical treatment, education, purchase authority, and transportation benefits.

Authority for maintenance of the system: 2 C.Z.C. 66, 101, 121, 142, 149, and 155, 76A Stat. 11, and 14-19; E.O. 10794 of December 10, 1958; Panama Canal Company Bylaws, Sec. 6.8; 5 U.S.C. 5701-42 and 5924.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of employee.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Retained for three years and then destroyed.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject employees and officials of the Canal agencies.

PCC-CZG/PR-3

System name: Personal Data Records, PCC-CZG/PR-3

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Employees, dependents of employees, and former employees.

Categories of records in the system: Personal data maintained for reference and statistical purposes, such as employment history of U.S. citizen employees of Canal agencies and Canal Zone Civilian Personnel Policy Coordinating Board; identification of U.S. citizens who would be evacuated from residence in the event of civil disturbance or natural disaster; identification of employees who are earning a special or retained rate of pay which must be adjusted manually; documentation of employees' leave-without-pay to determine periods for within-grade step advancement, conversion to career status, or completion of probationary period; documentation of eligibility for medical services at Canal Zone hospitals; identification of reemployed Civil Service annuitants; identification of employees who are retired members of the U.S. Armed Forces; authorizations for disposition of pay; and indexes of employees for counseling on retirement, and disciplinary actions.

Authority for maintenance of the system: 2 C.Z.C. 33, 101, 121, and 141-56, 76A Stat. 7 and 14-20; Panama Canal Company Bylaws, Sec. 6.8; E.O. 10794 of December 10, 1958; 5 U.S.C. 5525; and P.L. 93-647.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information from this system may be disclosed to court officials for the purpose of compiling jury duty rosters. See also General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; cards; lists; and individual forms.

Retrievability: Filed alphabetically by name of employee or former employee or filed by identification number.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Employment history cards are retained permanently. Legal dependent and leave-without-pay records are transferred to official personnel folder upon employee's separation from service. Other records are destroyed when they are no longer pertinent to the employee's current status.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject employees and officials of the Canal agencies.

PCC-CZG/PR-4

System name: Grievances and Appeals Records, PCC-CZG/PR-4

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Current and former employees of the Canal Zone Government/Panama Canal Company who have filed a grievance, appealed a disciplinary action to the agency or an adverse action to the agency or the Civil Ser-

vice Commission, or submitted to the agency or the Canal Zone Board of Appeals a position classification appeal, insofar as personal information has been incorporated into the position classification file.

Categories of records in the system: Case files and indexes on employee grievances and adverse or disciplinary action appeals containing the formal grievance or appeal; background, supporting, and investigatory information; record of hearing, when conducted; decision or determination; and related documents. Information of a personal nature which may have been submitted in conjunction with a position classification review or appeal procedure.

Authority for maintenance of the system: 2 C.Z.C. 142, 149, 151-53, and 155, 76A Stat. 16, 18, and 19, E.O. 10794 of December 10, 1958; Panama Canal Company Bylaws, Sec. 6.8; 5 U.S.C. 5591-93.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders; index cards.

Retrievability: Filed alphabetically by name of employee or by an identification number.

Safeguards: Stored in metal file cabinets and desks in rooms locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Adverse and position classification action cases are destroyed seven years after final decision; disciplinary action (penalties of 30 days off without pay or less) and grievance cases are destroyed two years after final decision; and index cards showing status of action on current cases are destroyed when cases are completed. Exception: Some case files of a precedential nature are retained beyond retention period for study and reference.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Notification procedure: Individuals who have filed appeals or grievances are aware of that fact and have been provided a copy of the record. They may, however, contact the Systems Manager regarding the existence of such records pertaining to them. Individuals should provide to the Systems Manager their name, date of birth, identification number, and the approximate date and kind of action taken by the agency when making inquiries about records.

Record access procedures: Requests should be addressed to the Systems Manager.

Contesting record procedures: The contest, amendment, or correction of an appeal or grievance record is permitted during the prosecution of the appeal or grievance by the individual to whom the record pertains. For contest after case has been closed, see rules published in 35 CFR Part 10.

Record source categories: Individual to whom the record pertains; officials of the Canal agencies, Civil Service Commission, and Board of Appeals; witnesses; official documents related to the appeal or grievance; hearing examiners; and others involved in the grievance or appeal procedure.

PCC-CZG/PR-5

System name: Recruiting and Placement Records, PCC-CZG/PR-5

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: Persons who have applied for employment or are employed with the Panama Canal Company and the Canal Zone Government.

Categories of records in the system: Applications for employment and records related thereto; overseas recruitment processing records; special placement and program records, such as records on the excluded appointments of mentally retarded applicants, the appointment of handicapped persons, the student assistant program, the upward mobility program, and the worker-trainee program.

Authority for maintenance of the system: Panama Canal Company Bylaws, Sec. 6.8; 2 C.Z.C. 101, 121, 141ff., 76A Stat. 14-19; E.O. 11478, August 8, 1969; 42 U.S.C. 2000e-16; E.O. 11171, August 18, 1964; 29 U.S.C. 791.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, index cards, lists, and individual forms.

Retrievability: Filed alphabetically by name of subject individual or by an identification number.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Applications for employment and records related thereto are transferred to recruitment folder if applicant is selected for employment from overseas. When applicant is employed, documentation is transferred to Official Personnel Folder. Applications are destroyed if applicants fail to update in one year from date of acknowledgment of application. U.S. recruitment data cards are retained indefinitely for statistical purposes. Miscellaneous correspondence and listings pertaining to employees under recruitment are destroyed after two years. Vouchers from references listed by applicant are destroyed after one year. Individual special placement and program records are destroyed when employee terminates or individual's participation in program ends.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, medical personnel, police officials, officials of the Canal agencies, schools attended by applicant, and individuals listed as references by applicant.

Systems exempted from certain provisions of the act: All information in this system which would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/PR-6

System name: Training and Employee Development Records, PCC-CZG/PR-6

System location: Personnel Bureau, Panama Canal Company, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Current and former employees of the Canal and other Federal agencies on the Isthmus who have participated in training or development programs sponsored or conducted by the Canal agencies.

Categories of records in the system: Records on training and development of employees under a variety of programs such as apprentice program; the tuition refund program; and various executive, managerial, supervisory, administrative, Spanish and English language, technical, and professional training and development programs.

Authority for maintenance of the system: 5 U.S.C. 4101-18; E.O. 11348 of April 20, 1967; E.O. 11171, August 18, 1964; 2 C.Z.C. 101, 121, 142, 149, 154 and 155, 76A Stat. 14-16, 18, and 19; Bylaws of the Panama Canal Company, Sec. 6.8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See General Routine Use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders, cards, and individual forms.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Apprentice enrollment and grade records are retained permanently. Other records are retained for three years after termination of the session of the program in which the trainee was enrolled, except summary records for management development program are maintained until employee terminates or is dropped from the program.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Request should be addressed to either of the addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individual, official personnel records, instructors, agency officials, program officials, and Veterans Administration.

PCC-CZG/PR-8

System name: Systems of records noticed by the U.S. Civil Service Commission and applicable to the Panama Canal Company and the Canal Zone Government, as follows:

(1) General Personnel Records (Official Personnel Folder and records related thereto).*

(2) Retirement, Life Insurance, and Health Benefits Records Systems.

*As an exception to standard practice on retention of out-of-service Official Personnel Folders, the Canal agencies are authorized to retain the Official Personnel Folders of their former non-U.S. citizen employees rather than send them to the National Personnel Records Center in St. Louis, Missouri (35 CFR 253-292). Some of these former employees now may be U.S. citizens or resident aliens of the United States who are granted access to the records under provisions of the Privacy Act. Questions from such individuals regarding notification procedures, access, and contest in connection with these records should be addressed to the Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone, who is the Systems Manager, or to the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

PCC-CZG/PR-11

System name: Minority Group Designator (MGD) Records, PCC-CZG/PR-11

System location: Personnel Bureau, Panama Canal Company, Ancon, Canal Zone

Categories of individuals covered by the system: U.S. citizen employees of the Canal agencies.

Categories of records in the system: Lists of accessions of U.S. citizen employees containing a minority group designator code submitted to Civil Service Commission, error lists from Civil Service Commission, and transcript form and/or SF 50 (or equivalent) submitted to Civil Service Commission to correct errors.

Authority for maintenance of the system: 5 U.S.C. 7154; E.O. 11478 of August 8, 1969; 2 C.Z.C. 101, 121, 76A Stat. 14, 15; Bylaws of the Panama Canal Company, Sec. 6.8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Forms, sheets of paper, and computer runs.

Retrievability: Lists of accessions filed by employee identification number; computer runs and SF 50, filed alphabetically by name; and monthly report to Civil Service Commission and update transcript form filed by Social Security Number.

Safeguards: Stored in a locked steel desk in a building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Monthly report to Civil Service Commission and error listing for that month are destroyed six months after error listing is received. Correction to monthly error listing destroyed after error list for following month is received and corrected.

System manager(s) and address: Personnel Director, Panama Canal Company, Balboa Heights, Canal Zone.

Systems exempted from certain provisions of the act: All information in this system is maintained and used solely for statistical reports and is not used in making any nonstatistical determinations about identifiable individuals. It is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/SC-1

System name: Housing Files; PCC-CZG/SC-1

System location: Housing Offices, Community Services Division, Balboa Heights and Cristobal, Canal Zone

Categories of individuals covered by the system: Persons residing in Panama Canal Company quarters and in housing maintained by religious, commercial and charitable organizations in the Canal Zone.

Categories of records in the system: Assignment and occupancy of Panama Canal Company quarters, including information on assignee's name, eligibility, service date, identification number, address, family size, and citizenship; name of spouse and dependents; dates of occupancy; rental and other related information; persons allowed to reside or visit with assignees; investigations of misconduct in quarters; and reports of violations of quarters regulations.

Authority for maintenance of the system: 2 C.Z.C. 66(a)(4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in locked metal file cabinets in buildings locked when not in use or with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by burning or shredding five years after occupant is no longer eligible for residence in the Canal Zone.

System manager(s) and address: Chief, Community Services Division, Drawer S, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals, official personnel files, entry permits, dependency determinations, housing personnel, maintenance personnel, neighbors, and officials of other organizations maintaining housing in the Canal Zone.

PCC-CZG/SC-2

System name: Housing Complaints File, PCC-CZG/SC-2

System location: Supply and Community Service Director's Office, Administration Building, Balboa Heights, Canal Zone and Community Services Division, Balboa Heights, and Cristobal, Canal Zone

Categories of individuals covered by the system: Occupants of Panama Canal Company quarters whose cases have been referred to the Quarters Retention Committee.

Categories of records in the system: Complaints, investigations, testimonies, hearings, and decisions bearing on an occupant's eligibility to retain Panama Canal Company quarters.

Authority for maintenance of the system: 2 C.Z.C. 30-33 and 66(a)(4).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in locked metal file cabinets in buildings locked when not in use or with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by burning or shredding five years after occupant is no longer eligible for residence in the Canal Zone.

System manager(s) and address: Administrative Services Officer, Supply and Community Service Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals; complainants; investigatory personnel, including police and customs officials; officials of the Canal agencies; witnesses; Quarters Retention Committee; and court officials and records.

Systems exempted from certain provisions of the act: All information in this system which is investigatory material compiled for law enforcement purposes or would reveal the identity of confidential sources is exempt from certain subsections of 5 U.S.C. 552a and from the procedures for access and contest set forth in the agency's regulations. See 35 CFR 10.14.

PCC-CZG/SC-3

System name: Expert and Consultant Records, PCC-CZG/SC-3

System location: Supply and Community Service Director's Office, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Experts and consultants procured by contract to furnish services to the Canal agencies.

Categories of records in the system: Curriculum vitae of individuals, copies of contracts and charges, and related papers.

Authority for maintenance of the system: 5 U.S.C. 3109 and Congressional appropriations acts covering the Canal Zone Government and the Panama Canal Company.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Filed in locked metal file cabinets in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by shredding or burning six years after final payment.

System manager(s) and address: Administrative Services Officer, Supply and Community Service Bureau, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individual, references provided by individual and peers; and the component of the Canal agencies requesting expert or consultant services.

PCC-CZG/SC-4

System name: Refugee Records, PCC-CZG/SC-4

System location: Community Services Division, Building 635, Balboa Heights, Canal Zone

Categories of individuals covered by the system: Persons granted temporary refuge in the Canal Zone because of civil disturbance or natural disaster or because they are seeking political asylum.

Categories of records in the system: Personal information about refugees and their families; documentation establishing refugee status, conduct agreements, housing arrangements, information on entry and departure, and related papers.

Authority for maintenance of the system: 2 C.Z.C. 841, 76A Stat. 32; E.O. 11305; 22 U.S.C. 2601-5; E.O. 11077.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information may be released from these records on a need-to-know basis to officials of the U.S. and foreign governments in connection with the rehabilitation or relocation of refugees. See also general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of refugee.

Safeguards: Stored in locked metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Assistant Chief, Community Services Division, Drawer S, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals and members of their families; personnel of the Community Services Division, and officials of the Canal agencies, other U.S. Government agencies and foreign governments concerned with the rehabilitation or relocation of refugees.

PCC-CZG/SC-5

System name: Ethyl Alcohol Certificates of Purchase, PCC-CZG/SC-5

System location: Division of Storehouses, Building 28, Balboa, Canal Zone

Categories of individuals covered by the system: All individuals who purchase ethyl alcohol from the Division of Storehouses.

Categories of records in the system: Records controlling purchases of ethyl alcohol by individuals. Information includes individual's identification number, name, date of purchase, quantity purchased, and certification of appropriate use.

Authority for maintenance of the system: 2 C.Z.C. 731-2, 76A Stat. 29.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed by identification number of employee.

Safeguards: Filed in locked metal file cabinets in building locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Destroyed by burning or shredding two months after purchase.

System manager(s) and address: Chief, Division of Storehouses, Drawer BB, Balboa, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individuals and sales clerks.

PCC-CZG/SF-1

System name: Industrial Accident Prevention Supervisor/Unit Awards File, PCC-CZG/SF-1

System location: Office of the Safety Director, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: All Company/Government supervisors classified in high hazard positions who have completed a year of supervision without a disabling injury incurred to himself or his unit.

Categories of records in the system: Supervisor's name, Division, Bureau, identification number and Unit Supervised, year supervised.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, and 66, 76A Stat. 7, 11; 29 U.S.C. 668; 5 U.S.C. 8101 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 5 by 8 inch cards.

Retrievability: Filed by Bureau-Division, indexed by name.

Safeguards: Records maintained in filing drawers. Access and use are restricted to authorized personnel.

Retention and disposal: Maintained while employee is in a hazardous-supervisory capacity.

System manager(s) and address: Office of the Safety Director, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Supervisor/Unit records.

PCC-CZG/SF-2

System name: 20/30/40 Year Safety Key Awards Files, PCC-CZG/SF-2

System location: Office of the Safety Director, Administration Building, Balboa Heights, Canal Zone

Categories of individuals covered by the system: All Company/Government employees classified in a high hazard position who have completed their 20-30-40 years of service with no disabling injury. Records are also maintained of employees in low hazard positions.

Categories of records in the system: Employee's name, identification number, roll and gang, functional code, occupational service code, service date and number of years of employment. Subsystem stamp containing date of last disabling injury (if any) and employees position hazard code.

Authority for maintenance of the system: 2 C.Z.C. 31, 33, and 66, 76A Stat. 7, 11; 29 U.S.C. 668; 5 U.S.C. 8101 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer strip size 12 1/2 by 3 1/2 inches.

Retrievability: Filed by name.

Safeguards: Records maintained in lockable file cabinets. Access and use are restricted to authorized personnel.

Retention and disposal: Held until termination, destroyed by shredding.

System manager(s) and address: Office of the Safety Director, Box M, Balboa Heights, Canal Zone.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Employees on whom record is maintained.

PCC-CZG/TTWT-1

System name: Vessel Employee Records, PCC-CZG/TTWT-1

System location: Water Transportation Division, Building 1-5-A, 4400 Dauphine Street, New Orleans, Louisiana 70146

Categories of individuals covered by the system: Crew members of the S.S. *Cristobal.*

Categories of records in the system: Personal data on crew members of S.S. *Cristobal,* including information on qualifications, positions occupied, "Z" number, next of kin, and adverse and disciplinary action record.

Authority for maintenance of the system: 2 C.Z.C. 66(a)(3); 5 U.S.C. 5342(b); and 46 U.S.C., Chapter 18.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Cards and paper records in file folders.

Retrievability: Filed or retrievable alphabetically by name.

Safeguards: Stored in locked metal file cabinets in building with around-the-clock guard. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: General Agent, Water Transportation Division, Panama Canal Company, 4400 Dauphine Street, New Orleans, Louisiana 70146.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individual, supervisors, union officials, and U.S. Coast Guard.

PCC-CZG/WO-1

System name: Panama Canal Company Board of Directors, PCC-CZG/WO-1

System location: 312 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C.

Categories of individuals covered by the system: Members and former members of the Company's Board of Directors.

Categories of records in the system: General biographical information.

Authority for maintenance of the system: 2 C.Z.C. 63, 76A Stat. 10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Stored in locked metal file cabinets in office locked when not in use. Access and use are restricted to authorized personnel.

Retention and disposal: Permanent.

System manager(s) and address: Assistant to the Secretary, Panama Canal Company, 312 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Individual on whom maintained.

PCC-CZG/WO-2

System name: Office of the Secretary Operating Unit Personnel Files, PCC-CZG/WO-2

System location: 312 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C.

Categories of individuals covered by the system: All employees of Panama Canal Company, Washington Office.

Categories of records in the system: Name, address, birth date, marital status, employment history, dates of employment with Panama Canal Company, copies of standard personnel action forms.

Authority for maintenance of the system: 2 C.Z.C. Sec. 121, 76A Stat. 15.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See general routine use paragraphs in prefatory statement or in 35 CFR Part 10, Appendix A.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Name.

Safeguards: Lockable file cabinets; office locked when not occupied. Access and use are restricted to authorized personnel.

Retention and disposal: Duration of employment and until routine clearing of files. To Records Center.

System manager(s) and address: Assistant to the Secretary, Panama Canal Company, 312 Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004.

Notification procedure: Information may be obtained from the Systems Manager or the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. Rules are published in 35 CFR Part 10.

Record access procedures: Requests should be addressed to either of addressees designated in Notification Procedures, preceding.

Contesting record procedures: See rules published in 35 CFR Part 10.

Record source categories: Subject individual on whom maintained with notes by interviewer at pre-employment stage.

[FR Doc.77-27843 Filed 9-21-77;8:45 am]

POSTAL RATE COMMISSION

PRIVACY ACT OF 1974

System of Records; Annual Publication

In accordance with section 552a(e)(4) of the Privacy Act of 1974 the Postal Rate Commission hereby publishes the system of records currently maintained by the Commission. No changes have occurred since the last annual publication on August 31, 1976 (41 FR 36749).

David F. Harris,
Secretary.

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PRC-1 Official Personnel Files.

PRC-1

System name: Official Personnel files—PRC

System location: 2000 L St., N.W., Washington, D.C. 20268

Categories of individuals covered by the system: Personnel of the Postal Rate Commission.

Categories of records in the system: Personnel information, including information supplied on applications, references, records of employment, health records, payroll records, financial reporting records, and information required for affirmative action plans for employment of minorities and handicapped.

Authority for maintenance of the system: 39 U.S.C. 3603, 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 this record system is transferred to the U.S. Postal Service to process payroll and to the Civil Service Commission in compliance with financial reporting requirements. Information on the health of Commission employees is maintained by the Public Health Service in connection with its services as the health unit for the Commission. Information on security is developed by submission of appropriate forms with the Civil Service Commission. Other such housekeeping measures may require frequent inter-agency transfers of information.

In the event that information in this record system 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 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.

In the event that information in this record system is needed in the course of presenting evidence to a court, magistrate, or administrative tribunal, the relevant records may be referred, as a routine use, to the appropriate person to use as evidence.

Information in this record system 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 Commission decision concerning the hiring or retention of an employee, the letting of a contract, or the issuance of a grant or other benefit.

Information in this record 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.

Disclosure may be made to a Congressional office from the record of an indiviual in response to an inquiry from the Congressional office made at the request of that indiviual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Hard copy for official personnel folders and financial statements, mag-tape for payroll records.

Retrievability: Official personnel folders and financial statements by name of employee, payroll by Social Security number of employee.

Safeguards: Approved combination safe for record storage.

Retention and disposal: Official personnel records are maintained by the Commission for the duration of a person's employment with the Commission, follow the employee to new federal jobs, or are retired to the Federal Record Center upon termination of government employment. Financial reports are maintained for a period of four years after termination of the individual's employment with the Commission.

System manager(s) and address: Chief Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268.

Notification procedure: Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268.

Supply name, date of birth, facsimile of an identifying document such as a driver's license or employee identification card, last agency employing with dates, and a return address.

Record access procedures: Write or call Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268, telephone (202) 254-3881.

Contesting record procedures: Write or call Assistant Administrative Officer, 2000 L St., N.W., Washington, D.C. 20268, telephone (202) 254-3881.

Record source categories: Applications for employment as submitted by the applicants; data supplied by employees in connection with their employment; records from other agencies in which employees worked; replies from references; responses to security investigations; supervisors' performance evaluations; grades from courses taken under Commission sponsorship; medical records.

[FR Doc.77-27844 Filed 9-21-77;8:45 am]

PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

PRIVACY ACT OF 1974

System of Records; Annual Publication

In accordance with 5 U.S.C. 552a(e)(4) of the Privacy Act of 1974, the President's Commission on White House Fellowships hereby publishes the system of records currently maintained by the Commission. The only changes since the last annual publication (42 FR 44029, Oct. 5, 1976) are the extension of the disposal time for applications of non-selectees and the addition of regional panel index cards.

W. Landis Jones,
Director.

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White House Fellowships Records—PCWHF

PCWHF—1

System name: White House Fellowships Records—PCWHF

System location: President's Commission on White House Fellowships, Room 1308, 1900 E Street, NW., Washington, D.C. 20415.

Categories of individuals covered by the system: Applicants for White House Fellowships, speakers for the White House Fellows' education program, spouses of White House Fellows, and regional panel members.

Categories of records in the system: Applications, index cards and supplemental material on individuals applying for White House Fellowships; biographies of spouses of White House Fellows; and biographical and other material regarding speakers for the White House Fellows' seminars; and index cards on prospective and current regional panel members.

Authority for maintenance of the system: Executive Order 11183, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

a. Applications are used to select candidates for White House Fellows; biographical and other material regarding speakers are distributed to White House Fellows before they meet with them; and biographies of spouses of White House Fellows are distributed to speakers with who they meet; and cards on regional panel members are a source file for memberships.

b. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: See Storage, Retrievability, Safeguards, and Retention and Disposal below.

Storage: The records are maintained in file folders.

Retrievability: Records are indexed by name.

Safeguards: Records are maintained in filing cabinets in a secured room. Records are available only to personnel authorized by the President's Commission on White House Fellowships.

Retention and disposal: The applications for White House Fellows who are selected are maintained indefinitely. Applications for those not selected are destroyed 60 days after non-selecton notice has been mailed. The biographies of spouses of White House Fellows are maintained for one year and destroyed. Biographical and other material regarding speakers for White House Fellows' seminars are destroyed when they become obsolete. The index cards of applicants are maintained indefinitely. The index cards on prospective and current regional panel members are destroyed when obsolete.

System manager(s) and address: Administrative Officer, President's Commission on White House Fellowships, Room 1308, 1900 E Street, NW., Washington, D.C. 20415.

Notification procedure: Contact the system manager listed above. It is necessary to furnish the following information in order to identify the individual whose records are requested.

a. Full name.
b. Date of birth.
c. Year of application (if applicable).

Record access procedures: An individual can obtain information on the procedures for gaining access to the records through: Administrative Officer, President's Commission on White House Fellowships, Room 1308, 1900 E Street, NW., Washington, D.C. 20415.

Contesting record procedures: An individual can obtain information on the procedures for contesting the records through: Administrative Officer, President's Commission on White House Fellowships, Room 1308, 1900 E Street, NW., Washington, D.C. 20415.

Record source categories: White House Fellows and their evaluators, applicants for White House Fellowships, spouses of White House Fellows, and speakers.

[FR Doc.77-27845 Filed 9-21-77;8:45 am]

TENNESSEE VALLEY AUTHORITY

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

Action: Annual notice of systems of records.

Summary: TVA is republishing its systems of records in compliance with the requirements of 5 U.S.C. 552a(e)(4). The TVA systems of records identified in notices published in the Federal Register (41 FR 49064, 42 FR 31512) continue in effect. This document alters the notices for five TVA systems related to personnel management to indicate a change in automatic data processing equipment configuation for system data storage and alters system TVA-29, Electricity Use, Rate, and Service Study Records, to increase the number of individuals on whom records are maintained. Certain housekeeping changes are made to correct addresses which have changed since the system notices were first published.

Dates: The notice is effective (on publication in the Federal Register).

Address: Send comments to Privacy Act Coordinator, Division of Personnel Tennessee Valley Authority, Knoxville, Tennessee 37902.

For further information contact: Sue E. Wallace, Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902, (615) 632-3304.

Supplementary information. This document republishes TVA's system notices in their entirety combining the 1976 annual publication (41 FR 49064) with a change to three routine uses effective June 21, 1977 (42 FR 31512).

The document also contains two major changes to TVA system notices which previously have not been published in the Federal Register.

The first change results from TVA's planning to alter the equipment configuration for five existing systems of records to alter the methods of data storage and retrieval for the five systems. The systems are TVA-2, Personnel Files; TVA-6, Employee Accident Information System; TVA-9, Medical Record System; TVA-11, Payroll Records; and TVA-13, Employment Applicant File. Each of the systems is used for personnel management purposes. The change in the systems' equipment configuration consists of integrating a portion of the information in each system into a single data base. Generally, the information included in the data base was already automated. Integration of this personnel information will result in increased accuracy and reduced cost in maintaining these systems. Authorized access to the systems will not be increased.

This change revises the Safeguards paragraph of each system listed above to indicate the additional safeguards which will be given to automated data. The change also revises the Storage and the System Location paragraphs of System TVA-13 (Employment Applicant File—TVA) to indicate that some information in this system has been automated.

A report of TVA's intention to alter existing systems of records in relation to this change was transmitted to the Office of Management and Budget, the Speaker of the House, the President of the Senate, and the Privacy Protection Study Commission, as required by the Privacy Act of 1974, on March 10, 1977. Public notice of the submission of the report was given by the Office of Management and Budget on March 29, 1977 (42 FR 16686).

The second major change results from an increase in the scope of TVA studies relating to electricity use, rates, and service. Such studies are conducted for planning purposes in TVA's power program, including evaluating alternative rate structures and designing, implementing, and improving energy conservation programs. Because some information in these studies must be collected over extended periods of time and classified and retrieved by household, the information is indexed by personal identifier.

At present, the only ongoing study requiring use of personal identifiers involves the metering of sample groups of retail customers to analyze and determine the time integrated load characteristics for such groups. This study is described in the present system TVA-29. The system contains information about an individual's income, employment, family size, characteristics of his dwelling including type of heating and cooling systems and number and kind of appliances, and other characteristics of study participants relevant to patterns of residential electrical use. The information collected is used to determine the effect of such variables on electricity use throughout the day.

As a result of analysis of available information including data developed in the load metering survey, TVA has designed a demonstration time-of-day rate test for residential consumers. The test is designed to evaluate consumer acceptance of time-of-day rates and to obtain information on the effect of time-of-day rates on electricity consumption patterns. It is proposed to conduct this test among residential consumers in Knoxville, Tennessee. TVA will collect the same types of information about the consumer's household as is collected in the current load metering survey in order to study the effect of these same variables on the effectiveness of time-of-day rates.

This initial test is a forerunner to programs to determine consumer response to alternative time-of-day rates, including such possible tests as an incentive rate coupled with automatic load control of water heaters. These other tests will also be necessary to provide the detailed reliable data required for analysis of the costs and benefits of time-of-day rates, and further studies requiring collection of similar kinds of information may also be helpful in planning TVA's power program.

TVA is altering system TVA-29, Electric Load Metering Survey, to cover all information TVA proposes to collect in these studies. The system name will be changed to system "TVA-29, Electricity Use, Rate, and Service Study Records" to more accurately describe the expanded system. No additional routine uses are proposed. No changes in system location or policies and practices for storing, retrieving, accessing, retaining, and disposing of records are involved.

A report of TVA's intention to alter existing systems of records in relation to this change was transmitted to the Office of Management and Budget, the Speaker of the House, the President of the Senate, and the Privacy Protection Study Commission, as required by the Privacy Act of 1974, on June 15, 1977. Public notice of the submission of the report was given by the Office of Management and Budget on July 7, 1977 (42 FR 34962).

This document also includes certain housekeeping changes including correction of addresses which have changed since the system notices were first published.

Dated: August 30, 1977.

Lynn Seeber,
General Manager.

This document gives notice that the following TVA system notices are in effect:

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TVA—1

System name: Apprentice Training Record System—TVA

System location: Personnel Correspondence File, MIB, Tennessee Valley Authority, Knoxville, Tennessee 37902; Personnel Management Information System, MIB, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Computing Services Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

All TVA locations where apprentices are employed.

Categories of individuals covered by the system: Current and former TVA apprentices.

Categories of records in the system: Employment, qualifications, and evaluation information.

Authority for maintenance of the system: National Apprenticeship Act of 1937, 50 Stat. 664 (1937).

TVA Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Bureau of Apprenticeship and Training, the Veterans Administration, Tennessee Valley Trades and Labor Council, and the Tennessee Department of Education for reporting and evaluation purposes.

To respond to a request from a Member of Congress regarding the status of an apprentice.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To provide the following information to a prospective employer of a TVA or former TVA employee:

job descriptions, dates of employment, reason for separation.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, disc, microfiche, and file folder.

Retrievability: Records are indexed by name, craft, job code, union code, and social security number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal: Records are maintained from two to five years in accordance with established TVA record retention schedules and are then transferred to the Federal Records Center.

System manager(s) and address:

Director of Personnel
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: Individuals seeking to learn if information on them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, craft, and location of employment.

Record access procedures: Individuals seeking access to information about them in this system of records should contact the system manager named above. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualification for appointment or promotion in the Federal service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual to whom the record pertains.

General Aptitude Test Battery scores from state employment security office.

References from employers, military and educational institutions.

Evaluations from joint committee on apprenticeship.

Systems exempted from certain provisions of the act: This system is exempt from subsections (d), (e)(4)(H), (f)(2), (3), and (4) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testimony and examination material would compromise the objectivity of the testing or examination process. This exemption is pursuant to section 3(k)(5) and (6) of the Privacy Act of 1974 (5 USC 552a(k)(5) and (6)) and TVA regulations at 18 CFR 301.24.

TVA—2

System name: Personnel Files—TVA

System location: Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902; Division of Personnel, Personnel Management Information Services, Tennessee Valley Authority, Knoxville, Tennessee 37902; area employment offices in Knoxville, Chattanooga, Muscle Shoals, and Nashville; construction project employment offices; Computing Services Branch, Tennessee Valley Authority, Chattanooga, Tennessee 37401; Federal Personnel Records Center, St. Louis, Missouri 63118. Security—suitability investigatory files are located separately from other records in this system.

Duplicate copies of certain documents may also be located in the files of division personnel officers, supervisors, and administrative officers.

Categories of individuals covered by the system: Current and former TVA employees and applicants for employment.

Categories of records in the system: Information related to education; qualifications; work history; interests and skills; test results; performance evaluation; personnel actions; job description; salary and benefit information; service dates, including other Federal and military service; replies to congressional inquiries; medical data; and security investigation data.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Executive Order 10561; Executive Order 10577; Executive Order 10450; Executive Order 11478; Executive Order 11222; Security Act of August 27, 1950, 64 Stat. 476; Veterans Preference Act of 1944, 58 Stat. 387, as amended; Equal Employment Opportunity Act of 1972, Pub. L. 92-261, 86 Stat. 103; various sections of Title 5, USC, related to employment by TVA.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To disclose test results to state employment services.

To a state employment security office in response to a request relating to a former employee's claim for unemployment compensation.

To respond to a request from a Member of Congress regarding the status of an employee, former employee, or applicant.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement informa-

tion or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To provide the following information, as requested, to a prospective employer of a TVA or former TVA employee: job descriptions, dates of employment, and reasons for separation.

To provide information as requested to the Civil Service Commission pursuant to Executive Orders 10450, 10577, and other laws.

To any agency of the Federal Government having oversight or review authority with regard to TVA activities.

In litigation including presentation of evidence and disclosure to opposing counsel in course of discovery.

To transfer information necessary to support a claim for life insurance benefits under Federal Employees GrouP Life Insurance to Office of Federal Employees Group Life Insurance.

To transfer information necessary to support a claim for health insurance benefits to health insurance carrier.

To union representatives in exercising their responsibilities under TVA collective bargaining agreements.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

To TVA contractors and subcontractors engaged in studies and evaluation of TVA personnel management.

To provide pertinent information to local school districts and other government agencies in order to study TVA project impacts and to aid school districts in qualifying for assistance under Pub. L. 81-874 and other laws.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and on magnetic tape, disc, and microfiche.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal: Personal history records are transferred to Federal Personnel Records Center 1 year after termination of employment; congressional inquiries are retained indefinitely; test records are retained 10 years; occupational register cards are retained 1 year, with the exception of apprentices which are retained for 5 years; some information maintained on magnetic tape is erased after 1 year; records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. Requests should include the individual's full name, employing division, job title, and date of birth. A social security number is not required but may expedite TVA's response.

Record access procedures: Individuals seeking to gain access to information about them in this system of records should contact Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. In addition, current employees may present requests for access to the personnel officer of the employing division. Requests should include the individual's full name, employing division, job title, and date of birth. A social security number is not required but may expedite TVA's response. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or access to classified information to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: Individual to whom the record pertains; educational institutions, former employers, and other reference sources; state employment services; supervisors and other TVA personnel or personnel records; medical officers; other Federal agencies.

In addition to the above sources, security suitability investigatory files contain information from law enforcement agencies.

Systems exempted from certain provisions of the act: This system is exempt from subsections (d), (e)(4)(H), (f)(2) and (3) and (4) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to section 3(k)(5) and (6) of the Privacy Act of 1974 (5 USC 552a(k)(5) and (6)) and TVA regulations at 18 CFR 301.24.

TVA—3

System name: Cooperative Training Program for Construction Craftsmen—TVA

System location: Division of Personnel, Human Resource Development Staff, Knoxville, Tennessee 37902; construction project offices.

Categories of individuals covered by the system: Participants in the Cooperative Training Program for Construction Craftsmen.

Categories of records in the system: Personal identifying information; testing information; evaluations.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To state employment services and prospective employers for use in placement of the student.

To request information from a Federal, state, or local agency or from private individuals if necessary to obtain information relevant to a TVA decision within the purposes of this system of records.

In litigation including presentation of evidence and disclosures to opposing counsel in the course of discovery.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

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 indexed by name and social security number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Filing systems are locked when unattended.

Retention and disposal: Records will be retained indefinitely.

System manager(s) and address:

Director of Personnel
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: Individuals wishing to determine if information on them is maintained in this system of records should ad-

dress inquiries to the, Human Resource Development Staff, Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record access procedures: Requests for access should be addressed to the, Human Resource Development Staff, Division of personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service, the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures: Individuals seeking to contest or amend information about them in this system of records should direct their request to the, Human Resource Development Staff, Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: Individuals to whom the record pertains; instructors.

Systems exempted from certain provisions of the act: This system is exempt from subsections (d); (e)(4)(H); (f)(2), (3), and (4) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to section 3(k)(5) and (6) of the Privacy Act of 1974 (5 USC 552a(k)(5) and (6)) and TVA regulations at 18 CFR 301.24.

TVA—4

System name: Demonstration Farm Records—TVA.

System location: Agricultural Resource Development Branch, Division of Agricultural Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system: Tennessee Valley farmers participating in:

Rapid adjustment farm program; resource management farm program; unit test—demonstration farm program.

Categories of records in the system: Agricultural, investment, income, and labor information. The information in this system is not used in any determination about the rights, benefits, or privileges of an individual.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be disclosed to state extension services and the U.S. Department of Agriculture for use in program evaluation and in assistance to program participants.

To request information from a government agency or private individual where such information may be relevant to providing additional assistance under this program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in files, magnetic tape, disc, punched cards, microfilm and microfiche.

Retrievability: Records are indexed by an assigned code.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. All records are kept in secured facilities and locked when unattended.

Retention and disposal: Records are retained for an indefinite period.

System manager(s) and address: Director of Agricultural Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure: Individuals upon whom information is maintained in this system of records are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name and state and county of the farm.

Record access procedures: All information maintained in this system of records has been supplied by the subject individual. However, requests for access may be directed to the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The information in this system is solicited from the individual to whom the record pertains by state extension services and universities.

TVA—5

System name: Discrimination Complaint File—TVA

System location: The following locations of the TVA Equal Employment Opportunity Staff:

400 Commerce Avenue, EPB14, Tennessee Valley Authority, Knoxville, Tennessee 37902.

323 Chattanooga Bank Building, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Service Building, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Duplicate copies may be maintained in the files of the TVA division where the complaint originated.

Categories of individuals covered by the system: Employees or applicants who have received counseling or filed complaints of discrimination based on race, color, religion, sex, national origin, or age.

Categories of records in the system: This system of records contains information or documents relating to a decision or determination made by TVA or the Civil Service Commission affecting an individual. The records consist of the initial appeal or complaint, letters or notices to the individual, record of hearings when conducted, materials placed into the record to support the decision or determination, affidavits or statements, testimonies of witnesses, investigative reports, and related correspondence, opinions, and recommendations.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Executive Order 11478.
42 USC 2000e-16.
29 USC 633a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A report of each complaint is made to the Civil Service Commission. If an administrative appeal is filed, the entire file is disclosed to the Civil Service Commission.

To the employee's representative and union.

To respond to a request from a Member of Congress regarding the status of a complaint.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To complainants, their representives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedure.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in this system are kept in file folders.

Retrievability: Records in this system are indexed by name.

Safeguards: Access to and use of these records are limited to those personnel whose official duties require such access.

Retention and disposal: These records are retained in accordance with established TVA records retention schedules.

System manager(s) and address:

Director of Equal Employment Opportunity

400 Commerce Avenue, EPB14
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: Individuals who have filed discrimination complaints are aware of that fact. However, inquiries may be addressed to the system manager named above. Individuals should provide their full name, the approximate date of their complaint, and their employing organization, if employed.

Record access procedures: Individuals who have filed a discrimination complaint have been provided a copy of the record. However, an individual may gain access to the official copy of the complaint record by writing the system manager named above.

Contesting record procedures: Individuals who have filed a discrimination complaint have had an opportunity during the complaint procedure to amend their record. However, requests for amendment or correction of items not involving the complaint procedure may be addressed to the system manager named above.

Record source categories: The individual to whom the record pertains.

TVA personnel and other records.
Witnesses.

TVA—6

System name: Employee Accident Information System—TVA

System location: Division of Environmental Planning, Tennessee Valley Authority, at the following locations:

201 401 Building, Chattanooga, Tennessee 37401; 205 Old Post Office, Chattanooga, Tennessee 37401.

Accident reports may also be maintained in the file of the employing organization.

Categories of individuals covered by the system: Employees who have sustained a work-related injury or illness or have been involved, as the operator of a TVA vehicle, in a vehicular accident.

Categories of records in the system: Personal identifying information and information related to the accident, injury, or illness.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Occupational Safety and Health Act of 1970, Pub. L. 93-237, 87 Stat. 1024; Executive Order 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Department of Labor as required by the Occupational Safety and Health Act.

To the Office of Workers Compensation Programs in relation to an individual's claim for compensation.

To respond to a request from a Member of Congress regarding the status of an employee.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

For use in litigation, including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information in this system is maintained on magnetic tape, cards, and file folders.

Retrievability: Records are indexed by name, date of birth, and social security number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal: Records are retained for 5 years, and after that period are retained in accordance with established TVA records retention schedules.

System manager(s) and address: Director of Environmental Planning, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, date of birth, and approximate date of injury.

Record access procedures: Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The individual to whom the record pertains; TVA medical records; witnesses of accidents and injuries, including appraisers of property damage.

TVA—7

System name: Employee Accounts Receivable—TVA

System location: Division of Finance, Tennessee Valley Authority, Knoxville, Tennessee 37902; Division of Law, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Categories of individuals covered by the system: Employees or former employees who:

Authorize a payment for specified purposes in their behalf; receive overpayment of earnings; receive duplicate payments; are otherwise indebted to TVA.

Categories of records in the system: Personal identifying information and information concerning indebtedness and repayment.

Authority for maintenance of the system: 5 USC, chapter 55; Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on punch cards, printouts, and posting documents.

Retrievability: Records are indexed by employing organization and social security number, or badge number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal: Punch cards disposed of in three months, printouts in three years, and posting documents in six years.

System manager(s) and address: Director of Finance, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name and employing organization. Provision of the social security number is not required, but may expedite TVA's response.

Record access procedures: Individuals who seek access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual to whom the record pertains; TVA payroll records; TVA disbursement voucher records.

TVA—8

System name: Employee Alleged Misconduct Investigatory Files—TVA

System location: Division of Law, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Categories of individuals covered by the system: Employees or former employees about whom a complaint of misconduct during employment has been made.

Categories of records in the system: Information regarding conduct during employment with TVA which may be in violation of law or regulations.

Authority for maintenance of the system: TVA Act, 16 USC 831b (1970); Executive Order 10450; Executive Order 11222; Hatch Political Activities Act, 5 USC 732 et. seq. (1970); 28 USC 535 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA Equal Employment Opportunity procedures.

In litigation including presentation of evidence and disclosures to opposing counsel in the course of discovery.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information as requested to the Civil Service Commission pursuant to Executive Orders 10450 and 10577 and other laws.

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 indexed and retrieved by individual name.

Safeguards: These records are stored in a locked GSA-approved security container. Access to the records is limited to TVA attorneys and their administrative assistants who have a need for them in the course of TVA business and to other TVA employees whose need is approved by Division of Law management.

Retention and disposal: Records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address:

General Counsel
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: This system of records is exempt from th requirement pursuant to section 3(k)(2) of the Privacy Act of 1974 (5 USC 552a(k)(2)) and TVA regulations at 18 CFR 301.24.

Record access procedures: This system of records is exempt from this requirement pursuant to section 3(k)(2) of the Privacy Act of 1974 (5 USC 552a(k)(2)) and TVA regulations at 18 CFR 301.24.

Contesting record procedures: This system of records is exempt from this requirement pursuant to section 3(k)(2) of the Privacy Act of 1974 (5 USC 552a(k)(2)) and TVA regulations at 18 CFR 301.24.

Record source categories: This system of records is exempt from this requirement pursuant to section 3(k)(2) of the Privacy Act of 1974 (5USC 552a(k)(2)) and TVA regulations at 18 CFR 301.24.

Systems exempted from certain provisions of the act: This system is exempt from subsections (c)(3); (d); (e)(1); (e)(4)(G), (H), and (I); and (f) of section 3 of the Privacy Act of 1974 pursuant to section 3(k)(2) of the Privacy Act (5 USC 552a(k)(2)) and TVA regulations at 18 CFR 301.24.

TVA—9

System name: Medical Record System—TVA

System location: Division of Medical Services, Edney Building, Chattanooga, Tennessee 37401; all TVA medical facilities; Chattanooga Records Staging Area, Old Post Office, Chattanooga, Tennessee 37401; Computing Services Branch, Chattanooga, Tennessee 37401; Federal Records Center, St. Louis, Missouri 63118; District Offices, Office of Workers Compensation Programs.

Categories of individuals covered by the system: Applicants for TVA employment, employees, former employees, official visitors, contractual assignees to TVA, interns, externs, employees of TVA contractors and other Federal agencies who are examined under contract.

Categories of records in the system: Medical information pertinent to an individual's employment, official visit, or contractual work with TVA or other Federal agencies, including medical examination results, medical history treatment, and related information; workers compensation claim records; rehabilitation records; and information related to employee participation in the alcohol-drug abuse program.

Medical information relative to nuclear plant security.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; 5 USC 7902; Federal Employees Compensation Act, 5 USC Chapter 81; 5 USC Chapter 87 (Medical information relating to life insurance program); 5 USC 3301; Occupational Safety and Health Act of 1970, Pub. L. 93-237, 87 Stat. 1024 Pub. L. 91-616, Federal Civilian Employee Alcoholism Program and Pub. L. 92-255, Drug Abuse Among Federal Civilian Employees, which are amended in regard to confidentiality of records by Pub. L. 93-282; Public health laws (state and Federal) related to the reporting of health hazards, communicable diseases or other epidemiological information; Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Compensation claim records are used for adjudicating claims and providing therapy. Appropriate information is exchanged with physicians, hospitals, and rehabilitation agencies approved by the Office of Workers Compensation Programs for service to injured employees.

Medical records are used for employee population health monitoring, which includes routine clinical and epidemiological investigations. Such studies may require the transfer of selected items of medical data to health-related agencies, organizations, or professionals for the purpose of obtaining specialized clinical consultation, compiling vital and health statistics, or conducting biomedical investigations.

Alcohol-drug program records may be exchanged with a physician or treatment center working with an employee, or in accordance with the provisions of Pub. L. 93-282.

Information in these records may be provided to officials of other Federal agencies responsible for other Federal benefit programs administered by Office of Workers Compensation Programs, Retired Military Pay Centers, Veterans Administration, Social Security Administration, and private contractors engaged in providing benefits under Federal contracts.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, the issuance of a security clearance, the reporting of an investigation of an employee, 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.

To respond to a request from a Member of Congress regarding an employee.

In litigation including the presentation of evidence and disclosures to opposing counsel in the course of discovery.

To transfer information necessary to support a claim for health insurance benefits to the health insurance carrier or plan participant.

To request information from a Government agency or private individual if necessary to obtain information relevant to a TVA decision within the purposes of this system of records.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tapes, discs, and in folders.

Retrievability: Records are indexed by name, social security number, date of birth, and employee compensation case number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards. Special instructions issued to medical staff employees assure the confidentiality of medical records.

Retention and disposal: Records are maintained in accordance with TVA rules and regulations approved by the National Archivist. Retention schedules specify the length of time various records are kept. Active medical records are kept indefinitely. Inactive files are kept in TVA records staging areas. Medical records of employees who have filed compensation claim records are maintained by TVA for 10 years, then forwarded to the Federal Records Center for permanent retention. Medical records of former employees are retained for 10 years (20 years if required by the Occupational Safety and Health Act) following the date of the last medical record entry; they are then destroyed by burying. Records of applicants and other nonemployees are retained for 10 years and destroyed by burying.

System manager(s) and address: Medical Director, Tennessee Valley Authority, 320 Edney Building, Chattanooga, Tennessee 37401.

Notification procedure: Individuals should address inquiries to the system manager named above or to the medical office at the TVA facility where employed, if a current employee.

Individuals should provide their full name, date of birth, employing organization, and date of last employment, and employee compensation case number, if any. Provision of social security number is not required but may expedite TVA's response.

Record access procedures: Individuals who desire access to information about them in this system of records should contact or address their inquiries to the system manager named above or the medical office at the TVA facility where currently employed.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The individual to whom the record pertains; TVA medical staff; private physicians and medical institutions; Office of Workers' Compensation Programs; TVA personnel records, other health agencies and departments.

TVA—10

System name: Employee Statements of Employment and Financial Interests—TVA

System location: Employment Branch, Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Duplicate copies may be kept in division directors' offices.

Categories of individuals covered by the system: All TVA employees at TVA grade M-8 and above; employees at TVA grades M-5, M-6, and M-7 in positions designated by the General Manager or a division director as requiring submission of a statement; every TVA consultant who is a "special Government employee;" every TVA personal service contractor who is a "special Government employee" and who is determined to be an "expert" or who is otherwise required to submit a statement.

Categories of records in the system: Statement of employment and financial interests.

Authority for maintenance of the system: Executive Order 11222; 18 USC 208; Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To report as requested to the Civil Service Commission pursuant to Executive Order 10577 and other laws.

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 indexed by name.

Safeguards: Access to and use of these records are limited to those persons designated by the General Manager to review statements of financial interests and no other disclosure is permitted without the consent of the General Manager. All filing systems are locked when unattended.

Retention and disposal: Records are retained in accordance with established records retention schedules.

System manager(s) and address: General Manager, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals upon whom records are maintained in this system of records are aware of that fact by having filed a statement. However, inquiries may be addressed to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. Requests should include the individual's full name and employing division.

Record access procedures: Individuals wishing to gain access to information about them in this system of records should contact the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: The individual to whom the record pertains.

TVA—11

System name: Payroll Records—TVA

System location: TVA Division of Finance, Knoxville, Tennessee 37902. Garnishment files are located at the Division of Law, Knoxville, Tennessee 37902. Duplicate copies of some records may also be maintained in the files of the employing division; National Personnel Records Center, St. Louis, Missouri 63118.

Categories of individuals covered by the system: All employees and personal service contractors selected for certain training programs.

Categories of records in the system: Personal identifying information; pay, leave, and debt claim information.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Internal Revenue Code; Fair Labor Standards Act, 29 USC, chapter 8; 5 USC, chapter 63.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To report earnings and other required information to Federal, state, and local taxing authorities as required by law.

To report earnings to the Civil Service Retirement System for members of that system.

To transmit payroll deduction information to financial institutions and employee organizations.

To report earnings to courts when punishments are served or in bankruptcy or wage earner proceedings.

To report earnings to unions for those crafts on which TVA contributions to union welfare or pension funds are based on earnings. Reports of hours worked are made to unions for those crafts on which such TVA contributions are based on hours worked.

To report earnings to the Department of Housing and Urban Development, state welfare agencies, and state employment security offices where an individual has made a claim for benefit with such agency.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedure.

To provide information as requested to the Civil Service Commission pursuant to Executive Order 10577 and other laws.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To disclose any agency of the Federal Government having oversight or review authority with regard to TVA activities.

For use in litigation, including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To transfer information necessary to support a claim for life insurance benefits under Federal Employees Group Life Insurance to Office of Federal Employees Group Life Insurance.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To transfer information necessary to support a claim for health insurance benefits to health insurance carriers.

To TVA contractors and subcontractors engaged in studies and evaluations to TVA payroll and personnel management.

To union representatives exercising their responsibilities under TVA collective bargaining agreements.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, disc, hard-copy printouts and in file folders.

Retrievability: Records are primarily indexed by name. They may also be retrieved by reference to employing organization, date of end of pay period, social security or badge number, date of birth, sex, job title.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal: File folders are retained for three years after termination. Time sheets are retained for seven years. Payroll registers are retained in active status for one year, transferred to TVA record storage for five years, and to Federal Records Center for an additional 50 years. Magnetic tapes are retained for one year after termination.

System manager(s) and address: Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name, employing organization, and date of last employment. The social security number is not required but may expedite TVA's response.

Record access procedures: Individuals seeking access to information on them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals seeking to amend or correct information on them in this system of records should contact the system manager named above.

Record source categories: Individual to whom the record pertains; TVA personnel records; employee's supervisor, for report of hours worked.

TVA—12

System name: Employee Travel Advance Records—TVA

System location: Division of Finance, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Duplicate copies of these records may also be maintained in the files of the employee's division.

Categories of individuals covered by the system: TVA employees requesting travel advances.

Categories of records in the system: Name, address, employing organization, date and amount of travel advance, and repayment information.

Authority for maintenance of the system: 5 USC 5701-5709, and related Federal travel regulations; Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records may be used:

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In an administrative or regulatory proceeding or in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on index cards.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are supervised and locked when unattended.

Retention and disposal: These records are retained permanently.

System manager(s) and address: Comptroller, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual's full name and employing organization.

Record access procedures: Individuals who seek access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual to whom the record pertains; TVA disbursement voucher records.

TVA—13

System name: Employment Applicant File—TVA

System location: Employment Branch, Tennessee Valley Authority, Basement, Miller's Building, Knoxville, Tennessee 37902; area and project employment offices; Computing Services Branch, TVA, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system: Applicants for employment including former employees seeking reemployment.

Categories of records in the system: Application forms and related correspondence.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; 5 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to a request from a Member of Congress regarding the status of an individual's application.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request information from a Federal, state, or local agency, or private individual if necessary to obtain information relevant to a TVA decision within the purposes of this system of records.

To disclose test results to state employment services.

To provide information as requested to Civil Service Commission pursuant to Executive Orders 10450 and 10577, and other law.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, disc, printouts.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended. Remote access facilities are secured through physical and system-based safeguards.

Retention and disposal: Applications are kept for one year from last indication of interest, with the exception of apprenticeship applications, which are kept for five years.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to learn if information on them is maintained in this system of records should address inquiries to Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902, or to the area or project employment office to which application was sent. Requests should include the individual's full name, date of birth, and approximate date of application.

Record access procedures: Individuals wishing to gain access to information on them in this system of records should contact the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902, or the area or project employment office to which the application was sent. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: The individual on whom the record is maintained; educational institutions, employers, and other references; state employment services.

Systems exempted from certain provisions of the act: This system is exempt from subsections (d), (e)(4)(H), (f)(2) and (3) and (4) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to section 3(k)(5) and (6) of the Privacy Act of 1974 (5 USC 552a(k)(5) and (6)) and TVA regulations at 18 CFR 301.24.

TVA—14

System name: Grievance Records—TVA

System location: Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Duplicate copies are also maintained in the files of the division concerned with the grievance.

Categories of individuals covered by the system: TVA employees and former employees who have formally appealed to TVA for adjustment of their grievances.

Categories of records in the system: Evidence and arguments relevant to the matter giving rise to the grievance and related correspondence.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to a request from a Member of Congress regarding the status of an employee's grievance.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

To request information from a Federal, state, or local agency or private individual if necessary to obtain information relevant to a TVA decision within the purposes of this system of records.

To refer, where there is an indication of a violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

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 indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals who have filed grievances are aware of that fact. Inquiries may however be addressed to the system manager named above. Requests should include the individual's full name and employing division.

Record access procedures: Individuals who have filed a grievance have been provided a copy of the record. However, an individual may gain access to the official copy of the record by contacting the system manager named above.

Contesting record procedures: The contest, amendment, or correction of a grievance record is permitted during the prosecution of that grievance. However, an individual may address requests for amendment or correction of items not involved in prosecution of the grievance to the system manager named above.

Record source categories: Individual to whom the record pertains; TVA personnel records; statements and testimony of witnesses and related correspondence.

TVA—15

System name: Land Between The Lakes Register of Hunter Applications—TVA

System location: Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231; Computing Center, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system: Applicants for participation in managed hunts at Land Between The Lakes.

Categories of records in the system: Personal identifying information and information related to the hunt.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To respond to a request from a Member of Congress regarding the status of an applicant.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as licenses, or to request

information from a private individual to the extent necessary to obtain information relevant to a TVA decision concerning the issuance of a license to hunt or any other privilege.

To provide hunt information to state agencies concerned with wildlife management practices.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape, card files, and computer printouts.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal: Cards are maintained for one year before disposal. Other information may be retained indefinitely.

System manager(s) and address: Director of Forestry, Fisheries, and Wildlife Development, Tennessee Valley Authority, Norris, Tennessee.

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address their inquiries to the Manager, Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231. Requests should include the individual's full name and the year of the application.

Record access procedures: All information maintained in this system of records has normally been supplied by the subject individual. However, requests for access may be directed to the Manager, Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Manager, Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Record source categories: Individual on whom the record is maintained; TVA employees.

TVA—16

System name: Land Between The Lakes Register of Law Violations—TVA

System location: Land Between The Lakes, Tennessee Valley Authority, Patrol Office, Golden Pond, Kentucky 42231.

Categories of individuals covered by the system: Persons cited or arrested for violation of state or Federal law at Land Between The Lakes.

Categories of records in the system: Personal identifying information and information related to the investigation and disposition of the violation.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; 18 USC 7, 13; Kentucky Revised Statutes 150, Chapter 43, Kentucky Act, 1974; Tennessee Public Acts 1972, Chapter 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To provide criminal history information to criminal justice agencies and to Federal agencies conducting authorized security investigations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on cards.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Chief, Administrative and Protective Services, Land Between The Lakes, Tennessee Valley Authority, Golden Pond, Kentucky 42231.

Notification procedure: This system of records has been exempted from this provision pursuant to section 3(j)(2) of the Privacy Act of 1974 (5 USC 552a(j)(2)) and TVA regulations at 18 CFR 301.23.

Record access procedures: This system of records has been exempted from this provision pursuant to section 3()(2) of the Privacy Act of 1974 (5 USC 552a(j)(2)) and TVA regulations at 18 CFR 301.23.

Contesting record procedures: This system of records has been exempted from this provision pursuant to section 3(j)(2) of the Privacy Act of 1974 (5 USC 552a(j)(2)) and TVA regulations at 18 CFR 301.23.

Record source categories: This system of records has been exempted from this provision pursuant to section 3(j)(2) of the Privacy Act of 1974 (5 USC 552a(j)(2)) and TVA regulations at 18 CFR 301.23.

Systems exempted from certain provisions of the act: This system is exempt from subsections (c)(3), (c)(4), (d), (e)(1), (e)(2), (e)(3), (e)(4)(G) and (H) and (I), (e)(5), (f), (g), and (h) of section 3 of the Privacy Act of 1974 pursuant to section 3(j)(2) of the Privacy Act (5 USC 552a(j)(2)) and TVA regulations at 18 CFR 301.23.

TVA—17

System name: Management Appraisal Records—TVA

System location: Records in this system are located in the files of the division where the individual is employed; Division of Personnel, Knoxville, Tennessee 37902.

Categories of individuals covered by the system: TVA Management Schedule employees and those showing potential managerial talent.

Categories of records in the system: Performance evaluations and other job-related information.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

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 indexed by name.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access.

Retention and disposal: Records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to determine if information on them is maintained in this system of records should address inquiries to the director of the division where employed.

Record access procedures: Individuals seeking access to information on them in this system of records should contact their division director.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to their division director.

Record source categories: Individual on whom the record is maintained; the individual's supervisor; TVA personnel records.

TVA—18

System name: Employee Supplementary Vacancy Announcement Records—TVA

System location: Employment Branch, Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902; area employment offices in Knoxville, Chattanooga, and Nashville, Tennessee, and Muscle Shoals, Alabama; division personnel offices.

Categories of individuals covered by the system: Employees applying for placement in announced vacant positions.

Categories of records in the system: Applications and supporting material submitted by employee.

Authority for maintenance of the system: Executive Order 11478; Equal Employment Opportunity Act of 1972, Pub. L. 92-261, 86 Stat. 103; 5 USC 3101; Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

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 indexed by name.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Records are maintained in secured facilities.

Retention and disposal: Records are disposed of in accordance with established TVA records retention schedules.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals upon whom records are maintained in this system are aware of that fact through filing an application. However, inquiries may be addressed to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902. Requests should include the individual's full name, position applied for, and location of job.

Record access procedures: Individuals upon whom records are maintained in this system have supplied all information in this system. However, requests for access may be addressed to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Chief, Employment Branch, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: The individual upon whom the record is maintained.

TVA—19

System name: Consultant and Personal Service Contractor Records—TVA

System location: Personnel Files, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Payment records are located at these TVA Division of Finance offices: Knoxville, Tennessee 37902; 285 Haney Building, Chattanooga, Tennessee 37401; Service Building, Muscle Shoals, Alabama 35660.

Records related to personal service contractors employed under the Comprehensive Employment and Training Act of 1973, Pub. L. 93-203, are located at TVA Division of Forestry, Fisheries, and Wildlife Development offices in Norris, Tennessee, and Land Between The Lakes, Golden Pond, Kentucky 42231.

Duplicate copies of some records may be kept in the files of the employing division.

Categories of individuals covered by the system: Individuals who provide services to TVA; participants in TVA-state employment programs; and participants in other special employment programs.

Categories of records in the system: The Division of Personnel maintains contracts, records of the qualifications of the contractor, and related correspondence. For public service employment program participants the Division of Personnel maintains information related to job placement such as test scores, interest inventories, and supervisor's evaluations. Payment information is maintained by the Division of Finance.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Comprehensive Employment and Training Act, Pub. L. 93-203, 87 Stat. 839; Executive Order 11222; Executive Order 10450; Executive Order 10577; provisions of 5 USC, applicable to employment with TVA; Internal Revenue Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To transmit reports as requested to the Civil Service Commission pursuant to 5 USC 3323, Executive Orders 10577 and 10450, and other laws.

To report earnings information to the Internal Revenue Service and the Social Security Administration.

To respond to a request from a Member of Congress regarding the status of a contractor or consultant.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulations, or order issued pursuant thereto.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To transmit to the appropriate state contracting agency reports of hours worked by participants in the public service employment program, and to request reimbursement.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To provide the following information to a prospective employer of a TVA or former TVA consultant or personal service contractor: job descriptions, dates of employment, and reason for separation.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and magnetic tape.

Retrievability: Records are indexed by name or voucher number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: Records are disposed of periodically as appropriate.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to know if records on them are maintained in the system should address inquiries to the system manager named above. Requests shall include the individual's full name, employing or contracting division, and whether the individual was a participant in the public service employment program. Social security numbers are not required but may expedite TVA's response.

Record access procedures: Individuals wishing to gain access to information on them in this system of records should contact the system manager named above. Access will not be granted to investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information, to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. Access will not be granted to testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal Service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual to whom the record pertains; educational institutionse former employers, and other reference sources; state employment services; supervisors and other TVA personnel or personnel records; medical officers; other Federal agencies.

In addition to the above sources, security suitability investigatory files contain information from law enforcement agencies.

Systems exempted from certain provisions of the act: This system is exempt from subsections (d), (e)(4)(H), (f)(2) and (3) and (4) to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence, and to the extent that disclosure of testing or examination material would compromise the objectivity or fairness of the testing or examination process. This exemption is pursuant to section 3(k)(5) and (6) of the Privacy Act of 1974 (5 USC 552a(k)(5) and (6)) and TVA regulations at 18 CFR 301.24.

TVA—20

System name: Prospective Condemnation Witness File—TVA

System location: Division of Property and Services, Tennessee Valley Authority, at the following locations:

406 Edney Building, Chattanooga, Tennessee 37401; Computing Center, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system: Individuals employed on contractual basis by TVA who are knowledgeable in real estate appraisal.

Categories of records in the system: Personal identifying information; qualifications and experience in appraisal.

Authority for maintenance of the system: Tennessee Valley Authority Act, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on index cards and magnetic tape.

Retrievability: Records in this system are indexed by name, social security number, county and state of work.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. System files are kept locked when unattended.

Retention and disposal: Records are kept for the period of time the individual is available to serve as a witness.

System manager(s) and address: Director of Property and Services, 109 West Cumberland Building, Knoxville, Tennessee 37902.

Notification procedure: Individuals on whom records in this system are maintained are aware of that fact through their work for TVA. However, inquiries may be addressed to the Supervisor of Appraisals, Land Branch, Tennessee Valley Authority, 406 Edney Building, Chattanooga, Tennessee 37401. Individuals should provide their full name and the county and state in which they have done appraisal work.

Record access procedures: Requests for access should be directed to the Supervisor of Appraisals, Land Branch, Tennessee Valley Authority, 406 Edney Building, Chattanooga, Tennessee 37401.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Supervisor of Appraisals, Land Branch, Tennessee Valley Authority, 406 Edney Building, Chattanooga, Tennessee 37401.

Record source categories: The individual on whom the record is maintained; TVA employees who have worked with the individual.

TVA—21

System name: OEDC Quality Assurance Personnel Records—TVA

System location: Office of Engineering Design and Construction, Tennessee Valley Authority, at the following locations: 400 Fidelity Bank Building, Knoxville, Tennessee 37902; 802 Walnut Street, Knoxville, Tennessee 37902; 200 Mercantile Building, Knoxville, Tennessee 37902; Singleton Marine Way, Alcoa, Tennessee 37701; 617 Walnut Street, Knoxville, Tennessee 37902.

Records for employees at a TVA nuclear power plant are maintained in the office of Supervisor, Quality Assurance, of Quality Control Units at that TVA nuclear power plant.

Categories of individuals covered by the system: Employees or former employees involved in quality assurance or quality control work.

Categories of records in the system: Information related to the qualifications of employees.

Authority for maintenance of the system: Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233 as implemented at Nuclear Regulatory Commission Regulatory Guide 1.58.

Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Nuclear Regulatory Commission or its authorized representatives for inspection or evaluation of TVA Quality Assurance procedures.

To respond to a request from a Member of Congress regarding the status of an employee.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local, charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and Commission representa- proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

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 indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address:

Manager, Engineering Design and Construction
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the Quality Assurance Managers, Office of Engineering Design and Construction, Tennessee Valley Authority, Knoxville, Tennessee 37902. Inquiries should include the individual's full name and employing organization.

Record access procedures: Individuals who desire access to information about them in this system of records should contact the Quality Assurance Managers, Office of Engineering Design and Construction, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the Quality Assurance Managers, Office of Engineering Design and Construction, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Record source categories: The individual on whom the record is maintained.

TVA personnel records.

Systems exempted from certain provisions of the act: This system of records is exempt from subsection (d); (e)(4)(H); (f)(2), (3), and (4), to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. The exemption is pursuant to section 3(k)(5) of the Privacy Act of 1974 (5 USC 552a(k)(5)) and TVA regulations at 18 CFR 301.24.

TVA—22

System name: Questionnaire—Farms in Vicinity of Proposed Nuclear Power Plant—TVA

System location: Agricultural Resource Development Branch, Division of Agricultural Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system: Individuals from whom TVA purchases land for proposed nuclear plant; individuals having vegetable gardens, irregated land, dairy cows, and milk goats within 2-mile radius of proposed plant site.

Categories of records in the system: Personal identifying information and information related to agriculture, milk consumption, water resources, and farm product value.

This information is not used for making determinations about the rights, benefits, or privileges of any individual.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; National Environmental Policy Act, Pub. L. 91-190, 83 Stat. 852; Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in this system of records is used in developing environmental evaluations and impact statements. Certain relevant but nonsensitive information may be disclosed in these statements. Information may also be used:

In administrative and licensing proceedings including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To disclose to any agency of the Federal Government having oversight or review authority with regard to TVA activities.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

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 indexed by assigned number and aerial photo number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal: Records are maintained indefinitely or for the life of the plant.

System manager(s) and address: Director of Agricultural Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure: Individuals on whom information is maintained in this system are aware of that fact through response to the questionnaire. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name, farm address, and approximate date of survey.

Record access procedures: Individuals on whom information is maintained in this system have supplied all such information. However, requests for access may be directed to the system manager named above.

Contesting record procedures: Individuals desiring to amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual about whom the record is maintained.

TVA—23

System name: Radiation Dosimetry Personnel Monitoring Records--TVA

System location: Division of Environmental Planning, Tennessee Valley Authority, River Oaks Building, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system: Employees, former employees, and visitors who might be exposed or are exposed to radiation while in TVA installations.

Categories of records in the system: Information on the magnitude of exposure at TVA installations; exposure prior to employment.

Authority for maintenance of the system: Energy Reorganization Act of 1974, Pub. L. 93-438, 88 Stat. 1233.

10 CFR 19, 20.

Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the Nuclear Regulatory Commission for its use in evaluating TVA hazard control measures.

In litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

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 indexed by name, film badge number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities.

Retention and disposal: These records are retained permanently.

System manager(s) and address:

Director of Environmental Planning
Tennessee Valley Authority
Chattanooga, Tennessee 37401

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Requests should include the individual.s full name and whether or not a TVA employee.

Record access procedures: Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individuals to whom the record pertains; TVA personnel conducting radiation monitoring programs.

TVA—24

System name: Reforestation, Erosion Control, and Plantation Case History Record—TVA

System location: Division of Forestry, Fisheries, and Wildlife Development, Forestry Building, Norris, Tennessee 37828.

Categories of individuals covered by the system: Private landowners involved in early TVA-Civilian Conservation Corps tree planting programs.

Categories of records in the system: Forest acreage, performance, and yield information.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on file cards.

Retrievability: Records are indexed by state, county, and name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Building is locked when unattended.

Retention and disposal: This information is kept permanently for archival purposes.

System manager(s) and address: Director of Forestry, Fisheries, and Wildlife Development, Forestry Building, Norris, Tennessee 37828

Notification procedure: Individuals on whom records are maintained are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager. Individuals should provide their full name, state, and county of residence.

Record access procedures: Individuals who desire access to information about them in this system of records should address their inquiries to the system manager.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The individual to whom the record pertains; state forestry personnel; TVA surveys.

TVA—25

System name: Rehabilitation and Career Planning Records--TVA

System location: Division of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902, and division personnel offices.

Categories of individuals covered by the system: Employees, former employees, applicants.

Categories of records in the system: Medical, counseling, and employment-related information.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Rehabilitation Act of 1973, Pub. L. 93-112; Vietnam Era Veterans' Readjustment Assistance Act of 1974, Pub. L. 93-508.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To vocational rehabilitation agencies and private physicians to aid in treatment, rehabilitation, and placement assistance.

To respond to a request from a Member of Congress regarding the status of an employee, former employee, or applicant.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision concerning the hiring, retention, or promotion of an employee, the issuance of a security clearance, or other decision within the purposes of this system of records.

To provide information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or 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 that matter.

To the parties, their representatives, and Commission representatives in Civil Service Commission proceedings to support administrative action by TVA.

To the parties, their representatives, and impartial referees in proceedings under TVA grievance adjustment procedures.

In litigation including presentation of evidence and disclosure to opposing counsel in course of discovery.

To complainants, their representatives, and complaints examiners in the course of TVA investigation and decision of discrimination complaints under TVA equal employment opportunity procedures.

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 indexed by name.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Filing systems are locked when unattended.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director of Personnel, Tennessee Valley Authority, Knoxville, Tennessee 37902.

Notification procedure: Individuals wishing to determine if information on them is maintained in this system of records should address inquiries to the system manager named above.

Record access procedures: Individuals who seek access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Individual to whom the record pertains; vocational rehabilitation agencies; educational institutions, former employers, and other reference sources; physicians; veterans Veterans Administration; Office of Workers Compensation Program.

TVA—26

System name: Retirement System Records—TVA

System location: TVA Retirement System, Knoxville, Tennessee 37902

Categories of individuals covered by the system: Active members of the TVA Retirement System; TVA employees who are members of the Civil Service Retirement System; relatives and beneficiaries receiving payment from TVA Retirement System; former TVA employees, terminated for six years or less.

Categories of records in the system: Personal identifying information; retirement, benefit, and investment information; related correspondence.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Internal Revenue Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To report earnings to the Internal Revenue Service.

To supply information on coverage to Blue Cross-Blue Shield of Tennessee, Provident Life Insurance Company, and other insurance carriers.

To disclose information to actuarial firms for valuation and projecting benefits.

To disclose information to the Medical Board of the TVA Retirement System for determinations related to disability retirement.

To certify insurance status to the Civil Service Commission and the Office of Federal Employees Group Life Insurance.

To respond to a request from a Member of Congress regarding the status of a system member.

To request information from a Federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information and to request information from private individuals if necessary to obtain information relevant to a TVA decision within the purpose of this system of records.

To refer, where there is an indication of a violation or potential violation of law, whether criminal, civil, or regulatory in nature, to the appropriate agency, whether Federal, state, or local charged with the responsibility of investigating and prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

To provide information to a Federal agency, in response to its request, in connection with the issuance of any benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on that matter.

For use in litigation including the presentation of evidence and disclosure to opposing counsel in the course of discovery.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on magnetic tape and in file folders.

Retrievability: Records are indexed by name, sex, date of birth, address, social security number, active member number, retirement number, or salary.

Safeguards: Records in this system are maintained in locked files or safes, in secure facilities. Access to and use of these records are limited to those persons whose official duties require such access.

Retention and disposal: Retention periods vary from three years to permanent, depending on the nature of the information and the medium in which they are stored.

System manager(s) and address:

Chief, Retirement Services Branch
Division of Finance
Tennessee Valley Authority
Knoxville, Tennessee 37902

Notification procedure: Individuals wishing to know whether information about them is maintained in this system of records should address inquiries to the system manager named above. Inquiries should include the individual's full name and date of birth. The social security number is not required but will expedite TVA's response.

Record access procedures: Individuals who desire access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals wishing to correct or amend information maintained on them in this system should address inquiries to the system manager named above.

Record source categories: The individual on whom the record is maintained; TVA personnel and payroll records.

TVA—27

System name: Test Demonstration Farm Records—TVA.

System location: Division of Agricultural Development, Tennessee Valley Authority, Test and Demonstration Branch, Muscle Shoals, Alabama 35660.

Categories of individuals covered by the system: Farmers located outside the Tennessee Valley participating in:

Rapid adjustment demonstration farm program.
Unit test-demonstration farm program.
Fertilizer technology farm program.
Enterprise farm program.

Categories of records in the system: Agricultural, income, investment, labor, and food data.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To request information from a government agency or private individual where such information may be relevant to providing additional assistance under this program.

To disclose to state extension services and the U.S. Department of Agriculture for use in program evaluation and in assistance to program participants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in files, magnetic tapes, cards, and printouts.

Retrievability: Records are indexed by an assigned number.

Safeguards: Access to and use of these records are limited to persons whose official duties require such access. Files are kept in secured facilities and locked when unattended.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director of Agricultural Development, Tennessee Valley Authority, Muscle Shoals, Alabama 35660.

Notification procedure: Individuals seeking access to information about them in this system of records should contact the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: Information in this system is solicited from the individual to whom the record pertains by state extension services and universities.

TVA—28

System name: Wildland Owner Survey Records—TVA

System location: Division of Forestry, Fisheries, and Wildlife Development, Forestry Building, Tennessee Valley Authority, Norris, Tennessee 37828.

Categories of individuals covered by the system: Private landowners, agencies, and corporations owning wildlands in Valley region and participating in TVA wildland resource management demonstration program.

Categories of records in the system: Personal, financial, and land resource information pertinent to wildland resource planning. The information in this system is not used by TVA in the determination about the rights, benefits, or privileges of the individual.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 USC 831-831dd; Executive Order 6161.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Evaluated information is supplied to state forestry personnel for use in assisting the landowner.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on punched cards, magnetic tape, hard copy printouts, and file folders.

Retrievability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director of Forestry, Fisheries, and Wildlife Development, Forestry Building, Tennessee Valley Authority, Norris, Tennessee 37828

Notification procedure: Individuals on whom information is maintained are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager. Individuals should provide their full name and state of residence.

Record access procedures: Individuals on whom records are maintained have been provided copies of all information in that record. However, requests for access may be directed to the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The individual to whom the record pertains provides the information to state forestry personnel. The information is evaluated by TVA and returned to the state forestry personnel who utilize the information in evaluated form to assist the landowner.

TVA—29

System name: Electricity Use, Rate, and Service Study Records—TVA.

System location: Division of Power Utilization, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Categories of individuals covered by the system: Individuals residing in households which are participating in electricity use, rate, or service studies.

Categories of records in the system: Information about an individual's income, employment, family size, characteristics of his dwelling including type of heating and cooling systems and number and kind of appliances, and other characteristics of study participants relevant to patterns of residential electrical use.

Authority for maintenance of the system: Tennessee Valley Authority Act of 1933, 16 U.S.C. 831-831dd.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To the distributor assisting TVA in the survey to enable employees of the distributor to help TVA with the survey program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders, magnetic tape, and discs.

Retrievability: Records are indexed by an identification number assigned to each household.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. All filing systems are locked when unattended.

Retention and disposal: Survey information will be retained until completion of the program and for two years thereafter.

System manager(s) and address: Director, Division of Power Utilization, Tennessee Valley Authority, Chattanooga, Tennessee 37401.

Notification procedure: Individuals about whom information is maintained in this system of records are aware of that fact through participation in the program. However, inquiries may be addressed to the system manager named above. Requests should include the individual's full name and address.

Record access procedures: Requests for access may be directed to the system manager named above.

Contesting record procedures: Individuals desiring to contest or amend information about them maintained in this system should direct their request to the system manager named above.

Record source categories: The information in this system is solicited from the individual to whom the record pertains.

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UNITED STATES INFORMATION AGENCY

PRIVACY ACT OF 1974

Systems of Records; Annual Publication

Pursuant to the Privacy Act of 1974 (Public Law 93-579), section 552a(e)(4), the United States Information Agency hereby publishes the second Annual Compilation of systems of records maintained by the Agency. The first Annual Compilation of records systems was published in the Federal Register on September 23, 1976, (41 FR 41884). Additions and amendments to the systems of records were published in the Federal Register on December 10, 1976, (41 FR 54047) and July 7, 1977, (42 FR 34962).

In the Federal Register of December 10, 1976, (41 FR 54047), notice was given of the adoption of a new system of records designated as "USIA-53—Privacy Act/Freedom of Information Act File—I/R".

Notice of the adoption of an additional routine use for "USIA-21—Master Employee Records—IPT" to reflect a new use of performance evaluation reports was proposed in the Federal Register July 7, 1977, (42 FR 34962).

No comments having been received, the Agency adopts the additional routine use proposed in the Federal Register on July 7, 1977, (42 FR 34962).

A prefatory Statement of General Routine Use follows the Annual Compilation of systems of records as Appendix I.

John E. Reinhardt,
Director.

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USIA—1

System name: Americans Residing in Foreign Countries-USIA

System location: The U.S. Information Agency maintains establishments overseas in 111 foreign countries, which are designated as mission posts, branch posts, regional service centers, VOA relay stations and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any of our overseas locations may contact the Agency's Office of Public Information in Room 719, 1750 Pennsylvania Avenue, N.W., Washington, D.C., 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Rules for Implementing the Freedom of Information Act.

Categories of individuals covered by the system: American citizens and aliens admitted for permanent U.S. residence, who are residing Overseas, i.e., journalists, businessmen, scholars, artists, representatives of other U.S. Government agencies, missionaries.

Categories of records in the system: Names and addresses.

Authority for maintenance of the system: Public Law 402, Information and Educational Exchange Act of 1948; Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Distribution of printed matter; invitation lists of official social functions and programs; selection of candidates for temporary employment, as needed; location of specialists to arrange, conduct, appear in or appraise Agency programs organized overseas; press briefings for American journalists residing in foreign countries; appraisal of American specialists whose services are utilized in Agency programming overseas.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies having statutory or other legal authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates or paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Records are kept in locked file cabinets or in locked rooms when not in use.

Retention and disposal: Records are updated regularly, and metal plates or paper files no longer useful or current are destroyed.

System manager(s) and address: See "System Location" above.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Avenue, N.W., Washington, D.C., 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information obtained from the individual concerned.

USIA—2

System name: Artists and Speakers-INA-USIA

System location: Office of the Assistant Director (USIA), North Africa, Near East and South Asia, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Artists and speakers considered qualified to conduct programs at USIA's overseas posts in the Near East, North Africa and South Asia.

Categories of records in the system: Biographic data on speakers and artists; evaluation reports of past service with USIA; travel arrangements; program arrangements.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide basic personnel and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are held as long as the individual is a prospective speaker or artist needed for or willing to conduct programs overseas.

System manager(s) and address: Office of Assistant Director, INA, Program Development Officer, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by the individual artists and speakers; evaluation of speaker or artist by overseas posts; public documents and publications.

USIA—3

System name: Bidders Mailing List Application-IOA/C-USIA

System location: U.S. Information Agency, Contract and Procurement Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Prospective Government contractors and Agency contractors.

Categories of records in the system: Information is contained on a standard form which requests the individual's name and address, type of business, number of employees, average annual sales or receipts, facilities (space), net worth, security clearances held, and a certification of the accuracy of the information provided on the form.

Authority for maintenance of the system: Federal Procurement Regulations (41 CFR 1-2.205-1(c) and 1-16.802).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare the Agency's Bidders Mailing List and for use of contracting specialists to determine adequacy of facilities, and financial responsibility of prospective contractors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the U.S. Information Agency is the General Services Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information included on Standard Form 129, and maintained in binders.

Retrievability: By the name of the individual.

Safeguards: Maintained in combination lock file cabinet, available only to authorized personnel.

Retention and disposal: A routine update of information is conducted approximately every five years. Outdated information disposed of by burning.

System manager(s) and address: Agency Contracting Officer, Contract and Procurement Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W. Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by individuals, companies and corporations.

USIA—4

System name: Contract Talent and Employee Recruitment Files-IMV-USIA.

System location: U.S. Information Agency, Motion Picture & Television Service, 601 "D" Street, N.W., Washington, D.C. 20547.

U.S. Information Agency, Motion Picture & Television Service, 1657 Broadway, New York, New York 10019.

Categories of individuals covered by the system: Job applicants; professional talent specialists in languages, camera, acting, etc., contractual motion picture and television producers.

Categories of records in the system: Records on individuals who have applied for employment as free-lance talent; correspondence between contractual motion picture and television producers; film review sheets; producer questionnaire forms; duplicate copies of security clearance information on talent vendors and contractual producers; card files on applicants for employment with USIA's Motion Picture and Television Service.

Authority for maintenance of the system: Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To identify sources for contract productions; to identify individuals who have applied to USIA for employment as free-lance talent vendors; to fill vacant positions in production and/or technical positions as they become vacant; to determine security clearance status of contractual individuals or companies. Also see Prefatory Statement of General Routing Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By name of the individual concerned.

Safeguards: Maintained in locked file cabinets and available only to authorized personnel.

Retention and disposal: Records on talent vendors and contractual producers retained indefinitely; records on job applicants retained for ten years, and disposed of in accordance with internal schedules for retention and disposal of files.

System manager(s) and address: Chief, General Program Production Division, Motion Picture and Television Service, 601 "D" Street, N.W., Washington, D.C. 20001. Executive Officer, Motion Picture and Television Service, 601 "D" Street, N.W., Washington, D.C. 20001.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Provided by vendors, contractors and job applicants concerned; by employees of USIA's Motion Picture and Television Service.

USIA—5

System name: Contract Talent Vendor Files-IBS-USIA

System location: U.S. Information Agency, "Voice of America" Broadcasting Service, HEW North Building, 330 Independence Ave., S.W., Washington, D.C. 20547.

U.S. Information Agency, "Voice of America" Broadcasting Service, 25 "M" Street, S.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All contract talent vendors who perform free-lance services in the U.S. for the Voice of America.

Categories of records in the system: Records and information pertaining to the testing and qualifications of vendors; security clearance applications and approvals; copies of contracts, and detailed record of services performed by vendors and payments made by VOA for these services.

Authority for maintenance of the system: Public Law 402: United States Information & Educational Exchange Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Provide necessary reference information for use by VOA administrative offices in meeting their daily responsibilities of advising on and coordinating programming and fiscal activities relating to the recruitment and contracting of free-lance talent vendors. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties. These records are not normally available to individuals and agencies outside the U.S. Information Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information is retained in document form in file folders.

Retrievability: Files are indexed alphabetically by vendor.

Safeguards: All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need to know such information in the normal performance of their duties.

Retention and disposal: Files are retained for three to four years after last date of services rendered by vendor, after which time files are then destroyed in accordance with established USIA records-disposal procedures.

System manager(s) and address: Deputy Assistant Director, USIA (Broadcasting) (Administration), Room G-749, HEW North Building, 330 Independence Ave., S.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is received from vendor (application forms); from USIA Security Office (approval of security clearance request); from documents generated through the normal process of using a vendor and making payments for services rendered (purchase orders and payment records).

USIA—6

System name: Cultural and Centers Coordination Division Recruitment Files-ICS-USIA

System location: U.S. Information Agency, Cultural and Center Coordination Division, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: American Scholars who may be used as consultants or specialists in American studies domestically or overseas; applicants for employment, contracts or grants with regard to USIA's Library Program and Library Fellows; applicants for employment, contracts or grants with regard to USIA's English Teaching Program; other applicants for employment, contracts or grants with regard to specific positions in overseas cultural operations.

Categories of records in the system: Biographic data on American Scholars provided by the individuals themselves upon request; biographic data on applicants for employment, contracts and grants, including previous employment, education, recommendations and security clearance status; library field reports, comments and evaluation on library visits written by Public Affairs Officers, and letters of correspondence between supervisors and librarians.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Screening of applicants for employment, contracts or grants, for appraisal by Agency's geographic area offices and Public Affairs Officers located overseas; evaluation by Library Program Staff of candidates for librarian positions; to develop work requirements for regional librarians; to identify scholars with skills related to academic projects. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal user of this information outside the U.S. Information Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Files retained as long as they are of active interest or the individual is employed. Inactive files destroyed by burning.

System manager(s) and address: Chief, Cultural and Centers Coordination Division, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Records on American Scholars provided by applicants; records on all other applicants are submitted to the Agency or authorized by the applicants.

USIA—7

System name: Director's Secretariat Staff Files-I-USIA

System location: U.S. Information Agency, Executive Secretariat, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Members of the White House Staff, Congressmen, heads of other executive agencies of the Federal Government, Federal Judges and members of the general public.

Categories of records in the system: Correspondence addressed to the Director of USIA, and copies of responses to requests for reports, information and/or assistance of various kinds prepared by the Director or his designated representative.

Authority for maintenance of the system: The Federal Records Act of 1950, as amended, 44 USC 3101-3107; Records Disposal Act of 1943m as amended, 44 USC 3301-3314.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference file to provide oversight of the flow of requests to the USIA Director for reports, information and/or assistance of various kinds, and to monitor the accomplishment of responses to such requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are stored in a computer maintained by and located within the U.S. Department of State, and maintained as paper records in file folders in USIA.

Retrievability: Records are cross-indexed by individual name and by computer reference number.

Safeguards: Computer records are accessible only to authorized employees of the U.S. Information Agency or the Department of State. Paper records are kept in locked file cabinets.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Executive Secretariat, U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited correspondence from U.S. Government officials and members of the general public addressed to the Director of USIA.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (f). See amendments to 22 CFR, Chapter V, Sec. 505.15 as published in the proposed rules section of the Federal Register for December 10, 1976.

USIA—8

System name: Employee Administrative Files-IBS-USIA

System location: U.S. Information Agency, Broadcasting Service, "Voice of America", HEW North Building, 330 Independence Avenue, S.W., Washington, D.C. 20547.

U.S. Information Agency, Broadcasting Service, "Voice of America", Engineering Division, 25 "M" Street, S.W., Washington, D.C. 20547.

Also see Appendix II for locations of domestic relay stations.

Categories of individuals covered by the system: "Voice of America" domestic employees and overseas American employees.

Categories of records in the system: Records and information pertaining to testing, recruitment and appointment of employees (application forms, fiscal documents covering related expenses); records concerning post-appointment changes in employee skills, qualifications, and experience; copies of SF-50 "Notice of personnel Action" and payroll change slips.

Authority for maintenance of the system: Public Law 402, United States Information and Educational Exchange Act of 1948, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files maintained for convenience due to physical separation from Personnel Office; provide necessary background/reference information for use by VOA Administrative Offices in meeting their daily responsibilities of advising on and co-ordinating programming, personnel and fiscal activities relating to recruitment, hiring and employment of staff employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

These records are not normally available to individuals and agencies outside the U.S. Information Agency, but information may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: All information is retained in document form in file folders.

Retrievability: Files are indexed alphabetically by employee name.

Safeguards: All files are locked in security-approved file cabinets. Access to files is permitted only to administrative staffs and other top management officials having a need-to-know such information in the normal performance of their duties.

Retention and disposal: Files may be retained for up to ten years after departure of employee, then destroyed in accordance with established USIA records disposal procedures. Copies of documents for which originals exist in Official Personnel Folders and which are removed from official personnel folders when an employee resigns, are also removed from administrative files and destroyed.

System manager(s) and address: Deputy Assistant Director (USIA), Broadcasting, (Administration), Room G-749, HEW North Building, 330 Independence Avenue, S.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is received from employees (application forms); from employees' supervisors (employees' experience, performance, and recommendations for promotions, etc.); from organizational personnel and fiscal elements (SF-50 personnel actions, payroll change slips, etc.)

USIA—9

System name: Employed Awards, Health Programs, Retirement and Out-Placement Records IPT-USIA.

System location: U.S. Information Agency, Office of Personnel & Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547, and 300 "C" Street, S.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees electing coverage under health benefit program; employees who are Red Cross blood donors; employees who borrow from a small, agency maintained revolving loan fund; employees nominated for honor awards; employees who are in retirement processing or who have retired from the Agency; employees approaching mandatory retirement.

Categories of records in the system: Records of employees electing health benefit programs; records of employees' blood type; journal used to record employee loans and repayments; nominations of employees for awards and copies of award certificates; retirement eligibility status; biographic and work experience data for out-placement purposes.

Authority for maintenance of the system: FPM Supp. 8901-1, 52-3, 55-1, 44 USC 3101; FPM Supp. 831-1, 51, 58-2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record keeping on health programs statistical data on blood donor program; recording of loan granted and repayments nomination of employees for awards; processing retirement applications and counseling prospective retirees, on annuities and other benefits, and out-placement. Also see Prefatory Statement of General Routing Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are: the Civil Service Commission; other agencies considering individual for employment or detail for record and credit checks; accredited investigators.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually retrieved by name of the employee.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Out-placement and blood donor files destroyed upon separation of employee; health benefits records updated annually; old records destroyed; retirement and honor award files retained indefinitely; loan records destroyed after three years.

System manager(s) and address: Chief, Personnel Services Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The employee; official personnel folder; employee relations officers; supervisors' nominations for awards.

USIA—10

System name: Employee Identification Card and Photograph File-IOS-USIA

System location: U.S. Information Agency, Office of Security, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Current and past employees of the U.S. Information Agency.

Categories of records in the system: Personal description; date of birth; height; weight; color of hair and eyes; color photograph of full face.

Authority for maintenance of the system: Executive Order 11652 dated March 8, 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Personal proof of employee identity; to provide Passport photos of employee and dependents for official use; provide photographs for official use by the Office of Public Information (USIA) and other Agency elements having official need to have visual identification records, such as a Senior Officer Staffing display. Photographs are also available to employees for official uses. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal user of this information outside the U.S. Information Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Written form record and photograph film.

Retrievability: By name of the individual employee.

Safeguards: Access by security-cleared employees having a need-to-know. When not in personal custody during processing, stored in combination-locked security container.

Retention and disposal: Records of former employees destroyed after five years under security controls. Records of current employees retained indefinitely, or until employee is separated.

System manager(s) and address: Assistant Director (USIA), Security, 1750 Pennsylvania Ave., N.W., Washington, D.C., 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals shouId be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Applicant and employment records (with verification from the individual concerned).

USIA—11

System name: Employee Payroll and Retirement System-IOA/F-USIA

System location: U.S. Information Agency, Finance and Data Management Division, 1776 Pennsylvania Ave., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees currently on Agency rolls.

Categories of records in the system: Civil Service and Foreign Service individual retirement records, time and attendance records (domestic employees only), master employee registers (domestic only), payroll folders, overseas pay cards for foreign service employees.

Authority for maintenance of the system: Section 113 of the Budget and Accounting Procedures Act of 1950 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assure proper salary payment to employees and for reference regarding salary history; master record of employee accumulation and use of annual and sick leave; recording of employee contributions to the Civil Service and Foreign Service Retirement Systems. Also see Prefatory Statement of General Routine Uses.

Information is made available to personnel of the U.S. Information Agency on a need-to-know basis or as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are the U.S. Treasury, the Civil Service Commission, and the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Time and attendance cards maintained on punched cards; retirement records are recorded on 5 x 7 cards and maintained in a file cabinet; the master employee register is a computer report; payroll records are maintained in manila folders; overseas pay cards are manually prepared or maintained as a computer report, depending upon the facilities available at various overseas locations.

Retrievability: By the name of the individual employee.

Safeguards: Records maintained in various types of containers; security provided by surveillance of responsible employees during working hours, and by building security guards during non-working hours.

Retention and disposal: Retirement records are forwarded to the Civil Service Commission for domestic employees, and the State Department for foreign service employees, upon retirement, resignation or transfer of employee. Payroll records are retired to Federal Records Center, St. Louis, after two years.

System manager(s) and address: Assistant Chief for Fiscal Operations, Finance and Data Management Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Various forms provided by individual and by USIA's Office of Personnel and Training, i.e., personnel action forms, payroll change forms, Federal and state withholding exemption certificates, employee allotment deduction forms, time and attendance cards.

USIA—12

System name: Employee Relations Files-IPT-USIA

System location: U.S. Information Agency, Office of Personnel & Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547, and 300 "C" Street, S.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees who have filed informal grievances or appeals on job classification action or position audits; individual employees affected by a workforce or element reorganization; employees who have requested restoration of forfeited leave; individuals for whom special disciplinary actions are in process.

Categories of records in the system: Documents relating to grievances; position descriptions and evaluations; organization charts and background materials; documents related to leave records and descriptions of operational demands necessitating cancellation of annual leave.

Authority for maintenance of the system: USIA Manual of Operations and Administration, FPM 511, Subch. 6, 44 USC 3101, P.L. 93-181, FPM Ltr. 630-22, FPM Chaps. 335, 752, 831.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Investigation and resolution of employee grievances; to provide reports to Congress and CSC on the status of grievances and appeals; to provide information to federal, state or local law enforcement agencies for civil or criminal investigation; guidance in planning and evaluating internal reorganizations; to adjudicate requests for leave restoration and other employee relations matters. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are: the Civil Service Commission; the Department of Justice; other federal, state and local law enforcement agencies; accredited investigators; other government agencies considering the individual for employment or detail.

The information may also be released to other government agencies who have statutory or other legal authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of individual, or by a combination of name, organizational element and position title.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records retained indefinitely or until no longer needed. Grievance files considered as "classified" and destroyed when no longer useful. Leave files retained for two years or until lump-sum payment is made.

System manager(s) and address: Chief, Employee-Management Relations Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The employee; supervisors; personal representative of grievant; grievance examiner; position classifier; personnel officers; USIA payroll office; administrative officers and executive officers of Agency elements.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—13

System name: Employee Training Files-IPT-USIA

System location: U.S. Information Agency, Office of Personnel & Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All Agency employees receiving training, workshop lecturers, language students, employees in university or service college training, personnel and management interns.

Categories of records in the system: Employee training applications, biographic data, educational background, record of training received by the Agency, outline of training program, unofficial performance evaluations, language proficiency and test scores, course grade, biographic data on non-agency lecturers in agency sponsored seminars and workshops, and employee's evaluation of training courses.

Authority for maintenance of the system: P.L. 85-507, 72 Stat. 335, Reorganization Plan No. 8 of 1953, 22 USC 1461, 67 Stat. 642, P.L. 79-724, Foreign Service Act of 1946, as amended, FPM 410, Subch. 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Background material used to determine eligibility; assignment and progress in language courses; used by career counselors to determine training needs; justification and record keeping; evaluation of intern training and potential for job growth; used to evaluate and select lecturers for agency workshops or seminars; preparation of reports to Congress and other government agencies on training provided and costs, as well as projected training needs and costs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the Agency are: the Civil Service Commission; personnel officers in other government agencies as a result of transfer of the individual to whom the personnel records pertain; other agencies considering employees for detail purposes; the National Personnel Records Center upon separation of the employee; for record and credit checks; accredited investigators.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually retrieved by name, by computer generated lists of training statistics, or by seminar title.

Safeguards: File maintained in locked cabinets or protected by routine office safeguards, i.e., surveillance by responsible personnel and disclosure only to authorized individuals.

Retention and disposal: Training records maintained until employee is separated, at which time records are included with official personnel folder; other records are retained indefinitely or until no longer needed; budget records and cost statistics retained indefinitely.

System manager(s) and address: Chief, Training Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determination by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The employee; employment applications; official personnel records; personnel action forms; personnel

officers; training officers and other officers involved in personnel management; supervisors; USIA Office of Security; lecturers; training records; application for training; trainee evaluations of courses.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—14

System name: Employee's Confidential Statement of Employment and Financial Interests-IGC-USIA

System location: U.S. Information Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Experts or consultants, employees paid at the Executive Schedule level; employees classified at GS-13, FSIO-4, FSR-5, FSS-2, or above, who are in positions of responsibility for a Government decision or taking a Government action in regard to: (1) contracting or procurement; (2) Administering or monitoring grants or subsidies; (3) regulating or auditing private or other non-Federal enterprise; or required to report employment and financial interests in order to avoid possible conflicts of interest.

Categories of records in the system: Statements of personal and family shareholdings and other interest in business enterprises; copies of blind trust and other agreements pertaining to such interests; correspondence as to insulation of control or conflicts of interest; opinions of counsel, including recommendations on waivers.

Authority for maintenance of the system: E.O. 11222; 5 U.S.C. 7301; 18 U.S.C. 208.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Review by Assistant General Counsel for possible conflict of interest. Provide necessary reference information should allegations of conflict of interest arise. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Alphabetically by name and by Agency element or geographic area.

Safeguards: Maintained in bar-lock cabinet.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: Disposed of 2 years after employee leaves a position in which a statement is required, or 2 years after the employee is separated from the Agency, whichever is earlier.

System manager(s) and address: General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual who filed the statement.

USIA—15

System name: Equal Employment Opportunity Complaint Files—IEO—USIA.

System location: Office of Equal Opportunity, U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Any aggrieved employee or applicant for employment with USIA who believes he or she has been discriminated against because of race, color, religion, sex, national origin, and/or age, and who has consulted with an Equal Opportunity Counselor of the Agency or a member of the EEO Staff about the matter.

Categories of records in the system: Communications of EEO Counselor with aggrieved person, written report of precomplaint counseling efforts by the EEO Counselor, the complaint, the investigative file, written records of adjustment of complaint; written record of complaint withdrawal by complainant, Agency letter proposing disposition of the case, transcripts of hearing, Agency letter advising of final disposition of the case.

Authority for maintenance of the system: FPM Suppl. 990-1 (Part 713).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To record actions taken, with verifying statements, regarding employees' and employment applicants' complaints of discrimination. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are the Civil Service Commission and the Department of Justice.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by the individual's last name.

Safeguards: Records are stored in cabinets with bar locks. Except for copy of individual file provided to complainant and/or his or her representative, and copies furnished as needed to the office of the USIA General Counsel, and to officials of the Civil Service Commission and the Department of Justice, files are not removed from the EEO Office.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Assistant Director (USIA), Equal Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Personal interviews, affidavits, USIA personnel and employment records and procedures, transcript of hearings, and related correspondence.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR, Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—16

System name: Equal Employment Opportunity General Files—IEO—USIA.

System location: U.S. Information Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees of the Office of Equal Employment Opportunity; employees selected for employment and applicants for positions with USIA; significant women, minority group members, and specialists in the area of Equal Employment Opportunity.

Categories of records in the system: Copies of applications and resumes of women and minority group members seeking employment with USIA; biographical materials describing significant women, minority group members and specialists in the area of Equal Employment Opportunity who can be used as speakers, selection board members, and consultants; miscellaneous informa-

tion about individual employees and job applicants involved in the USIA Equal Employment Opportunity Affirmative Action Plan; training requests, travel documents, and notices of personnel actions for employees of the Office of Equal Employment Opportunity.

Authority for maintenance of the system: FPM Supplement 990-1, Part 713.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To supply names of women and minority group candidates to USIA recruitment officers; determine effectiveness of Agency's female and minority recruitment programs; select significant Equal Employment Opportunity speakers, consultants, and selection board members; maintain records of significant personnel actions involving employees in the Office of Equal Employment Opportunity. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnnel of the U.S. Information Agency as may be required in the performance of their official duties.

This information is available upon request to the Civil Service Commisssion.

The information may also be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by individual name and types of activity; e.g., speaker's file, Affirmative Action Plan file, travel file.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Assistant Director (USIA), Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Correspondence; memos of conversation; Agency records of personnel actions; published biographical sources.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR, Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—17

System name: Foreign Service Ranking and Promotion Files—IPT—USIA.

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Foreign service employees of the Agency.

Categories of records in the system: Personal data on foreign service employees, such as name, class, specialty code, position, foreign service ranking and findings of the selection boards on foreign service promotions.

Authority for maintenance of the system: Foreign Service Act of 1946, as amended, Sec. 611.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Preparation of promotion projections and foreign service information officer nominations lists; may be used by Agency's Equal Employment Opportunity Officer in the event of an employee grievance. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal user of this information outside the U.S. Information Agency is the Director General of the Foreign Service, U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Manually retrieved by individual name and class.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Maintained during period of employment with the Agency, records destroyed upon separation of the officer.

System manager(s) and address: Chief, Personnel Services Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director, (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Reports of Selection Boards on the review of pertinent promotion documentation such as officer evaluation; notifications of personnel actions; foreign service residency and dependency reports; notifications to officers of low ranking; materials submitted by officer on his or her own behalf.

USIA—18

System name: General Counsel's Congressional Correspondence—IGC—USIA

System location: U.S. Information Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Current and former Members of Congress.

Categories of records in the system: Incoming and outgoing correspondence to Members of Congress, including requests for information and referral of job applicants by Members.

Authority for maintenance of the system: Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference file for oversight of Congressional requests. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed alphabetically by individual name.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records are kept as long as the individual is a Member of Congress, or the files are of active interest. Thereafter the records are destroyed.

System manager(s) and address: General Counsel and Congressional Liaison, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Letters from Members of Congress and copies of responses generated by various Agency personnel.

USIA—19

System name: Legal Files—IGC—USIA

System location: U.S. Information Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals who have filed grievances or discrimination complaints; employees separated or considered for separation for cause; officers selected out; individuals taking legal action against the Agency or its employees; tort claimants and accident victims; employees and related persons for whom legislative action is sought; personal property loss claimants; employees and applicants raising legal issues concerning rights or benefits.

Categories of records in the system: Investigatory reports; litigation reports; pre-hearing and trial preparatory materials; evidence for discovery and submission to hearing officers or courts; pleadings, briefs, transcripts, decisions and other related documents.

Authority for maintenance of the system: The Federal Records Act as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To represent the Agency in claims and other actions; to issue legal opinions or determinations on further Agency action. Also see Prefatory Statement of General Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the Agency are the Department of Justice, Department of State, Civil Service Commission, Foreign Service Grievance Board and the Employee Management Relations Committee.

Records contained in these files may be released to agencies outside the U.S. Information Agency who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual, and the nature of the legal action.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records may be retained indefinitely or disposed of when no longer useful or current.

System manager(s) and address: General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information provided by the individuals and their attorneys or representatives, and by employees of the Agency; information produced in the processing of a claim, grievance, legal action or issue.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these subsections is exempted from the notice, access and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I), and (f) of the Agency regulations in order for the Agency's legal staff to properly perform its functions. See also 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—20

System name: Locator Cards-IOA/S—USIA

System location: U.S. Information Agency, Administrative Services Division, General Services Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Past and present domestic employees of USIA.

Categories of records in the system: Locator card prepared for each domestic employee, containing the name, office location, telephone number, home address and telephone number of person to contact in case of emergency.

Authority for maintenance of the system: USIA's Manual of Operations and Administration, Part-II 495.2.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To assist USIA elements and others in locating employees; basic input source for telephone directory; also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Material maintained on index cards.

Retrievability: Filed alphabetically by name, sorted as to active and inactive.

Safeguards: Cards maintained in index card boxes which are locked in bar-lock cabinets after working hours.

Retention and disposal: Cards retained for one year after departure of employee and disposed of by shredding.

System manager(s) and address: Chief, General Services Branch, Office of Administration and Management, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The individual on whom information is maintained.

USIA—21

System name: Master Employee Records—IPT—USIA

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547, and U.S. Information Agency 300 "C" Street, S.W., Washington, D.C. 20547. Computer records are maintained by the Finance and Data Management Division, U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All Domestic and Foreign Service employees of USIA.

Categories of records in the system: Data on employees' work experience, assignments, promotions, transfers, within-grade increases, personnel actions, ethnic origin, organizational unit, employee code numbers, pay plan, tenure code, sex, marital status, age, dependents, veterans preference, service computation date, commendations, evaluation of work performance, medical files, training, certificates, home address, next-of-kin and information related to security, clearances; work copies of performance evaluations accessible to rating officers (copies of which are maintained at various locations in the Agency under the control of rating officers).

Authority for maintenance of the system: E.O. 10561; FPM Chap. 291-93, 5 USC 13-2, 2951, 4118, 4308, 4506; FPM Chap. 713 Subch. 3; E.O. 14492; 44 USC 3101; FPM Chap. 732.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare reports required by the Civil Service Commission, Congress and OMB; to assist personnel officers in flagging suspense actions such as expiration of LWOP, within-grade salary increase due date, etc.; used by Civil Service Commission and investigatory agencies to verify employment and employee statements on applications for employment with other agencies; investigation of discrimination complaints; statistical reporting to CSC on minority employment; control of personnel ceilings; movement dynamics and organizational structure as required by law; location of foreign service employees; to conduct security checks and updating security clearances; for preparation of employee performance rating evaluation of work performance used by Selection Boards and Merit Promotion Panels

to determine whether employees should be promoted; evaluations of work performance are reviewed by Officer Evaluations Report Review Panel to correct technical deficiencies in reporting and improving quality of evaluations. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are: The Department of State, the Civil Service Commission, Personnel offices in other government agencies as a result of a transfer or potential transfer of the individual to whom the record pertains, other agencies considering employees for detail purposes, the National Personnel Records Center upon separation of the employee, for record and credit checks, accredited investigation investigators.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer storage on discs and magnetic tape, computer reports, visual card file drawers, paper records in file folders.

Retrievability: By employee name, agency element, employee identification number, grade, class, tenure code, retirement code or other unique computer sorting capability.

Safeguards: Computer records are stored in tape files or internally in the computer and cannot be physically accessed except by authorized personnel; all other files are kept locked in metal file cabinets. Access controlled by "sign out" records. By law, minority codes and names of employees never appear together except to "Equal Employment Opportunity" officers. Computer access to EEO information controlled by written direction of Assistant Director (USIA) IEO.

Retention and disposal: Old computer reports destroyed by shredding when new listings are produced; computer tapes and discs are retained indefinitely; other records are retained until employee is separated, and disposed of by transfer to Civil Service Commission, other employing agency, Federal Records Center, or destruction as directed by internal agency regulations.

System manager(s) and address: Chief, Personnel Operations Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, room 719, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director, (USIA), Public Information, room 719, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The employee himself or herself; employment applications; official personnel records; personnel action forms; personnel officers; administrative files; budget and personnel authorizations; employees' supervisors; USIA Office of Security; training officers and other officials involved in personnel management.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—22

System name: Non-Official Personnel Files—USIA

System location: U.S. Information Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

System location: U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

System location: U.S. Information Agency, 1717 "H" Street, N.W., Washington, D.C. 20547.

System location: U.S. Information Agency, 601 "D" Street, N.W., Washington, D.C. 20547.

See Appendix I for details of offices located in Washington, D.C.

See Appendix II for the locations of Agency offices located outside of Washigton, D.C.

Categories of individuals covered by the system: Current employees and employees of other agencies detailed to USIA, and who are assigned to any of the following Agency elements:

Office of the Director
Office of Policy and Plans
Office of Research
Office of Equal Employment Opportunity
Office of Assistant Director (Public Information)
Office of the General Counsel
Office of Security
Office of the Assistant Director (Africa)
Office of the Assistant Director (East Asia and Pacific)
Office of the Assistant Director (Europe)
Office of the Assistant Director (Latin America)
Office of the Assistant Director (North Africa, Near East and South Asia)
Office of Administration and Management
Office of Personnel and Training
Office of the Assistant Director (Information Centers)
Office of the Assistant Director (Motion Pictures and Television)
Office of the Assistant Director (Press and Publications)

(Note: For Non-Official Personnel Records maintained by the Office of the Assistant Director (Broadcasting), see USIA—8, Employee Administrative Files—IBS—USIA).

Categories of records in the system: Job descriptions; personnel action forms; payroll change slips; service record cards; employee locator cards; letters of commendation and other correspondence; material related to employment, experience, training, special qualifications and skills; salary and leave records. (Note: the record material listed above may not be contained in the files of all Agency elements listed under "Categories of Individuals Covered by the System").

Authority for maintenance of the system: FPM-293-31, Subch. S-8; USIA's Manual of Operations and Administration. Part III—520.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To prepare requests for personnel action; to provide convenient access to information about employees, in view of the office's physical separaton from the Office of Personnel and Training, which maintains Official Personnel Files.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the Performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by individual name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: When employee separates from the Agency, file is forwarded to the Office of Personnel and Training for screening and disposal.

System manager(s) and address: Chief, Secretariat Staff, Office of the Director, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Policy and Plans, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Executive Officer, Office of Research, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Access to Information Officer, Office of Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Administrative Assistant, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Chief, Personnel Security Division, Office of Security, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Assistant Director (Africa), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Assistant Director (East Asia and Pacific), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Assistant Director (Europe), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Assistant Director (Latin America), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Program Coordinator, Office of the Assistant Director (North Africa, Near East and South Asia), 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Administration and Management, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Records Control Officer, Office of the Assistant Director, Information Centers, 1717 "H" Street, N.W., Washington, D.C. 20547.

Executive Officer, Motion Picture and Television Service, Patrick Henry Building, 601 "D" Street, N.W., Washington, D.C. 20547.

Executive Officer, Press and Publications Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned; copies of actions originated by the USIA Office of Personnel and Training; USIA Payroll Office; supervisors of employees on whom records are maintained.

USIA—23

System name: Overseas Personnel Files and Records—USIA

System location: The U.S. Information Agency maintains establishments overseas in 111 foreign countries which are designated as mission posts, branch posts, regional service centers, VOA relay stations, and media extensions. A current listing of names and addresses of overseas establishments is not considered practical for Privacy Act purposes, due to the fact that such a list would require frequent amendment. Changing of office locations, opening of new offices, closing of established offices and realignment of geographic areas have become practical realities in conducting the Agency's mission overseas. Individuals who feel that records pertaining to themselves are maintained at any one of our overseas locations may contact the Agency's Office of Public Information, room 719, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547. The Agency maintains an index of its records, including a current listing of overseas posts, which is available to the public as indicated in 22 CFR Ch. V, Rules for Implementing the Freedom of Information Act.

Categories of individuals covered by the system: Foreign Service employees of the U.S. Information Agency who are serving or have served at any of the Agency's overseas establishments.

Categories of records in the system: Personnel evaluation reports, travel orders, personnel action forms, payroll change forms, travel vouchers, residence and dependency reports, correspondence related to transfer of duty station or training assignments.

Authority for maintenance of the system: The Foreign Service Act of 1946.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Maintained for convenience due to separation from main office; for use by senior USIA officers at overseas establishments in evaluating the performance of subordinate officers; for planning future staffing requirements; dates of reassignment of officers; entitlement to foreign service allowances; home address and next of kin in the United States in case of emergency; settlement of personal business after departure of employee from the overseas establishment. Also see Prefatory Statement of General Routine Uses.

Information in these files is available only to American foreign service employees on a need-to-know basis as may be required in the performance of their official duties.

The principal user of this information outside the U.S. Information Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Destroyed three years after employee's departure from the post. (Reference USIA's Manual of Operations and Administration, Part III, Exhibit 630A-3, Page 3).

System manager(s) and address: See "System Location" above.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: All documents contained in these records are duplicates of material originated by other elements of the U.S. Information Agency or, in some instances, by the Department of State.

USIA—24

System name: Personnel Security and Integrity Records—IOS—USIA

System location: Office of Security, Room 911, U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All persons currently or formerly employed or used under contract in the U.S.; all Americans currently or formerly employed or used under contract in other countries; some but not all foreign nationals currently or formerly employed or used under contract in other countries; former applicants who were not employed; persons whose services are or were otherwise utilized by a component of USIA, whether compensated or not; prospective spouses of USIA employees; and other persons who are significantly identified with persons whose services have at one time or another been utilized or considered by the Agency in one or more of the manners indicated herein. Names are also cross-indexed on persons not so identified but who are or were significantly involved in non-security related administrative inquiries conducted by the Security Office of USIA, such as malfeasance, nonfeasance, misfeasance, conflicts of interest, tort matters, equal employment opportunity inquiries and other administrative investigations conducted at the request of other elements of the Agency, and on persons of intelligence and counterintelligence interest whose names appeared in the press, or are contained in documents furnished by the FBI, CIA and other intelligence and counterintelligence agencies of the U.S. Government.

Categories of records in the system: Reports of Investigation conducted by the Security Office of USIA and by other government agencies, inter-office correspondence, relevant correspondence and memoranda originated by other elements of USIA, other federal agencies, other governmental entities (i.e., state and local authorities), corporate and private entities and by individuals. Additionally, records are maintained of security violations and consequent recommendations for disciplinary action. The system contains reports of briefings and debriefings of employees and other performing services for USIA at overseas posts and evaluative summaries of individual files. Not all files, however, contain all of the above elements.

Authority for maintenance of the system: The authority of the Office of Security to collect and maintain security data is based on Section 1001 of the United States Information and Education Exchange Act of 1948, 62 Stat. 13, 22 U.S.C. Section 1434, as amended, 66 Stat. 43, (1952), Reorganization Plan No. 8 of 1953, 67 Stat. 642, Executive Order 10477 of August 1, 1953 as amended, the Act of August 26, 1950 64 Stat. 476, 5 U.S.C.A. 3571, 7312, 7501, 7512 and 7532, Executive Order No. 10450 of April 27, 1953 as amended, and Executive Order 11652 of March 8, 1972.

The authority of the Office of Security to collect and maintain certain administrative data, as the investigative arm of the Agency, is based on 22 USC 1434; Foreign Service Act of 1946, Sec. 611; Reorganization Plan No. 8; Executive Order 10477; 5 USC Chap. 33.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Making security decisions on applicants for employment. In certain cases data in security files is used by the Personnel Office and the Foreign Service Board of Examiners to determine the qualifications and suitability of an applicant.

Making security decisions on Agency employees to determine whether previously granted security clearances may remain in effect.

Making advisory opinions on individuals used by the Agency in a limited or unlimited contractual manner or otherwise and granting exceptions to the Agency's regulations governing such usage under a delegation of authority from the Director.

Giving security certifications in writing or orally to other Security Offices of the Federal Government.

Making security decisions as to the advisibility of assigning employees to certain areas of the world or to certain positions within the Agency.

Making security decisions as to the advisibility of certain promotions as required by Agency regulations.

Making security decisions as to granting an employee a cryptographic clearance under regulations for such clearance enforced by the Department of State.

Making an advisory opinion as to the effect on an employee's security clearance of a marriage to a non-U.S. citizen.

Reviewing the files in certain cases of non-citizen employees of USIA abroad to determine whether they may be granted a security certification.

Reviewing the files of former Agency employees and applicants never employed to determine what investigative material must be returned to the Civil Service Commission as required by that Commission.

Forwarding the investigative material to certain designated employees of the Personnel Office and of other offices of USIA.

Advising duly authorized security officers of other agencies of significant security data in the file of an Agency employee or applicant.

Advising the Civil Service Commission that significant security or suitability data was developed during a pre-employment investigation of an applicant, or during an investigation of an Agency employee who left the Agency's employment prior to a final adjudication of the case.

To determine whether the Office of Security has previous record of individuals or organizations of interest to the Agency as potential employees, contractors or in some non-compensated activity, or previous record of individuals or organizations becoming of interest as the result of significant identification with persons or organizations of current interest to the Agency.

To determine what investigation might be required in the processing of individuals or organizations of interest to the Agency as potential employees or contractors, or in non-compensated use.

To determine specific areas of inquiry by Agents of the Office of Security or agents of other federal agencies acting in our behalf, engaged in the various types of security/suitability investigations conducted by the office, i.e., applicant interviews, applicant update investigations, employee investigations, administrative inquiries, debriefings and employee interviews.

To determine whether periodic updating of employee security clearances are required and further determine the appropriate scope of update investigations.

To assist in determining the extent to which allegations against employees or applicants should be investigated.

Review of IOS investigative material by authorized representatives of other U.S. Government agencies having security or suitability interests.

Furnish to the Department of Justice information indicating possible violation of criminal laws.

Review for research projects originating from within and outside IOS, i.e., surveys of exhibit guide debriefings, and statistical surveys regarding the conduct of various types of investigations and the results thereof.

To determine whether debriefings are indicated.

To furnish biographical data to other elements of the agency.

To furnish data, to the extent necessary to identify the individual adequately, to any other record custodian in order to obtain information relevant to a legitimate investigative or intelligence interest of the U.S. Information Agency.

To provide guidance for employees having had and anticipating contacts with certain foreign nationals.

To assess recommendations for disciplinary action based on violations of security regulations.

Also see Prefatory Statement of General Routine Uses.

Individual files are used by the Assistant Director (Security) as reference in contacts and correspondence with USIA Director, Deputy Director, General Counsel, Assistant Directors and other USIA personnel when necessary to resolve specific personnel security matters. In addition, files are also used by him in correspondence and contacts with other government agency officials when necessary to inform them of information available in USIA Office of Security files.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Various written-entry document forms.

Retrievability: Indexed by serial file number through card index by name.

Safeguards: Persons having access are security-cleared and must establish a "need-to-know" the information under routine use policies and practices established by Statute, Executive Order, and Agency Regulation. When not in personal custody, files are stored in combination-locked containers or intrusion alarmed area.

Retention and disposal: Records are retained indefinitely, with CSC investigative reports returned to that agency and the balance of records sent to archival storage when no longer active.

System manager(s) and address: Assistant Director (Security), U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (Public Information) U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (Public Information) U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Biographic and personal history information furnished voluntarily by applicants and employees.

Reports of Investigation conducted by the Civil Service Commission, the Federal Bureau of Investigation, the Department of State and other government investigative agencies.

Reports of Investigation conducted by the Office of Security, USIA.

Investigative sources include information furnished by the subject of the investigation during personal interviews, record checks at other government agencies, records of professional organizations, real estate and rental agencies, baptismal records, police and credit records, interviews of former and present employers, supervisors, references, teachers, neighbors and other acquaintances. Educational and medical records are also checked when appropriate.

Intelligence reports relating to USIA interests which are furnished by other Federal agencies.

Various public records and indices such as those produced by committees of Congress.

Information furnished by employees of USIA, employees of other Government agencies, nongovernmental entities or members of the public at large who occasionally furnish information to USIA in the interests of national security or the integrity of the Federal service.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR, Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—25

System name: Press Service Contributors—IPS—USIA.

System location: U.S. information Agency, Press and Publication Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Free-lance writers, photographers and artists who are available to USIA on an intermittent, fixed-fee basis to perform services for the Agency outside of Washington, D.C.; authors of newspaper and magazine articles.

Categories of records in the system: Copies of purchase orders issued to contributors; biographic data on contributors, including addresses, phone numbers, type of security clearances, specialities, foreign languages; data on number of times contributors have been used and fees paid for services; cross-indexed records, by author, of newspaper and magazine articles for which reprint/translation

rights have been obtained covering republication by USIA/USIS and/or the local press outside the United States.

Authority for maintenance of the system: IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and Federal Property and Administrative Services Act of 1949 (P.L. 152, 81st Congress) as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material used to select writers, artists and/or photographers, as required, to provide coverage of newsworthy events, such as, interviews with foreign visitors and students, and coverage of conferences outside of Washington, D.C.; also used to determine the type of security clearance held by contributor before granting an assignment; used to check on completion of assignment before payment for services is approved; for office reference in identifying articles, locating authors, checking the extent of rights previously obtained and for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Purchase order paper records in file folders. Biographic data is kept on 3x5 cards.

Retrievability: By name and geographic location of the contribution; author files maintained alphabetically by name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Purchase orders retained for 2 years and then destroyed. Biographic data retained until contributor is no longer available, has died or moved; author index retained indefinitely.

System manager(s) and address: Executive Office, Press and Publications Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Referrals by city editors of local newspapers; other free-lance contributors; biographic data provided by individual concerned; data on authors obtained from the newspaper or magazine article in which the original article appeared, from the author directly or from standard references such as "Who's Who" and "Editor and Publisher."

USIA—26

System name: Press Service Photographer File—IPS—USIA.

System location: U.S. Information Agency, Press and Publications Service; 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Free-lance photographers and picture agents; prominent Americans.

Categories of records in the system: Personal data on free-lance photographers such as name, address, telephone number, price charged for services, specialties, availability of rights, previous USIA assignments, evaluations of photographer's work; photographs of prominent Americans.

Authority for maintenance of the system: IAPR—191.103 issued under authority of 5 U.S.C., Chap. 3 and the Federal Property and Administrative Services Act of 1949 (P.L. 152, 81st Congress), as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To acquire existing pictures; to select photographers for specific assignments; for general photo research; for use in the Agency's Overseas Information Program. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card file and paper records in file folders; mounted and unmounted prints; 3 x 5 index cards and 35 mm and 4 x 5 transparencies

Retrievability: By name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Paper records on photographers are maintained indefinitely, or until individual is no longer available for assignment; picture files retained indefinitely or until no longer useful; outdated pictures retired to Federal Records Center.

System manager(s) and address: Executive Office, Press and Publication Service, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individuals concerned; from publications, photo agencies, and photographer associations; photos taken by USIA photographers or obtained from various news services.

USIA—27

System name: Printout of Minority Group Designator (MGD) Data System—IEO—USIA.

System location: U.S. Information Agency, Office of Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All current employees of USIA.

Categories of records in the system: Computer printout containing names of all USIA employees identified by name, sex, race, national origin, age, grade, and wage scale.

Authority for maintenance of the system: Draft FPM 713, and Public Law 93-571, 5 U.S.C. 552 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To compile statistical records of minority and female employment and promotion within the Agency; for inclusion in Agency's Equal Employment Opportunity Affirmative Action Plan; for determinations in complaints of discrimination.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the U.S. Information Agency is the Civil Service Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders (computer reports).

Retrievability: By name, sex, race, national origin, age, grade, and wage scale.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely.

System manager(s) and address: Assistant Director (USIA), Equal Employment Opportunity, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the employee concerned; USIA personnel data; visual inspection of the employee.

USIA—28

System name: Recruitment, Contractor and Vendor File-IOR-USIA

System location: U.S. Information Agency, Office of Research, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Job applicants; prospective contractors or vendors (or principals of firms); and any other individuals from whom services (whether compensated or not) may be formally solicited by the Office of Research.

Categories of records in the system: Resumes, employment inquiries and related correspondence; records on the security clearance status of prospective contractors or vendors.

Authority for maintenance of the system: USIA's Manual of Operations and Administration, Part VIII; Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To review qualifications of candidates for employment; to comply with security regulations in procurement actions or when soliciting services from outsiders. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

This information is not normally available to individuals or agencies outside the U.S. Information Agency, but it may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: Indexed alphabetically by the name of the individual.

Safeguards: Files are kept in bar-lock file cabinets.

Retention and disposal: Security clearance status records on contractors and vendors maintained indefinitely; employment applications and inquiries are retained for two years or as long as there is an interest or prospect of employment of the individual, at which time, records are disposed of in accordance with internal disposal requirements.

System manager(s) and address: Executive Officer, Office of Researh, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individuals concerned and from USIA's Office of Security.

USIA—29

System name: Recruitment Records-IGC-USIA

System location: U.S. Information Agency, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants for legal and summer intern positions.

Categories of records in the system: Inquiries from attorneys and law students seeking employment with the Office of the General Counsel, resumes and responses to inquiries.

Authority for maintenance of the system: Federal Records Act of 1950, as amended, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For reference and screening of candidates for vacancies on the Agency's legal staff. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally made available to individuals or agencies outside the U.S. Information Agency, but records may be released to other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are kept one year and then destroyed by shredding.

System manager(s) and address: Administrative Assistant, Office of the General Counsel, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited inquiries and job applications received from individuals who are seeking employment with USIA's legal staff.

USIA—30

System name: Recruitment Records-IPT-USIA

System location: U.S. Information Agency, Office of Personnel & Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547, and 300 "C" Street, S.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Applicants for foreign service or domestic employment; applicants for personnel or management intern positions; employees hired under the worker-trainee program; individuals certified by the Civil Service Commission for appointment consideration.

Categories of records in the system: Employment application forms; resumes and replies to employment inquiries; personnel security data forms; results of written examinations; notes on interviews by selection panels; records on availability of job applicants; CSC employment certificates.

Authority for maintenance of the system: 44 USC 3101; FPM 333 Subch. 1-1, FPM Chap. 713, FPM Bulletin 713-31, FPM 332, Appendix B, FPM Chap. 731, FPM Chap. 732.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for recruitment and evaluating employment applicants; to determine Agency employment needs; evaluation of minority hiring practices; selection of candidates for intern and other programs; evaluation of progress of employees on worker-trainee programs; monitor status of pre-employment security investigation. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are; the Civil Service Commission; the Director General of the Foreign Service; U.S. Department of State; accredited investigators.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records of successful employment candidates transferred to official personnel folder; records of unsuc-

cessful candidates destroyed; CSC certificates retained indefinitely; security files destroyed after candidate is given security clearance; other records retained indefinitely or disposed of in accordance with Agency's internal regulations.

System manager(s) and address: Chief, Personnel Operations Divisions, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Employment applicants; college transcripts and other recruitment sources; test scores provided by testing Agency; notes prepared by selection panels; the Civil Service Commission; USIA Office of Security.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f). See 22 CFR Part 505.15 as published in the Federal Register on July 21, 1976 (41 FR 30029).

USIA—31

System name: Senior Officer and Prominent Employee Information Files I/R-USIA

System location: U.S. Information Agency, Office of Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Leaders of the U.S. Information Agency and other prominent employees.

Categories of records in the system: Photographs, biographic data sheets and past press releases.

Authority for maintenance of the system: The Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For responding to press inquiries and in the preparation of Agency press releases concerning leaders of the U.S. Information Agency and prominent employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

While this information is generally available to the public upon request, it may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and photographs in file folders.

Retrievability: By name of the individual employee.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are disposed of upon separation of the employee.

System manager(s) and address: Deputy Assistant Director, Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: The Department of State's Biographic Register; from the individual concerned; copies of press releases concerning the individual.

USIA—32

System name: Senior Officer Files—IPT—USIA

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees in grades GS—14, 15, 16, 17, 18 and foreign service officer class equivalents (FSIO, FSR, FSLR—1, 2, 3.2)

Categories of records in the system: Biographical, professional and experience information on employees nominated for senior level positions, position descriptions and position evaluations.

Authority for maintenance of the system: FPM 305, Supp. 305—1, FPM—300 subch. 3.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for the Director's staff, element heads and personnel officers; placement of high level employees in proper management positions and to insure their consideration for vacancies government-wide; used by personnel officers for personnel management functions; requested from time to time by CSC, OMB, and Congress for position control of supergrade employees. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal users of this information outside the U.S. Information Agency are: the Civil Service Commission; the Office of Management and Budget; the Congress; personnel officers in other government agencies as a result of a transfer or potential transfer of the individual to whom the records pertain.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name and grade of individual, or combinations of name and grade.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records maintained indefinitely, or until employee is separated, at which time pertinent information is filed in the official pesonnel folder; all other material is destroyed as provided in Agency internal regulations.

System manager(s) and address: Chief, Personnel Operations Divison, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Informatin, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director, (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Official Personnel Folders; from the employee; element heads; position classifiers.

USIA—33

System name: Speaker File—IAA—USIA

System location: Office of the Assistant Director (Africa), U.S. Information Agency, room 519, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Artists and Speakers considered qualified to conduct programs at USIA's oversea posts in sub—Sahara Africa.

Categories of records in the system: Biographic data on speakers and artists; evaluation of reports of past service; itineraries.

Authority for maintenance of the system: The Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide basic personnel and program information in order to arrange regional schedules for speakers and artists. Also see Prefatory schedules for speakers and artists. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties. Information in these records is not normally made available to individuals or agencies outside USIA, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the name of the individual concerned.

Safeguards: Maintained in locked file cabinets.

Retention and disposal: Records are held as long as the individual is a prosective speaker or artist.

System manager(s) and address: Regional Cultural Affairs Officer, Office of the Assistant Director (Africa), U.S. Information Agency, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director, (USIA), Public Information 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Originated through correspondence with speakers and correspondence with individual USIA posts overseas.

USIA—34

System name: Speaker File—IEA—USIA

System location: U.S. Information Agency, Office of the Assistant Director, East Asia and Pacific, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Prospective individual and actual speakers at USIA overseas posts in the East Asia and Pacific geographic area. Speakers may include STAGS, volunteers, U.S. Government officials, and others.

Categories of records in the system: Biographic data on prospective speakers, including lists of topics, dates of previous service to USIA, travel vouchers processed, amounts charged Agency and method of payment, and in some cases, evaluations of speakers by overseas posts.

Authority for maintenance of the system: Federal Records Act, 44 USC 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biographic data and evaluations of speakers and their suitability to engage in Agency programs. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The principal user of this information outside the U.S. Information Agency is the U.S. Department of State.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: Indexed by name of the individual.

Safeguards: Maintained in locked file cabinets, available only to authorized persons.

Retention and disposal: Retained as long as the speaker has topicality for area programs. Records are destroyed thereafter in accordance with Agency's internal records retirement procedures.

System manager(s) and address: Program Coordinator, Office of the Assistant Director, East Asia and Pacific, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA) Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Originated through correspondence with speakers and correspondence with individual USIA posts overseas.

USIA—35

System name: Speaker Name Files—ICS—USIA

System location: U.S. Information Agency, 1717 "H" Street, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: American specialists and experts in a variety of fields who have participated or been considered for participation in the Volunteer Speakers Program.

Categories of records in the system: A typical file contains the following information on or about speakers and prospective speakers in the Volunteer Speakers Program administered by the U.S. Informaton Agency; Biographic data including education and professional experience, correspondence between the speaker and ICS and communications between the Agency and its overseas posts regarding the speaker's participation in the program. Many of these files also include the results of requests for security information from the Office of Security, USIA.

Authority for maintenance of the system: Executive Order No. 11034 and Executive Order 11034 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Speakers files are used routinely by program development officers, program assistants and clerical personnel in the daily conduct of the speaker program. They are occasionally consulted by other Agency personnel for such purposes as preparing advance publicity on speakers who will lecture abroad under USIS auspices. Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these files is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The files are stored in individual folders by name and consist of the types of information specified under "Category of Record."

Retrievability: File folders are indexed alphabetically by name and filed under five major subjects: Arts and Humanities, Economics, International Political and Security Affairs, Political and Social Processes, and Science and Technology.

Safeguards: The files are kept in locked file cabinets and, when open during office hours, are always tended by one or more employees. Only appropriate personnel are normally allowed to consult these files routinely. Other Agency personnel wishing to consult them are asked to identify themselves. U.S. government personnel other than USIA very rarely seek access to these files. When they do, they are asked to produce specific identification.

Retention and disposal: These records are normally maintained for approximately 3 years. Afterward, they are retired to the USIA archives for a period of from 5-7 years.

System manager(s) and address: Speaker Coordinator, U.S. Information Agency, 1717 "H" Street, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Without significant exceptions, the information on individuals maintained in these files has come from the individual concerned or, occasionally, from others at the request of that individual.

USIA—36

System name: Advisory, Referral and Counseling Records—IPT—USIA.

System location: U.S. Information Agency, Office of Personnel and Training, Employee-Management Relations Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Employees with serious, job-related or medical problems such as alcoholism, drug abuse or behavioral problems.

Categories of records in the system: Confidential statements relating to specific problems.

Authority for maintenance of the system: Public Law 91-616, Sec. 201 (Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970); Public Law 92-255, Sec. 413 (Drug Abuse Treatment Act of 1972).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used on occasion to provide necessary background to medical personnel to arrange for medical examinations or treatment of employees. The program is a confidential resource within the Agency available voluntarily to employees for assistance with personal or job-related problems. Employees are advised of rights, obligations as well as benefits available; referrals of employees to professional resources within the Government and in the community; continuing on-the-job counseling is available.

Also see Prefatory Statement of General Routine Uses.

Without the express written consent of the employee, this information is not available to other personnel of the U.S. Information Agency. The only user of this information outside the U.S. Information Agency is the Department of State, Deputy Assistant Secretary for Medical Services, with the employee's consent.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By the employee's name.

Safeguards: Records are maintained in a combination bar-lock cabinet at all time, accessible only to the Advisory, Referral and Counseling Officer.

Retention and disposal: Records retained as long as individual is an employee of the Agency; file destroyed by shredding when employee is separated, or when incumbent counselor is separated from the Agency; exceptions to rules for retention can be made only with the concerned employee's specific approval.

System manager(s) and address: Advisory, Referral and Counseling Officer, Office of Personnel and Training, 1776 Pennsylvania, Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Principally from the individual concerned; background information provided by the person who initiates referral of the employee, such as supervisors or medical personnel.

USIA—37

System name: Book Adaptation Files—ICA—USIA

System location: U.S. Information Agency, Information Center Service, 1717, "H" Street, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Authors of books selected for inclusion in the Current Thought Series and the Ladder Series; contractual adapters of books.

Categories of records in the system: Correspondence with authors; rights agreements for use of books; USIA book appraisals and reviews; biographic data on authors; correspondence with and biographic data and namecheck forms on adapters; correspondence with contracting agency concerning contractual arrangements with adapters, qualifying tests and sample material submitted by adapters.

Authority for maintenance of the system: Executive Order 11034, as amended, Public Law 87-256, Mutual Educational and Cultural Exchange Act of 1961.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for determination of suitability of books for use in the Agency's Current Thought Series and Ladder Series; to arrange for clearances to use books in Agency programs; for the selection of adapters who can adapt books for use by foreign nationals; final clearance of adaptation by authors of books.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By individual name, by date of assignment, or both.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed.

System manager(s) and address: Chief, Foreign Service Personnel Office, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20457.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Officer Evaluation Reports; official administrative file (OPP); records of interviews and correspondence with officers; minutes of meetings held to discuss assignment of Foreign Service Officers by the career management staff.

USIA-38

System name: Career Counseling Records—IPT—USIA

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All foreign service officers of the Agency.

Categories of records in the system: Computer listing of work experience and biographic data; assignment history data; education data; position data; grade; title; post of assignment; date of employment with USIA; dependents, proposed position detail to "pipeline" complement; roster of personnel available for domestic assignments; notes of personnel discussions between counselors and individual clients on preferences and other factors bearing on assignments.

Authority for maintenance of the system: The Foreign Service Act of 1946 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by career counselors and personnel officers for assignment and rotation of Agency foreign service officers, within USIA or to other federal agencies to which assignment of detail may be made.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Card records and paper records in file folders.

Retrievability: By individual name, by date of assignment, or both.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Biographic data and personnel statistical data subject to update periodically; old records destroyed by shredding when no longer needed.

System manager(s) and address: Chief, Foreign Service Personnel Office, 1776 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Officer Evaluation Reports; official administrative file (OPP); records of interviews and correspondence with officers; minutes of meeting held to discuss assignment of Foreign Service officers by the career management staff.

USIA—39

System name: Employee Parking—USIA

System location: U.S. Information Agency, Office of Administration and Management, General Services Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

U.S. Information Agency, Broadcasting Service, "Voice of America," 330 Independence Ave., S.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Agency employees assigned USIA controlled parking spaces; employees awaiting assignment of vacated parking spaces.

Categories of records in the system: Names, office locations and telephone numbers of employees assigned parking space; participants in car-pools; records of payments for parking space use; records on employees with physical handicaps and doctors or others to contact in case of emergency; waiting list of employees desiring assignment of official parking space.

Authority for maintenance of the system: General Services Administration Regulations dated February 6, 1974, prescribing regulations regarding the use of federally controlled parking spaces.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Assignment of parking space to Agency executives; to assure fairness in the assignment of parking space to employees and to give priority to the handicapped and to car-pools; to assure timely payment of fees for parking space.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

The information may also be released to other government agencies who have statutory or other lawful authority to maintain such information.

The principal user of this information outside the U.S. Information Agency is the General Services Administration.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: By name of the employee.

Safeguards: Maintained in bar-lock cabinets.

Retention and disposal: Records destroyed when employee relinquishes assigned parking space or is separated from the Agency.

System manager(s) and address: Executive Officer, Broadcasting Service, "Voice of America," HEW-N Bldg., 330 Independence Ave., N.W., Washington, D.C. 20547.

Chief, General Services Branch, 1776 Pennsylvania Ave., S.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: All information obtained from individuals concerned.

USIA—40

System name: Employment Requests—IPT—USIA

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals seeking employment with the Agency.

Categories of records in the system: Letters, memos, resumes, recommendations, biographic data and referrals submitted to the Assistant Director, Personnel and Training, for the purpose of soliciting consideration for employment with the Agency.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To answer inquiries from Members of Congress regarding employment opportunities for constituents; referrals to Agency elements for qualification evaluations.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records retained until no longer useful, or until after 5 years from date of submission, whichever is first. Records are destroyed by shredding.

System manager(s) and address: Assistant Director, Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W,, Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Unsolicited information submitted to the Agency by individuals seeking information on employment possibilities.

USIA—41

System name: Exhibit Guide Training File—ICS—USIA.

System location: U.S. Information Agency, Information Center Service, 1717 "H" Street, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Translators and various instructors hired periodically by the Information Center Service to train Exhibit Guides before assignment overseas.

Categories of records in the system: Biographic data, security name-check forms, history of assignments with the Agency, and routine correspondence.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A ready reference file for locating specialists and translators, evaluating their qualifications and determining their availability to train individuals hired by the Agency for overseas assignments as Exhibit Guides.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Storage: Paper records in file folders.

Retrievability: By name of the individual.

Safeguards: Records maintained in bar-lock cabinets, available only to authorized personnel.

Retention and disposal: Records kept as long as person is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

System manager(s) and address: Records Control Officer, Exhibits Development and Production Division, U.S. Information Agency, 1717 H Street, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register..

Record source categories: Information included in these records is submitted or authorized by the individual concerned and is available for his or her review.

USIA—42

System name: Exhibit Specialist Grantees—ICS—USIA.

System location: U.S. Information Agency, Information Center Services, 1717 H Street, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Private individuals under grant or contractual agreement with the Agency, or Government employees on temporary duty assignments with USIA, to provide services to Agency exhibits as expert specialists, usually involving overseas travel.

Categories of records in the system: Name, address, itinerary of travel, description of services, records of security clearance and of grants or orders, resume of career and list of publications, correspondence, informal evaluations of performance as an exhibit specialists, photographs, publications by the concerned individuals.

Authority for maintenance of the system: Executive Order 11034, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used for the purpose of selecting specialists in various fields to assist in the design of exhibits for use overseas; as consultants during fabrication of exhibits; to assist USIA personnel overseas to construct exhibits.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By show name, the word "specialist," followed by individual's name.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records kept as long as individual is of employment interest and/or employed. Files are destroyed by burning when no longer needed.

System manager(s) and address: Records Control Officer, Information Center Service, U.S. Information Agency, 1717 H Street, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information included in records was either submitted or authorized by the individual concerned, or was available from public sources, such as book reviews or material printed in various publications; National Agency namecheck information is obtained through the Agency's Office of Security.

USIA—43

System name: Foreign Service Locator File—IPT—USIA.

System location: U.S. Information Agency, Office of Personnel and Training, Employee Relations and Retirement Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: All Agency foreign service employees.

Categories of records in the system: For foreign service employees: employees' present place of assignment overseas, position held, home address, address of next-of-kin, employee's personal bank.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by USIA officials to locate a Foreign Service employee; salary deposits; informing next-of-kin.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other Government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: information maintained on 5x8 index cards.

Retrievability: By the officer's name.

Safeguards: Records are under surveillance by authorized employees during working hours, and by security guards after official working hours.

Retention and disposal: Locator information is constantly changing, thus not a permanent record; locator card is removed from the file when the officer is separated from the Agency.

System manager(s) and address: Chief, Employee Relations and Retirement Branch, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the officer concerned; copies of Personnel Action Forms (SF-50); travel memos.

USIA—44

System name: Information Center Service Contractors and Grantees—ICS—USIA

System location: U.S. Information Agency, Information Center Service, 1717 "H" Street, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Private individuals who are under grant or contractual agreement with the Agency's Information Center Service to provide goods or services required in conducting cultural programs.

Categories of records in the system: Name, address, itinerary of travel, goods and/or services to be provided to the Information Center Service under grant, contract or purchase order grant; records of payments for services rendered or goods delivered.

Authority for maintenance of the system: Executive Order 110477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Files are used by the Budget Office and the Executive Office staffs of the Agency's Information Center Service as reference material to assure proper expenditure of Agency funds, to monitor the completion of grant or contractual arrangements, and to assure proper payment for goods delivered or services rendered.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders.

Retrievability: By document number cross-referenced by a name card file.

Safeguards: Maintained in bar-lock file cabinets.

Retention and disposal: Records of transactions over 10,000 dollars retained for six years, then sent to the Federal Records Center. For transactions under 10,000 dollars, records retained for three years, then sent to Federal Records Center.

System manager(s) and address: Budget Officer, Information Center Service, 1717 "H" Street, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned; copies of contracts and grants; travel authorizations provided by Agency Transportation Branch; copies of invoices for payment.

USIA—45

System name: Mailing Lists—IOA/SS—USIA

System location: U.S. Information Agency, Office of Administration and Management, Reproduction and Special Services Branch, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: USIA domestic and Foreign Service officers; radio station managers, personalities and technicians; foreign correspondents; American and foreign diplomats; librarians; scholars; Members of Congress; information counselors of other Federal agencies and the military; officers of international organizations; American journalists; newspaper and magazine editors and publishers; public relations officers; musicians; historians.

Categories of records in the system: Records contain name, address, occupation, title and profession of individuals who need to have access to, or have requested information concerning: Agency publications, news pictures, reports on current issues and other reports; messages for overseas distribution; press releases; USIA Manual of Operations and Administration; adaptations and condensations; current events picture packs; FYI kits; VOA frequency schedule; stand-by officer lists; special packets; Music USA packets; VOA program highlights.

Authority for maintenance of the system: Public Law 402.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Mailing lists are used by Agency elements to distribute printed materials to Agency personnel who need access to such information in the performance of their duties, and to members of the public listed under Categories of Individuals covered by the system as shown above who have requested such information, or who have a professional need and interest in acquiring such information.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Addressograph plates filed in special drawers.

Retrievability: By code number of the distribution list and the subject matter of the printed material, and then by name arranged alphabetically.

Safeguards: Maintained in locked cabinets when not in use.

Retention and disposal: Plates are updated frequently, with old plates removed from the system and destroyed.

System manager(s) and address: Chief, Reproduction and Special Services Branch, U.S. Information Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the individual concerned and from public documents such as Congressional and professional directories and journals.

USIA—46

System name: Officer Assignment Requests—IPT—USIA

System location: U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Agency officers who have written or spoken to the Assistant Director, Office of Personnel and Training, regarding assignment preferences or problems.

Categories of records in the system: Letters, memos, and occasionally biographic data submitted by the individual seeking particular assignments; written answers to specific requests.

Authority for maintenance of the system: The Federal Records Act, 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used exclusively by the Assistant Director and the Deputy Assistant Director, Office of Personnel and Training, for discussion of officer assignments and officer career interests.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper Records in file folders.

Retrievability: By the name of the individual.

Safeguards: Maintained in metal bar-lock file cabinets.

Retention and disposal: Usually retained until officer is assigned or for longer period depending upon the assignment actions; destroyed when no longer needed.

System manager(s) and address: Assistant Director, Office of Personnel and Training, U.S. Information Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: From the officer requesting assignment consultation, replies of the Assistant Director, Office of Personnel and Training, to such requests.

USIA—47

System name: Official Travel Records—IOA/ST—USIA

System location: U S Information Agency Office of Administration and Management Transportation Branch, 1776 Pennsylvania Ave., N W Washington D C 20547

Categories of individuals covered by the system: Past and present USIA employees and private citizens who have traveled under Agency auspices

Categories of records in the system: Travel authorizations, documents related to shipment and storage of personal effects and automobiles, worksheets on itineraries and correspondence related to the above Records of active passports and passports issued Records of temporary duty travel Location and cost of storage of personal effects

Authority for maintenance of the system: Supplemental Appropriations Act of 1955, Public Law 663, Section 1311 (83d Congress) (31 U S C 200), Section 3679 of the Revised Statutes, as amended, Antideficiency Act (31 U S C 665)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used as reference material by the staff of the Agency's Transportation Branch, and as authorization for issuance of transportation requests, travel advances, and passports, for payment to carriers for transportation of travelers and their personal effects, for payment to storage and transfer companies for the packing and storage of household effects

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U S Information Agency as may be required in the performance of their official duties

Information in these records is not normally available to individuals or agencies outside the U S Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in file folders and in index boxes.

Retrievability: Indexed alphabetically by name.

Safeguards: Passports and related material such as correspondence and messages are kept in bar-lock cabinets. Other records are kept in unlocked cabinets which are under surveillance of authorized employees during the working day, and by security guards after official working hours.

Retention and disposal: Temporary duty travel authorizations are maintained for four years and then sent to a Federal records center All other records are retained indefinitely, or until after an employee has been separated from the Agency for six months.

System manager(s) and address: Chief, Transportation Branch, U S Information Agency, 1776 Pennsylvania Ave., N W, Washington, D C 20547

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N W, Washington, D C 20547

Record access procedures: Requests from individuals should be addressed to Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N W, Washington, D C 20547

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register

Record source categories: Travel request forms initiated by various Agency elements, information regarding personal and household effects obtained from the traveler and from carriers, passport information received from the Department of State's Passport Office.

USIA—48

System name: Photographers and Photographs for Exhibits Use—ICS—USIA

System location: U S Information Agency, Exhibits Division, 1717 H Street, N W., Washington, D C 20547

Categories of individuals covered by the system: Names and addresses of photographers hired by the Information Center Service to provide photographs suitable for use in the Agency's overseas Exhibits Program, collection of photographs for possible use in Exhibits programs with the names and addresses of the individuals holding copyrights.

Categories of records in the system: Correspondence with individuals concerning employment with the Information Center Service to perform photographic services personal data on photographers such as name address telephone number price charged for services specialties availability of rights previous USIA assignments evaluation of photographer's work names and addresses of persons owning rights to photographic work considered suitable for overseas exhibits

Authority for maintenance of the system: Executive Order 11034, as amended

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To acquire existing pictures, to select photographers for specific assignments, for general photo research, for use in the Agency's Exhibits Program

Also see Prefatory Statement of General Routine Uses

Information is made available on a need-to-know basis to personnel of the U S Information Agency as may be required in the performance of their official duties

Information in these records is not normally available to individuals or agencies outside the U S Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records and photographs maintained in file folders

Retrievability: By name of the individual

Safeguards: Maintained in combination bar-lock cabinets.

Retention and disposal: Records kept as long as person's photographs are of interest for use in particular exhibits. Files are destroyed by burning when no longer useful.

System manager(s) and address: Records Control Officer, Exhibits Division, U S Information Agency, 1717 H Street, N W., Washington, D C 20547

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N W., Washington, D C 20547

Record access procedures: Requests from individuals should be addressed to Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N W., Washington, D C 20547

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register

Record source categories: Information included in records is provided or authorized by the individual concerned and is available for his or her review

USIA—49

System name: Records on Shipment of Effects, Unaccompanied Baggage and Automobile—FOA/F—USIA

System location: U S Information Agency, Office of Administration and Management, Finance and Data Management Division, 1776 Pennsylvania Ave., N W., Washington, D C 20547

Categories of individuals covered by the system: Foreign Service employees authorized to ship effects and automobiles overseas at USIA expense

Categories of records in the system: Paper cards listing payments made to packers, carriers, etc., in connection with shipments of effects, baggage and automobiles pursuant to travel authorizations.

Authority for maintenance of the system: 31 U S C 66a

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To determine if unauthorized charges were incurred due to excess shipments, indirect routing, or other reasons

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U S Information Agency as may be required in the performance of their official duties

Information in these records is not normally available to individuals or agencies outside the U S Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in tub file

Retrievability: Filed alphabetically by individual name.

Safeguards: Records are under surveillance by authorized employees during the working day, and by security guards after official working hours

Retention and disposal: Records destroyed four years after the fiscal year in which shipment is authorized

System manager(s) and address: Assistant Chief for Fiscal Operations, U.S. Information Agency, Finance and Data Management Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register

Record source categories: USIA offices issuing travel authorizations, travel vouchers submitted by employees; invoices submitted by carriers for payment.

USIA—50

System name: Salary Computation Records—IOA/B—USIA

System location: U.S. Information Agency, Office of Administration and Management, Budget Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547

Categories of individuals covered by the system: Persons employed by the Agency during any past fiscal year, and the current fiscal year

Categories of records in the system: Personnel Action Forms, Standard Forms 50.

Authority for maintenance of the system: Executive Order 10477 of August 1, 1953; Executive Order 10822 of May 20, 1953, implementing Section 2(d) of the Reorganization Plan No. 8 of 1953; Budget-Treasury Regulation No. 1 (revised); The Economy Act (31 U.S.C. 686), Section 601, Section 3679 of the Revised Statutes as amended (31 U.S.C. 665).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For the use of the Budget Division Staff only, for salary computations for Agency budget purposes.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records maintained in files.

Retrievability: By name of individual.

Safeguards: Security provided by surveillance of authorized employees during working hours and by security guards after working hours.

Retention and disposal: Retained until no longer needed.

System manager(s) and address: Chief, Media and Support Branch, Budget Division, IOA, U.S. Information Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: USIA's Office Personnel and Training.

USIA—51

System name: Travel Authorization Obligation File—IOA/F-USIA

System location: U.S. Information Agency, Office of Administration and Management, Finance and Data Management Division, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals authorized to travel for which costs of travel are chargeable to USIA appropriations

Categories of records in the system: Copies of travel authorizations and copies of paid vouchers and/or abstracts or other documents relating to payments for authorized travel.

Authority for maintenance of the system: 31U.S.C. 66a

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To support recording of obligations of funds for travel; for audit of travel and transportation vouchers prior to certification and payment; control to avoid duplicate payment of claims.

Also see Prefatory Statement of General Routine Uses

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Storage: Paper files maintained in three-ring binders and in file folders.

Retrievability: By name; cross-reference to travel authorization number filed by appropriation/allotment chargeable.

Safeguards: Records are under surveillance by authorized employees during the working hours, and by security guards after official working hours.

Retention and disposal: Alphabetical copy of travel authorizations destroyed 3 years after close of fiscal year in which issued. Folders destroyed between 4 and 10 years after close of fiscal year, depending upon the type of travel.

System manager(s) and address: Chief, Finance and Data Management Division, U.S. Information Agency, 1776 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Standard forms and Agency forms prepared in connection with official travel by personnel.

USIA—52

System name: Source File—IMV-USIA

System location: Motion Picture and Television Service, U.S. Information Agency, 601 D Street, N.W., Washington, D.C. 20547

Categories of individuals covered by the system: Individuals in the audio-visual field who are in contact with the International Communications Media Staff on attestation, film festivals and other activities.

Categories of records in the system: Biographical data, press releases, routine correspondence, and similar material.

Authority for maintenance of the system: To provide a source of information file for the International Communications Media Staff on subjects such as attestation and film festivals.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful legal authority to maintain such information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records in file folders.

Retrievability: By name of individual concerned.

Safeguards: Maintained in locked file cabinets and available only to authorized personnel.

Retention and disposal: Files are reviewed approximately every 5 years and retained, retired or destroyed as appropriate.

System manager(s) and address: Chief, International Communications Media Staff, U.S. Information Agency, 601 D Street, N.W., Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of the Federal Register.

Record source categories: Information is provided by the individual concerned or from published sources.

In addition, the Agency proposes to adopt the following system of records, "USIA-53-Privacy Act/Freedom of Information Act File-I/R-USIA," which has not been announced heretofore because of administrative oversight:

USIA—53

System name: Privacy Act-Freedom of Information Act file—I/R-USIA.

System location: Office of Public Information, U.S. Information Agency, 1750 Pennsylvania Avenue, N.W., Washington, D.C. 20547.

Categories of individuals covered by the system: Individuals who have requested documents, records or other information concerning themselves from the Agency pursuant to the Freedom of Information Act (5 U.S.C. 552), or the Privacy Act of 1974, (5 U.S.C. 552a).

Categories of records in the system: Personal information that may be contained in reports, memoranda, letters, or any other official or unofficial documents that are relevant to the request.

Authority for maintenance of the system: 5 U.S.C. 552 and 5 U.S.C. 552a.

Routine uses of records maintained in the system, including categories of users and the purpose of such users:

For processing of requests received pursuant to the Freedom of Information and Privacy Acts.

Also see Prefatory Statement of General Routine Uses.

Information is made available on a need-to-know basis to personnel of the U.S. Information Agency as may be required in the performance of their official duties.

Information in these records is not normally available to individuals or agencies outside the U.S. Information Agency, but records may be released to other government agencies who have statutory or other lawful authority to maintain such information.

Storage: Paper records in file folders.

Retrievability: By name of individual requesting the information.

Safeguards: Records are under surveillance by authorized employees during working hours, and are stored in combination-lock cabinets when not in use.

Retention and disposal: Retired and destroyed in accordance with schedules of the U.S. Information Agency.

System manager and address: Access to Information Officer, Office or Public Information, U.S. Information Agency, Washington, D.C. 20547.

Notification procedure: Assistant Director (USIA), Public Information, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Record access procedures: Requests from individuals should be addressed to: Assistant Director (USIA), Public Infomation, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547.

Contesting record procedures: The Agency's rules for access and for contesting contents and appealing initial determinations by the individual concerned appear at 22 CFR, Chapter V, Part 505 and were published in the Federal Register on October 21, 1975 (40 FR 49278) and on September 22, 1976 (41 FR 11424).

Record source categories: Compiled as a result of requests under the Freedom of Information Act and the Privacy Act.

Systems exempted from certain provisions of the act: Certain records contained within this system of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I), and (f). See amendments to 22 CFR, Chapter V, Part 505.15 as published in the proposed rule section of the Federal Register for December 10, 1976.

APPENDIX I

Prefatory Statement of General Routine Uses

The following routine uses apply to, and are incorporated by reference into, each system of records set forth above.

1. In the event that a system of records maintained by the Agency 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 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.

2. 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.

3. 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.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

5. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 22 CFR 505 if, in the sole judgment of the Agency, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 22 CFR 505.6.

6. The information contained in this system of records will be disclosed 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.

7. A record from this system of records may be disclosed to an authorized appeal grievance examiner; a formal complaints examiner; an equal employment opportunity investigator; an arbitrator or other duly authorized official engaged in investigation or settlement of a grievance, complaint or appeal filed by an employee. A record from this system of records may be disclosed to the U.S. Civil Service Commission in accordance with the Agency's responsibility for evaluation and oversight of federal personnel management.

8. A record from this system of records may be disclosed to authorized employees of a federal agency for purposes of audit.

9. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

10. A record from this system of records may be disclosed, as a routine use, to the Department of State and its posts abroad for the purpose of transmission of information between organizational units of the Agency, or for purposes related to the responsibilities of the Department of State in conducting foreign policy or protecting United States citizens, such as the assignment of employees to positions abroad, the reporting of accidents abroad, evacuation of employees and dependents, and other purposes for which officers and employees of the Department of State have a need for the records in the performance of their official duties.

11. A record in this system of records may be disclosed, as a routine use, to a foreign government or international agency when necessary to facilitate the conduct of U.S. relations with that government or agency through the issuance of such documents as visas, country clearances, identification cards, drivers' licenses, diplomatic lists, licenses to import or export personal effects, and other official documents and permits routinely required in connection with the official service or travel abroad of the individual and his or her dependents.

12 A record in this system of records may be disclosed, as a routine use, to Federal agencies with which the Agency has entered into an agreement to provide services to assist the Agency in carrying out its functions under the Foreign Assistance Act of 1961, as amended Such disclosures would be for transmitting information between organizational units of the Agency, for providing to the original employing agency information concerning the services of its employee while under the supervision of the Agency, including performance evaluations, reports of conduct, awards and commendations and information normally obtained in the course of personnel administration and employee supervision, or for providing other information directly related to the purpose of the inter-agency agreement as set forth therein, and necessary and relevant to its implementation

13 A record in this system of records may be disclosed, as a routine use, to the Department of Justice to determine whether disclosure thereof is required by the Freedom of Information Act (5 U S.C 552)

14 A record in this system of records may be disclosed, as a routine use, when the information is subject to exemption under the Freedom of Information Act (5 U S.C 552) but the Agency, in its discretion, determines not to assert the exemption.

15 A record from this system of records may be disclosed, as a routine use, only to State and local taxing authorities with which the Secretary of the Treasury has entered into agreements and only to those State and local taxing authorities for which the employee is subject to tax (whether or not tax is withheld).

[FR Doc.77-27847 Filed 9-21-77;8:45 am]

Title 32—National Defense

CHAPTER XIX—CENTRAL INTELLIGENCE AGENCY

PART 1901—RULES AND REGULATIONS TO IMPLEMENT THE PRIVACY ACT OF 1974

Sec.

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1901.3 Definitions.
1901.11 Procedures for requests pertaining to individual records in a record system.
1901.13 Requirements for identification of individuals making requests.
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1901.17 Appeal of determination to deny access to requested record.
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1901.51 Penalties.
1901.61 General exemptions.
1901.71 Specific exemptions.

AUTHORITY: 5 U.S.C. 552a; 5 U.S.C. 553.

§ 1901.1 Purpose and scope.

(a) This proposed regulation is published pursuant to the Privacy Act of 1974 (5 U.S.C. 552a). This proposed regulation establishes procedures by which an individual may request notification of whether the Central Intelligence Agency maintains a record pertaining to him in any non-exempt portion of a system of records or any non-exempt system of records, request a copy of such record, request that the record be amended, appeal any initial adverse determination of any request to deny access to or amend a record and submit additional data to augment or correct such record. The proposed regulation further specifies those systems of records or portions of systems of records the Director has determined to exempt from the procedures established by this regulation and from certain provisions of the Act.

(b) The purpose of the proposed general exemption, in the instance of polygraph records, is to prevent access and review of records which intimately reveal a CIA security method. The purpose of the proposed general exemption from the provisions of subsections (c)(3) and (e)(3)(A–D) is to avoid disclosures that may adversely affect ongoing operational relationships with other intelligence and related organizations and thus reveal or jeopardize intelligence sources and methods or risk exposure of intelligence sources and methods in the processing of covert employment applications.

(c) The purpose of the proposed general exemption from subsections (d), (e)(4)(G), (f)(1) and (g) of the Act is to protect only those portions of systems of records which if revealed would risk exposure of intelligence sources and methods or hamper the ability of the CIA to effectively use information received from other agencies or foreign services.

(d) It should be noted that by subjecting information which would consist of, reveal or pertain to intelligence sources and methods to separate determinations by the Director of Central Intelligence under § 1901.61 (c) and (d) regarding access and notice, an intent is established to apply the exemption from access and notice only in those cases where notice in itself would constitute a revelation of intelligence sources and methods. In all cases where only access to information would reveal such source or method, notice will be given upon request.

(e) The purpose of the proposed specific exemptions provided for under section (k) of the Act is to exempt only those portions of systems of records which would consist of, pertain to or reveal that information which is enumerated in the above noted section (k).

(f) In each case, the Director of Central Intelligence has determined that the enumerated classes of information should be exempt in order to comply with directives in Executive Order 11652 dealing with the proper classification of national defense or foreign policy information; protect the privacy of other persons who supplied information under an implied or express grant of confidentiality in the case of law enforcement or employment and security suitability investigations or promotion material in the case of the armed services; protect information used in connection with assisting in protective services under 18 U.S.C. 3056; protecting the efficacy of testing materials; and protect information or grouping of information about required by statute to be maintained and used solely as statistical records.

§ 1901.3 Definitions.

For the purposes of this Part;

(a) "Agency" means each authority of the United States Government as defined in 5 U.S.C. 552(e).

(b) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence who is a living being and to whom a record might pertain.

(c) "Maintain" means maintain, collect, use, or disseminate.

(d) "Record" means an item, collection which would constitute information an individual that is maintained by the Central Intelligence Agency.

(e) "System of Records" means a group of any records under the control of the Central Intelligence Agency from which records are retrieved by the name of the individual or by some identifying number, symbol or other identifying particular assigned to the individual.

(f) "Routine use" means (with respect to the disclosure of a record) the use of such record for a purpose which is compatible with the purpose for which the record is maintained.

§ 1901.11 Procedures for requests pertaining to individual records in a record system.

(a) An individual seeking notification of whether a system of records contains a record pertaining to him or an individual seeking access to information or records pertaining to him which is available under the Act shall address his request in writing to the Privacy Act Coordinator, Central Intelligence Agency, Washington, D.C 20505

(b) In addition to meeting the identification requirements set forth in § 1901.13 individuals seeking notification or access shall, to the best of their ability, describe the nature of the record sought and the system in which it is thought to be included, as described in the Notices of Records Systems which is published in the August 28, 1975 issue of the FEDERAL REGISTER.

§ 1901.13 Requirements for identification of individuals making requests.

(a) An individual seeking access to or notification of the existence of records about himself shall provide in the letter of request his full name, address, date and place of birth together with a notarized statement swearing to or affirming his identity. If it is determined by the Privacy Act Coordinator that this information does not sufficiently identify the individual, the Privacy Act Coordinator may request additional identification from the individual or clarification of information submitted by the individual.

(b) In the case of an individual who is an alien lawfully admitted for permanent residence, said individual shall provide, in addition to the information required under paragraph (a) of this section, his or her Alien Registration number.

(c) The parent or guardian of a minor or a person judicially determined to be incompetent shall, in addition to establishing the identity of the minor or person represented as required in paragraph (a) or (b) of this section, establish evidence of such parentage or guardianship by providing a copy of the minor's birth certificate or the court order establishing such guardianship.

§ 1901.15 Disclosure of requested information to individuals.

(a) The Privacy Act Coordinator shall within ten days (excluding Saturdays, Sundays and legal holidays) send the requester written acknowledgment pursuant to § 1901.11 of receipt of the request.

(b) Responses to requests made pursuant to § 1901.11 will be made promptly by the Privacy Act Coordinator.

(c) The Privacy Act Coordinator upon receipt of a request made pursuant to § 1901.11 shall refer the request to the responsible components.

(d) The responsible components shall:

(1) Determine whether a record exists; and

(2) Determine whether access may be available under the Act.

(e) The responsible components shall inform the Privacy Act Coordinator of any determination made pursuant to paragraph (c) (1) or (2) of this section. The Privacy Act Coordinator shall, in turn, notify the individual of the determination and shall provide copies of records determined to be accessible if copies have been requested. In the event that information pertaining to the individual in a CIA record system was received

from another Federal agency, the individual will be so notified and that information shall be referred to the originating agency.

(f) If a determination has been made not to give access to requested records the Privacy Act Coordinator shall inform the individual of the reason therefore and the right of appeal of this determination by the responsible components under § 1901.17.

(g) This section shall not be construed to allow access to information determined to be exempt under determinations made pursuant to 5 U.S.C. 552a (j) and (k).

§ 1901.17 Appeal of determination to deny access to requested record.

(a) Any individual whose request made pursuant to § 1901.11 is refused may appeal by submitting a written statement setting forth the basis for the appeal to the Privacy Act Coordinator. Persons who require procedural guidance in preparing an appeal to the Agency's initial refusal to provide records may write for assistance to the Privacy Act Coordinator, Central Intelligence Agency, Washington, D.C. 20505.

(b) The Privacy Act Coordinator, upon receipt of the appeal letter, shall promptly refer the appeal to the Deputy Directors of the responsible components and shall inform the Deputy Directors of the date of receipt of the appeal and shall request the Deputy Directors make a determination on the appeal within thirty days (excluding Saturdays, Sundays or legal holidays).

(c) The Deputy Directors of the responsible components, or senior officers designated by them, shall review the initial decision to deny access to the requested records and shall inform the Privacy Act Coordinator of the review determination. The Privacy Act Coordinator shall, in turn, notify the individual of the result of the determination. If the determination reverses the initial denial, the Privacy Act Coordinator shall provide copies of the records requested. If the determination upholds the initial denial the Privacy Act Coordinator shall inform the individual of his right to judicial review as provided for by this Part.

§ 1901.19 Special procedures for disclosure of medical and psychological records.

(a) When a request for copies of medical records is made by an individual and when the Privacy Act Coordinator determines that such medical and psychological records are not exempt from disclosure, the Privacy Act Coordinator, after consultation with Director of Medical Services, may determine (1) which medical or psychological records may be sent directly to the requestor and (2) which medical or psychological records should not be sent directly to the requestor because of possible harm to the individual. In the case of paragraph (a) (2) of this section, the Privacy Act Coordinator shall so notify the requestor.

(b) When a determination has been made not to make medical or psychological records noted in paragraph (a) of this section available to the individual the Privacy Act Coordinator shall inform the individual that the medical or psychological record will be made available to a physician of the individual's choice if the individual specifically requests. Upon receipt of such request and after proper verification of the identity of the physician, the Privacy Act Coordinator shall send such records to the named physician.

§ 1901.21 Request for correction or amendment of record.

(a) An individual may request amendment or correction of a record pertaining to him by addressing such request by mail to the Privacy Act Coordinator, Central Intelligence Agency, Washington, D.C. 20505. The request shall identify the particular record the individual wishes to amend or correct, the nature of the correction or amendment sought, and a justification for such correction or amendment.

(b) Within ten days of receipt of the request by the Privacy Act Coordinator (excluding Saturdays, Sundays and legal holidays) the Privacy Act Coordinator shall acknowledge receipt of the request.

(c) The Privacy Act Coordinator shall refer such requests to the components responsible for the record upon receipt of such request, shall advise the responsible components of the date of receipt and shall request that the responsible components make an initial determination on such request within thirty days of receipt (excluding Saturdays, Sundays and legal holidays).

(d) The responsible components shall:

(1) Make any correction or amendment to any portion of the record which the individual believes is not accurate, relevant, timely, or complete, and inform all other identified persons or agencies to whom the record has been amended and inform the Privacy Act Coordinator of this action; and the Privacy Act Coordinator shall, in turn, promptly inform the requester; or

(2) Determine that the requested correction or amendment will not be made and shall so inform the Privacy Act Coordinator who, in turn, shall promptly inform the individual, setting out the reasons for the refusal and advising the individual of the right of appeal to Deputy Directors of the responsible components under § 1901.23.

§ 1901.23 Appeal of initial adverse agency determination on correction or amendment.

(a) Any individual whose request made pursuant to § 1901.21 is refused may appeal such refusal.

(b) Appeals shall be sent in writing to the Privacy Act Coordinator and shall identify the particular record which is the subject of the appeal and shall state the basis for the appeal.

(c) The Privacy Act Coordinator, upon receipt of the appeal letter, shall promptly refer the appeal to the Deputy Directors of the responsible components and shall inform the Deputy Directors of the date of receipt of the appeal and shall direct that the Deputy Directors make a determination on the appeal within thirty days (excluding Saturdays, Sundays or legal holidays).

(d) The Deputy Directors of the responsible components, or senior officers designated by them, shall determine whether or not to amend the record and shall inform the Privacy Act Coordinator of the determination. The Privacy Act Coordinator shall, in turn, notify the individual of the result of the determination, and inform the individual of his right to submit a statement pursuant to paragraph (e) of this section or to judicial review as provided for in this Part.

(e) If, on appeal, the refusal to amend or correct the record is upheld, the individual may file a concise statement setting forth the reasons for his disagreement with the determination. This statement shall be sent to the Privacy Act Coordinator, Central Intelligence Agency, Washington, D.C. 20505, within thirty days of notification of refusal to correct or amend the record. The System Manager shall clearly note any portion of the record which is disputed, and provide copies of the statement and, if the System Manager deems it appropriate, copies of a concise statement of reasons for not making the requested amendments to all other identified persons or agencies to whom the disputed record has been disclosed.

(f) The Director of Central Intelligence may extend up to thirty days the time period prescribed in paragraph (c) of this section within which to make a determination on an appeal from a refusal to amend or correct a record if it is found that a fair and equitable review cannot be completed within the prescribed time.

§ 1901.31 Disclosure of a record to a person other than the individual to whom it pertains.

(a) No record which is within a system of records shall be disclosed by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure of the record would be:

(1) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(2) Required under 5 U.S.C. 552.

(3) For a routine use as defined in section 1901.3(f), as contained in the Notice of Systems published in the FEDERAL REGISTER of August 28, 1975 and as described in subsection (e) (4) (D) of the Act.

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be

transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

§ 1901.41 Fees.

(a) No fee shall be charged for the provision of copies of records requested under the Privacy Act (5 U.S.C. 552a).

§ 1901.51 Penalties.

(a) Criminal penalties may be imposed against any officer or employee of the CIA who, by virtue of his employment, has possession of, or access to, Agency records which contain information identifiable with an individual, the disclosure of which is prohibited by the Act or by these rules, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it.

(b) Criminal penalties may be imposed against any officer or employee of the CIA who willfully maintains a system of records without meeting the requirements of subsection (e)(4) of the Act (5 U.S.C. 552a(e)(4)).

(c) Criminal penalties may be imposed upon any person who knowingly and willfully requests or obtains any record concerning an individual from the CIA under false pretenses.

§ 1901.61 General exemptions.

(a) Pursuant to authority granted in section (j) of the Act (5 U.S.C. 552a(j)) the Director of Central Intelligence has determined to exempt from all sections of the Act except 552a(b), (c)(1) and (2), (e)(1)(4)(A) through (F), (e)(5), (6), (7), (9), (10), and (11), and (i) the following systems of records or portions of records in a system of record:

(1) Polygraph records.

(b) Pursuant to authority granted in section (j) of the Act the Director of Central Intelligence has determined to exempt from subsections (c)(3) and (e)(3) (A through D) of the Act all systems of records maintained by the CIA.

(c) Pursuant to authority granted in subsection (j) of the Act the Director of Central Intelligence has determined to exempt from notification under subsections (e)(4)(G) and (f)(1) those portions of each and all systems of records which have been exempted from individual access under subsection (j), in those cases where the Privacy Act Coordinator determines after advice by the responsible components, that confirmation of the existence of a record may jeopardize intelligence sources and methods. In such cases the CIA may choose to neither confirm nor deny the existence of the record and may advise the individual that there is no record which is available to him pursuant to the Privacy Act of 1974.

(d) Pursuant to authority granted in subsection (j) of the Act the Director of Central Intelligence has determined to exempt from access by individuals under subsection (d) of the Act those portions and only those portions of all systems of records maintained by the CIA that;

(1) Consist of, pertain to, or would otherwise reveal intelligence sources and methods

(2) Consist of documents or information provided by foreign, federal, state, or other public agencies or authorities.

(e) Pursuant to authority granted in subsection (j) of the Act the Director of Central Intelligence has determined to exempt from judicial review under subsection (g) of the Act all determinations to deny access under section (d) of the Act and all decisions to deny notice under subsections (e)(4)(G) and (f)(1) of the Act pursuant to determination made under paragraph (c) of this section when it has been determined by an appropriate official of the CIA that such access would disclose information which would;

(1) Consist of, pertain to or otherwise reveal intelligence sources and methods;

(2) Consist of documents or information provided by foreign, federal, state, or other public agencies or authorities.

§ 1901.71 Specific exemptions.

(a) Pursuant to authority granted in subsection (k) of the Act (5 U.S.C. 552a(k)) the Director of Central Intelligence has determined to exempt from subsection (d) those portions and only those portions of all systems of records maintained by the CIA that would consist of, pertain to or would otherwise reveal information that is;

(1) Subject to the provisions of section 552(b)(1) of Title 5 U.S.C.;

(2) Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of the Act; *provided, however*, That if any individual is denied any right, privilege, or benefit that he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished the information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

(3) Maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18;

(4) Required by statute to be maintained and used solely as statistical records;

(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

(6) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(7) Evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

Title 41—Public Contracts of Property Management

CHAPTER 51—COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

PART 51–8—PRIVACY ACT RULES

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51–8.601 [Reserved].

Subpart 51–8.7—Rules of Conduct for Disclosure of Information About an Individual

Sec.
51–8.701 Committee rules of conduct.

AUTHORITY: Pub. L. 93–579, 31 December 1974 5 U.S.C. 552a.

Subpart 51–8.1—General Policy

§ 51–8.101 Maintenance of records.

§ 51–8.101–1 Collection and use.

Any information used in whole or in part in making a determination about an individual's rights, benefits, or privileges under the Committee programs, shall, to the extent practicable, be collected directly from the subject individual. At the time information is collected, the individual must be informed of the authority for collecting such information, whether providing the information is mandatory or voluntary, the purposes for which the information will be used, the routine uses as published in the FEDERAL REGISTER, and the effects on the individual, if any, of not providing the information. The information collected shall be used only for the intended purpose or permission for additional use will be obtained from the subject individual.

§ 51–8.101–2 Standards of accuracy.

The Executive Director shall ensure that all records which are used by the agency to make determinations about any individual are maintained with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual. Upon petition by an individual, the Executive Director shall provide the individual with the opportunity to review his records, and to request amendment of a portion which the individual believes is not accurate, relevant, timely or complete. Prior to dissemination of records about any individual to any person or to another agency, exclusive of disclosure pursuant to the Freedom of Information Act, the Executive Director shall make reasonable effort to ensure that such records are accurate, complete, timely, and relevant.

§ 51–8.101–3 Content of systems of records.

The Executive Director shall maintain in records only such information about an individual as is relevant and necessary to accomplish an agency purpose required by statute or executive order. Such records shall not contain any information describing how any individual exercises rights guaranteed by the First Amendment unless specifically authorized by statute, by the subject individual, or is pertinent to and within the scope of an authorized law enforcement activity. For these purposes, First Amendment rights include, but are not limited to, religious and political beliefs, freedom of speech, the press, assembly, and freedom to petition.

§ 51–8.101–4 Rules of conduct.

Any employee of the Committee involved in the design, development, operation or maintenance of any system of records, or in maintaining any record, shall review the provisions of 5 U.S.C. 552a and these regulations, and shall conduct himself accordingly with the rules of conduct concerning the protection of personal information outlined in 41 CFR 51–8.7, Disclosure of Information about an Individual.

§ 51–8.101–5 Safeguarding systems of records.

The Executive Director shall ensure that appropriate administrative, technical and physical safeguards are established to ensure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained.

§ 51–8.102 Availability of records.

Committee records pertaining to an individual shall be made available to the subject individual to the greatest extent possible. Disclosures of records to other than the subject individual will be made only in accordance with subpart 51–8.2.

§ 51–8.102–1 Specific exemptions.

Systems of records maintained by the Committee which have been exempted from certain requirements of the Privacy Act are designated in subpart 51–8.6. An individual shall have access to all exempted records containing information about him under procedures outlined in subpart 51–8.3. Upon request, an individual shall receive an accounting of any disclosure of information about him.

Subpart 51–8.2—Disclosure of Records

§ 51–8.201 Conditions of disclosure.

No Committee member or employee of the Committee shall disclose any record to any person or to another agency without the express written consent of the subject individual unless the disclosure is:

(a) To Committee members or employees who have a need for the information in the official performance of their duties.

(b) Required under the provisions of the Freedom of Information Act.

(c) For a routine use as published in the annual notice in the FEDERAL REGISTER.

(d) To the Bureau of Census for uses pursuant to Title 13.

(e) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record and the record is to be transferred in a form that is not individually identifiable. The written statement should include as a minimum:

(1) A statement of the purpose for requesting the records, and

(2) Certification that the records will be used only for statistical purposes.

These written statements shall be maintained as records. In addition to stripping personally identifying information from records released for statistical purpose, the Committee will ensure that the identity of the individual cannot reasonably be deducted by combining various statistical records.

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value.

(g) To another agency or instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written re-

quest to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought.

(h) To a person showing compelling circumstances affecting the health and safety of an individual (not necessarily the individual to whom the record pertains). Upon such disclosure, a notification of such shall be sent to the last known address of the individual.

(i) To either House of Congress or to a subcommittee or committee (joint or of either House, to the extent that the subject matter falls within their jurisdiction).

(j) To the Comptroller General, or any of his authorized representatives in the course of the performance of the duties of the General Accounting Office, or

(k) Pursuant to the order of the court of competent jurisdiction.

§ 51–8.202 Accounting of disclosures.

(a) Except for disclosures made pursuant to paragraph (a) and (b) of subpart 51–8.201, an accurate accounting of each disclosure will be made and retained for five years after the disclosure or for the life of the record, whichever is longer. The accounting will include the date, nature, and purpose of each disclosure, and the name and address of the person or agency to whom the disclosure is made.

(b) The accounting will be recorded and maintained in any manner the Executive Director determines is satisfactory for the purposes of constructing a listing of all disclosures, and for providing a cross reference to the justification or basis upon which the disclosure was made, including written documentation required when records are released for statistical or law enforcement purposes and any written consents provided by the individual.

(c) Except for disclosures made to agencies or instrumentalities in law enforcement activities in accordance with Section 51–8.201(2) or for disclosures made from systems exempted from this requirement of the Act as outlined in subpart 51–8.6, the accounting of disclosures will be made available to the individual upon request. Procedures for requesting access to the accounting are outlined in subpart 51–8.3.

Subpart 51–8.3—Individual Access to Records

§ 51–8.301 Notification.

Any individual who wishes to determine if a system of records maintained by the Committee contains a record pertaining to him should direct a request to the Executive Director at the address indicated in the public notice describing the system of records which has been published in the FEDERAL REGISTER. The request should display clearly the legend "Privacy Act Request" both on the face of the request letter and on the face of the envelope. The request letter should contain the complete name and identifying number of the system as published in the FEDERAL REGISTER; the full name, address, and telephone number of the subject individual; a brief description of the nature, time, place and circumstances of the individual's association with the Committee and any other information which the individual believes would facilitate the Executive Director's determination whether the individual's name is included in the system of records. The Executive Director shall answer or acknowledge the request within ten working days.

§ 51–8.302 Times, places and requirements for access requests.

Records will be available for authorized access during normal business hours at the offices where the records are located. A requester should be prepared to identify himself through production of a driver's license, student or employee identification card, or other identification acceptable to the Executive Director. When the disclosure of records to the wrong individual would result in substantial harm, embarrassment, inconvenience, or unfairness to the subject individual, the Executive Director may require a notarized statement of identity. The Executive Director shall ensure that such times, places, and requirements for identification are not excessive and do not restrict individual access unduly.

§ 51–8.303 Access procedures.

§ 51–8.303–1 Form of requests.

(a) An individual must request access to his record in writing. The Executive Director shall accept by telephone only general inquiries for information regarding systems of records or procedures.

(b) A written request should be directed to the Executive Director as listed in the public notice describing the system of records. The individual should display clearly on the face of the request letter and on the face of the envelope the legend "Privacy Act Request", and include the complete name and identifying number of the system as published in the FEDERAL REGISTER; the full name, address, the telephone number of the individual; a brief description of the nature, time, place and circumstances of the individuals association with the Committee; and any other information which the individual believes would facilitate the Executive Director's search for the record.

(c) An individual who wishes to have a person of his choosing accompany him in reviewing a record must sign a statement authorizing the disclosure of his record in the presence of another individual, is so requested by the Executive Director. An individual who intends to visit the Committee office in order to review a record should make an appointment with the Executive Director at least one week in advance.

§ 51–8.303–2 Special requirements for medical/psychological records.

(a) The Executive Director may require an individual who requests access to his medical or psychological record to designate a physician of his choice to whom he may disclose the individual's record if in the opinion of the Executive Director, disclosure directly to the individual might be harmful.

(b) The Executive Director shall mark records which should not be disclosed directly to the subject individual and shall inform an individual requesting such records of the requirement to designate a physician to whom the records can be disclosed.

§ 51–8.303–3 Granting access.

(a) Upon receipt of a request for access to non-exempt records, the Executive Director shall make such records available to the individual, or shall acknowledge the request within ten working days. The acknowledgment shall indicate when the Executive Director will make the record available.

(b) If the Executive Director anticipates more than ten days in making a record available he also shall include in the acknowledgment specific reasons for the delay.

(c) If an individual's request for access does not contain sufficient information to permit the Executive Director to locate the record, the Executive Director shall request additional information from the individual and shall have ten working days following receipt of the additional information in which to make the record available, or to acknowledge receipt of the request and indicate when the record will be available. In no case shall more information be requested from the individual than that contained in the pertinent system of records.

(d) The Executive Director, at his discretion, either shall permit an individual to examine the original of the record, or shall provide the individual with a copy of the record. Fees shall be charged only for copies requested by the individual and not for copies provided to the individual for convenience of the agency.

(e) An individual may request to pick up a record in person or receive it by mail, directed to the name and address provided by the individual in his request. The Executive Director shall not make a record available to a third party for delivery to the subject individual, except in the case of medical records outlined in § 51–8.303–2.

(f) The Executive Director shall maintain in an individual's record an accounting of disclosures to the individual's documenting compliance with the request.

(g) The procedures for access to an accounting of disclosures is identical to the procedure for access to a record as set forth in this subsection.

§ 51–8.303–4 Denials of access.

(a) The Executive Director may deny any individual access to his record only on the grounds that the Committee has published rules in the FEDERAL REGISTER

exempting the pertinent system of records from the access requirement.

(b) Upon receipt of a request for access to an exempt system, the Executive Director shall prepare a letter denying access. The letter of denial shall contain a justification for denial of access which includes appropriate citation to the exemption provisions of these rules or other FEDERAL REGISTER notice exempting the system.

§ 51–8.304 Fees.

§ 51–8.304–1 Records available without charge.

The Executive Director shall make one copy of a record available to an employee without charge, and may waive the fee requirement for any other individual requesting records if the cost of collecting the fee is an unduly large part of, or greater than, the fee, or when furnishing the record without charge conforms to generally established business custom or is in the public interest.

§ 51–8.304–2 Records available at a fee.

The Executive Director shall provide one copy of a record to the individual at a fee proscribed in § 51.8.304–5. A reasonable number of additional copies will be provided for the applicable fee where reproduction services are not readily available.

§ 51–8.304–3 Prepayment of fees over $25.

When the Executive Director determines that the anticipated total fee is likely to exceed $25, he shall notify the individual that he must prepay the anticipated fee prior to making the records available. The Committee will remit the excess paid by the individual or bill the individual for an additional amount according to variations between the final fee charged and the amount prepaid.

§ 51–8.304–4 Form of payment.

Payment shall be by check or money order payable to the Committee for Purchase from the Blind and Other Severely Handicapped and shall be addressed to the Executive Director.

§ 51–8.304–5 Reproduction fee schedule.

(a) The fee for reproducing a copy of a record (by routine electrostatic copying) up to and including material 8½ x 14 inches shall be $0.10 per page.

(b) The fee for reproducing a copy of a record over 8½ x 14 inches or whose physical characteristics do not permit reproduction by routine electrostatic copying shall be the direct cost of reproducing the records through Government or commercial sources.

Subpart 51–8.4—Requests To Amend Records

§ 51–8.401 Submission of requests to amend records.

An individual who desires to amend any record or information pertaining to him should direct a written request to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street, N., Arlington, Virginia 22201.

A request should bear the legend "Privacy Act—Request to Amend Record" prominently marked on both the face of the request letter and the envelope.

§ 51–8.402 Review of requests to amend records.

(a) Upon receipt of a request to amend a record, the responsible official, whenever practicable shall complete the review and advise the individual of the results within ten working days. If a determination cannot be made within ten working days, the Executive Director, within ten working days, shall send the individual a written acknowledgment of receipt of the request including a description of the request and the date when the requester may except to be advised of action taken on the request. Except in unusual circumstances, the Executive Director shall complete the review within 30 working days. In unusual circumstances, causing delay beyond the 30 day limit, the Executive Director shall inform the individual in writing of the cause of delay, the actions taken to review the record, and the date the Executive Director anticipates the review to be complete.

(b) When reviewing a record in response to a request to amend, the Executive Director shall assess the accuracy, relevance, timeliness, and completeness of the record to ensure fairness to the individual in any determination made on the basis of the record. With respect to a request to delete information, the Executive Director also shall review the request and record to determine whether the information is relevant and necessary to accomplish an agency purpose required to be accomplished by law or Executive Order.

§ 51–8.403 Approval of requests to amend.

If the Executive Director agrees to amend a record, he promptly shall make the necessary corrections to the record and shall send a copy of the corrected record to the individual. Where an accounting of disclosure has been maintained, he shall advise all previous recipients of the record of the fact that a correction was made of/and the substance of the correction. Where practicable, the Executive Director shall send a copy of the corrected record to previous recipients.

§ 51–8.404 Refusal of request to amend.

(a) The Executive Director, or any official acting for him, shall have the authority to issue an initial refusal of a request to amend a record within his custody and shall be responsible for the initial adverse agency determination.

(b) If the Executive Director, after reviewing the request to amend a record, determines not to amend the record, he promptly shall advise the requester in writing of the determination. The refusal letter (1) shall state the reasons for refusal, (2) shall state the requester's right to seek a review of the initial determination, and (3) shall state the procedures for requesting such review.

§ 51–8.405 Request of review of refusal to amend a record.

(a) An individual who disagrees with the refusal to amend may appeal that refusal with the Committee. An individual should address a request for review of a refusal to amend any record, exclusive of a personnel record of a current Committee employee to the Chairman, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 14th Street N., Suite 610, Arlington, Virginia 22201.

(b) A request to review must be in writing and should include a copy of the initial request and refusal to amend. The request to review should bear the legend "Privacy Act—Request for Review of Refusal to Amend" on both the face of the letter and the envelope. The Chairman shall complete the review and make a determination no later than 30 working days after receipt of the request for review, unless a determination is made to extend the 30 day period. If a determination is made to extend the 30 day period, the Chairman shall notify the requester in writing of the reasons for the delay and the date when the review will be completed.

(c) Upon receipt of a request to review a refusal to amend, the Chairman shall undertake an independent review of the request and initial determination. If, after conducting the review, the Chairman agrees to amend, he shall notify the requester promptly in writing of the determination, amend the record, and notify previous recipients in accordance with § 51–8.403.

(d) If, after conducting the review, the Chairman agrees with the refusal to amend the record, he shall notify the requester promptly in writing of the determination. The notification shall include the reasons for the refusal, and shall advise the individual of his right to file a statement of disagreement, and the procedures for doing so. The Chairman also shall advise the individual that such statement of disagreement will be made available in any subsequent disclosures of the record together with a concise statement summarizing reasons for refusal where the responsible official deems it appropriate. The Chairman also will advise the individual of his right to bring civil action against the agency in a district court of the United States.

Subpart 51–8.5—Report on New Systems and Alteration of Existing Systems

§ 51–8.501 Reporting requirement.

(a) No later than 30 days prior to the establishment of a new systems of

records, the Executive Director shall submit a copy of the proposal to the President of the Senate, the Speaker of the House of Representatives, and the Director of the Office of Management and Budget for their evaluation of the probable or potential effect of such proposal on the privacy and other personal or property rights of individuals of the disclosure of information relating to such individuals.

(b) No later than 30 days prior to the alteration of a system of records, the Executive Director for the maintenance of that system of records shall submit a copy of the proposal to the President of the Senate, the Speaker of the House of Representatives, and the Director of the Office of Management and Budget for their evaluation of the probable or potential effect of such proposal on the privacy and other personal or property rights of individuals of the disclosure of information relating to such individuals.

§ 51–8.502 Federal Register Notice of Establishment of New System or Alteration of Existing System.

(a) When the Executive Director receives notice that the Senate, the House of Representatives, and the Office of Management and Budget do not object to the establishment of a new system of records, or the alteration of an existing system of records, or

(b) When no fewer than 30 days elapse from the submission of the proposal to the Senate, the House of Representatives, and the Office of Management and Budget, without receipt by the Executive Director of an objection to the proposal, then a notice shall be published in the FEDERAL REGISTER of the proposed establishment or alteration of a system of records. The notice shall include all of the information required to be provided by the Privacy Act of 1974, and such other information as deemed necessary.

§ 51–8.503 Effective date of new systems of records or alteration of an existing system of records.

Systems of records proposed to be established or altered in accordance with the provision of the subpart shall be effective no sooner than 30 days from the publication of notice required by § 51–8.502.

Subpart 51–8.6—Exemptions

§ 51–8.601 Reserved.

Subpart 51–8.7—Rules of Conduct for Disclosure of Information About an Individual

§ 51–8.701 Committee rules of conduct.

(a) Every Committee member and employee who is involved in the design, development, operation, or maintenance of a system of records, or who has access to a system of records shall familiarize himself with the requirements of the Privacy Act of 1974 (5 U.S.C. 552a) and the Committee regulations and orders issued thereunder and apply these requirements to all systems of records.

(b) No Committee member or employee shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of the individual to whom the record pertains, unless the disclosure would be to a recipient specified in paragraph c of this section. The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph. The term "system of records" means a group of any records under the control of the Committee from which information is retrieved by the name of the individual or by some identifying number symbol, or other identifying particular assigned to the individual. The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected. The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence. The term "agency" is defined in 5 U.S.C. 552(e).

(c) An employee may disclose any record which is contained in a system of records, without a written request by and without the prior written consent of the individual to whom the record pertains, if the disclosure would be:

1. To those Committee members and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

2. Required under Section 552 of Title 5 U.S.C.;

3. For a routine use as described in paragraph b, above;

4. To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 U.S.C.;

5. To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

6. To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

7. To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

8. To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

9. To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

10. To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

11. Pursuant to the order of a court of competent jurisdiction.

(d) No Committee member or employee shall maintain a record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(e) No Committee member or employee shall sell or rent an individual's name and address unless such action is specifically authorized by law.

(f) A Committee member or employee, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by paragraph a of this section or by any other rules or regulations established under the Privacy Act of 1974, and who (1) knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, or (2) willfully maintains a system of records without meeting the notice requirements of the Privacy Act of 1974, or (3) knowingly and willfully requests or obtains any record concerning an individual from any agency under false pretenses, is subject to criminal penalties and administrative sanctions. Any Committee member or employee who (1) makes a determination not to amend an individual's record in accordance with the Privacy Act of 1974, or (2) refuses to comply with an individual's request to gain access to review, and obtain a copy of any information pertaining to him, or (3) fails to maintain any record concerning any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities or of benefits to the individual that may be made on the basis of such record, and consequently a determination is made which is adverse to the individual, or (4) fails to comply with any provision of the Privacy Act of 1974 or any Committee regulation implementing it, subjects the Committee to civil penalties and himself to administrative sanctions.

Title 12—Banks and Banking

CHAPTER IV—EXPORT-IMPORT BANK OF THE UNITED STATES

PART 405—PRIVACY ACT RULES

Sec.

405.1 Purpose and scope.
405.2 Procedures for notification of existenee of records pertaining to individuals.
405.3 Proeedures for requests for access to, or disclosure of records pertaining to individuals.
405.4 Corrections of records pertaining to individuals.
405.5 Disclosure of records pertaining to individuals to agencies or to individuals other than the individual to whom such records pertain.

AUTHORITY: 5 USC 552a(f).

§ 405.1 Purpose and scope.

This Part sets forth the Eximbank procedures under the Privacy Act of 1974, as required by 5 USC 552a(f), whereby individuals may safeguard their privacy by obtaining access to and requesting corrections of those records under the control of Eximbank which contain information about them.

§ 405.2 Procedures for notification of existence of records pertaining to individuals.

(a) The systems of records, as defined in the Privacy Act of 1974, maintained by Eximbank are listed annually in the FEDERAL REGISTER as required by that Act. Any individual who wishes to know whether any of these systems of records contains a record pertaining to him or her may either appear in person at Room 1031, 811 Vermont Avenue, NW., Washington, D.C. 20571, on work days between the hours of 8:45 a.m. and 5:00 p.m. or may write to the Vice President—Administration, Export-Import Bank of the United States, 811 Vermont Avenue, N.W., Room 1031, Washington, D.C. 20571. It is recommended that requests be made in writing, as it will not always be possible to determine the existence of a record on the same day that the request is made. Verification of the identity of the requester will be in accordance with the requirements of § 405.3(a) and (b), of this section.

(b) Requests for notification of the existence of a record should specifically identify the system of records involved, and should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual. (Note that requests pursuant to the Privacy Act will not be honored by Eximbank unless made (1) by the individual to whom the record pertains, or (2) by such individual's parent, if the individual is a minor, or (3) by such individual's legal guardian, if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction). If an individual is unable to specifically identify the system of records in which that individual is interested, as above required, he or she may so inform Eximbank in writing, stating the reason for the inability, with as full a description of said system of records or the record itself as possible. Eximbank will thereupon use its best efforts to specifically identify the desired system of records.

(c) Eximbank will attempt to respond in writing to a request as to whether a record exists or for assistance in identifying the relevant system of records within 10 days from the time it receives the request or from the time any required identification is established, whichever is later.

§ 405.3 Procedures for requests for access to or disclosure of records pertaining to individuals.

(a) Verification of the identity of individuals making written requests to the Vice President—Administration for access to or disclosure of records pertaining to him or her ordinarily will not be required. The signature upon such requests shall be deemed to be a certification by the individual signing that he or she is the individual to whom the record pertains or the parent of a minor or the duly appointed legal guardian of the individual to whom the record pertains. The Vice President—Administration may, however, require additional verification of identity as specified by him in any instance in which he deems it advisable.

(b) In the case of individuals making requests by appearing at Eximbank, the amount of personal identification required will of necessity vary with the sensitivity of the record involved. Reasonable identification such as employment identification cards, drivers licenses, or credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary.

(c) Any individual (subject to the requirements of § 405.2(b) of this section) may request access to or disclosure of records pertaining to him or her by either appearing at Eximbank or by writing to Eximbank (all as provided in of § 405.2 (a) of this section). The request should specifically identify the system of records involved and the nature of the information therein which is desired. Eximbank will attempt to provide individuals who appear at Eximbank with access to their records (providing that all of the other relevant rules hereof are properly met) on the same day as their appearance, if such occurs before 11:00 a.m. Eximbank will attempt to answer written requests by making the record available within 10 working days of the request or by informing the requester of the need for additional identification or the tendering of fees (as specified in Paragraph (d) below) within said time period. If the record is to be made available, Eximbank will so notify the requester, which notice will state when the requested disclosure will be sent or when and where the records will be available for personal inspection, and, if a copy of a record has been requested, the number of pages Eximbank will copy to comply with the individual's request and that the copy will be mailed to the individual or held at Eximbank for the individual upon receipt of a check or money order payable to Eximbank for the sum due for copying these documents. In the case of an adverse determination with respect to a request, the Vice President—Administration shall so notify the individual in writing, shall specify the reasons therefor and shall advise of the procedure for appealing such adverse determination to an Executive Vice President, as specified in § 405.4(d) of this section.

(d) Charges for copies of records will be at the rate of $0.10 per photocopy of each page. Where records are not susceptible to photo-copying, e.g. punch cards, magnetic tapes or oversize materials, the amount charged will be actual cost, as determined on a case-by-case basis. Only one copy of each record requested will be supplied. No charge will be made unless the charge as computed above would exceed $3 for each request or related series of requests. If a fee in excess of $25 would be required, the requester shall be notified and the fee must be tendered before the records will be copied.

(e) If Eximbank refuses to comply with an individual's request for access, as above provided, that individual may, among other things, bring a civil action for relief against Eximbank in a district court of the United States.

(f) Any individual may also request (in accordance with the procedures above set forth) a copy of the "accounting" kept of each disclosure made by Eximbank to another person or agency (except for certain specified disclosures) of the record pertaining to that individual.

§ 405.4 Correction of records pertaining to individuals.

(a) Any individual (subject to the requirements of § 405.2(b) of this section) is entitled to request amendment of records pertaining to him or her pursuant to 5 USC 552a(d)(2). Such a request shall be made in writing and addressed to the Vice President—Administration, Export-Import Bank of the United States, 811 Vermont Avenue, NW., Room 1031, Washington, D.C. 20571.

(b) The request should specify the record and systems of records involved, and should specify the exact correction desired and state that the request is made pursuant to the Privacy Act. An edited copy of the record showing the desired correction should be submitted, if possible. Within 10 working days of the receipt of a properly addressed request (or within 10 working days of the time the Vice President—Administration becomes aware that a particular communication not addressed as prescribed above is a request for correction of a record under the Privacy Act), the Vice President—Administration shall acknowledge receipt of the request.

(c) The Vice President—Administration upon the receipt of such a request shall promptly confer with the officer responsible for the record. In the event it is felt that correction is not warranted

in whole or in part, the matter shall be brought to the attention of the General Counsel of Eximbank. If, after review by the General Counsel and discussion with the requester, if deemed helpful, it is determined that correction as requested is not warranted, a letter shall be sent by the Vice President—Administration to the requester denying his or her request and/or explaining what correction might be made if agreeable to the requester. This letter shall set forth the reasons for the refusal to honor the request for correction. It shall also inform him or her of his or her right to appeal this decision, and include a description of the appeals procedure set for in paragraph (d) of this section.

(d) An appeal may be taken from an adverse determination under paragraph (c) of this section to an Executive Vice President. Such appeal must be made in writing and should clearly indicate that it is an appeal. The basis for the appeal should be set forth in the letter, and it should be mailed to the same address as listed in paragraph (a) of this section. A hearing at Eximbank may be requested. Such hearing will be informal, and shall be before an Executive Vice President or his designee. Where no hearing is requested, an Executive Vice President shall render his decision within thirty working days after receipt of the written appeal at Eximbank, unless the Chairman of Eximbank, for good cause shown, extends the 30-day period, and the appellant is advised in writing of such extension. If a hearing is requested, then Eximbank will attempt to contact the appellant within five working days and arrange a suitable time for the hearing. In such cases the decision of an Executive Vice President shall be made within 30 working days after the hearing, unless the time is extended, as above provided, and the appellant is advised in writing of such extension.

(e) The final decision of an Executive Vice President in an appeal shall be in writing and the appellant shall be informed of the decision; if it is adverse to the appellant, the appellant shall be informed of the reasons for the refusal to amend the record and advised of his or her right to appeal the decision under 5 USC 552a(g)(1). The individual shall also be notified that he or she has the right to file with Eximbank a concise statement setting forth the reasons for his or her disagreement with the refusal of Eximbank to amend his or her record. Eximbank shall promptly inform any person or other agency about the correction of any record previously disclosed to that person or other agency (provided that an accounting of said disclosures was made). Eximbank shall, with respect to all prior disclosures and in any disclosure of a record made after the filing of a disagreement statement by the requesting individual, clearly note any portion of the record which is disputed and provide said recipient with copies of said statement, plus, at the agency's discretion, copies of a concise statement of the reasons for its decision not to make any corrections.

(f) Assistance in preparing a request to amend a record or in appealing an adverse determination on such a request may be obtained from the Office of the General Counsel of Eximbank.

§ 405.5 Disclosure of records pertaining to individuals to agencies or to individuals other than the individual to whom said records pertain.

Records subject to the Privacy Act that are requested by any individual other than the individual to whom they pertain (or as provided by § 405.2(b) of this section) will not be made available except under the following circumstances:

(a) Records required to be made available by the Freedom of Information Act will be released in response to a request formulated in accordance with regulations found at 12 CFR Part 404.

(b) Records not required by the Freedom of Information Act to be released, may be released, at the discretion of Eximbank, if the written consent of the individual to whom they pertain has been obtained or if such release would be authorized under 5 USCa (b) (1) or (3)–(11).

(c) If an individual elects to inspect a record in person and desires to be accompanied by another person, the individual shall present to the Vice President—Administration a signed statement addressed to the Vice President—Administration by that individual authorizing his or her record to be disclosed to him or her in the presence of the accompanying named person.

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Subpart E—Privacy Act Regulations

0.551 Purpose and scope; definitions.
0.552 Notice identifying Commission systems of records.
0.553 New uses of information.
0.554 Procedures for requests pertaining to individual records in a system of records.
0.555 Disclosure of record information to individuals.
0.556 Request to correct or amend records.
0.557 Administrative review of an initial decision not to amend a record.
0.558 Advice and assistance.
0.559 Disclosure of disputed information to persons other than the individual to whom it pertains.
0.560 Penalty for false representation of identity.
0.561 Exemptions.

AUTHORITY: The provisions of this Part 0 issued under secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Implement; 5 U.S.C. 552.

Subpart E—Privacy Act Regulations

§ 0.551 Purpose and scope; definitions.

(a) The purpose of this subpart is to implement the Privacy Act of 1974, 5 U.S.C. 552(a), and to protect the rights of the individual in the accuracy and privacy of information concerning him which is contained in Commission records. The regulations contained herein cover any group of records under the Commission's control from which information about individuals is retrievable by the name of an individual or by some other personal identifier.

(b) In this subpart:

(1) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(2) "Record" means any item, collection or grouping of information about an individual that is maintained by the Commission, including but not limited to, his education, financial transactions, medical history, and criminal or employment history, and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(3) "System of Records" means a group of records under the control of the Commission from which information is retrievable by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(4) "Routine Use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected;

(5) "System Manager" means the Commission official responsible for the storage, maintenance, safekeeping, and disposal of a system of records.

§ 0.552 Notice identifying Commission systems of records.

The Commission annually publishes in the FEDERAL REGISTER a notice listing systems of records currently maintained by the Commission, including for each system of records:

(a) The name and location of the system;

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

(c) The categories of records maintained in the system;

(d) Each routine use of the records contained in the system, including the categories of users and the purposes of such use;

(e) The policies and practices of the agency regarding storage, retrievability, access controls, retention, and disposal of the records;

(f) The title and business address of the system manager;

(g) The address of the agency office to which inquiries should be addressed and the addresses of locations at which the individual may inquire whether a system contains records pertaining to himself;

(h) The agency procedures whereby an individual can be notified how access can be gained to any record pertaining to that individual contained in a system of records, and the procedure for correcting or contesting its contents; and

(i) The categories of sources of records in the system.

§ 0.553 New uses of information.

Before establishnig a new routine use of a system of records, the Commission will publish a notice in the FEDERAL REGISTER of its intention to do so, and will provide at least 30 days for public comment on such use. The notice will contain:

(a) The name of the system of records for which the new routine use is to be established;

(b) The authority for the system;

(c) The categories of records maintained;

(d) The proposed routine use(s); and

(e) The categories of recipients for each proposed routine use.

§ 0.554 Procedures for requests pertaining to individual records in a system of records.

(a) Upon request, the Commission will notify an individual as to whether it maintains information about him or her in a system of records and, subject to the provisions of § 0.555(b), will disclose the substance of such information to that individual. In order to properly request notification or access to record information, reference must be made to the Notice described in § 0.552. A table of contents, which is alphabetized by bureau or office, precedes the system descriptions and allows members of the public to easily identify record systems of interest to them. An individual may inquire into information contained in any or all systems of records described in the Notice. However, each inquiry shall be limited to information from systems located within a single bureau or office and shall be addressed to that bureau or office.

(b) Reasonable identification is required o. all individuals making requests pursuant to Paragraph (a) of this section in order to assure that disclosure of any information made to the proper person.

(1) An individual who chooses to register a request for information in person may verify his or her identity by showing any two of the following: social security card; drivers license; employee identification card; medicare card; birth certificate; bank credit card; or other positive means of identification. Documents incorporating a picture and/or signature of the individual shall be produced if possible. If an individual can provide no suitable document for identification, he will be required to sign a statement asserting his identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

NOTE: An individual's refusal to disclose his social security number shall not constitute cause in and of itself, for denial of a request.

(2) All requests for record information sent by mail shall be signed by the requestor and shall include his printed name, current address and telephone number (if any). Commission officials receiving such requests will attempt to verify the identity of the requestor by comparing his or her signature to those in the record. If the record contains no signatures and if positive identification cannot be made on the basis of other information submitted, the requestor will be required to sign a statement asserting his identity and stipulating that he understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(3) If positive identification cannot be made on the basis of the information submitted, and if data in the record is so sensitive that unauthorized access could cause harm or embarrassment to the individual to whom the record pertains, the Commission reserves the right to deny access to the record pending the production of additional more satisfactory evidence of identity.

NOTE: The Commission will require verification of identity only where it has determined that knowledge of the existence of record information or its substance is not subject to the public disclosure requirements of the Freedom of Information Act, 5 U.S.C. 552, as amended.

(c) All requests for notification of the existence of record information or for access to such information shall be delivered to the business address of the system manager responsible for the system of records in question, except that requests relating to official personnel

records shall be addressed to the Chief, Personnel Division. Such addresses can be found in the Notice described in § 0.552.

(d) A written acknowledgement of receipt of a request for notification and/or access will be provided within 10 days (excluding Saturdays, Sundays, and legal public holidays) to the individual making the request. Such an acknowledgement may, if necessary, request any additional information needed to locate a record. A search of all systems of records identified in the individual's request will be made to determine if any records pertaining to the individual are contained therein, and the individual will be notified of the search results as soon as the search has been completed. Normally, a request will be processed and the individual notified of the search results within 30 days (excluding Saturdays, Sundays, and legal holidays) from the date the inquiry is received. However, in some cases, as where records have to be recalled from Federal Record Centers, notification may be delayed. If it is determined that a record pertaining to the individual making the request does exist, the notification will state approximately when the record will be available for personal review. No separate acknowledgement is required if the request can be processed and the individual notified of the search results within the ten-day period.

§ 0.555 Disclosure of record information to individuals.

(a) An individual having been notified that the Commission maintains a record pertaining to him or her in a system of records may request access to such record in one of three ways: by in person inspection at the system location; by transfer of the record to a nearer location; or by mail.

(1) Individuals who wish to review their records at the system location must do so during regular Commission business hours (8:00 a.m.–4:30 p.m., Monday through Friday). For personal and administrative convenience, individuals are urged to arrange to review a record by appointment. Preferences as to specific dates and times can be made by writing or calling the system manager responsible for the system of records in question at least two days in advance of the desired appointment date, and by providing a telephone number where the individual can be reached during the day in case the appointment must be changed. Verification of identity is required as in § 0.554(b)(1) before access will be granted an individual appearing in person. Individuals may be accompanied by a person of his or her own choosing when reviewing a record. However, in such cases, a written statement authorizing discussion of his or her record in the presence of the accompanying person must be furnished. In addition, any disclosure of original Commission records must take place in the presence of a Commission representative having physical custody of the records.

(2) Individuals may request that a record be transferred to a Commission field office or installation in the vicinity of his or her home and that access be granted at that location. The addresses of Commission field offices are listed in § 0.121. A request to transfer records must specify the exact location where the records should be sent and a telephone number to call when the information is available for review at the field location. Paragraph (a)(1) of this section regarding personal appointments, verification of identity accompanying persons, and disclosure of original records applies equally to this paragraph.

(3) Individuals may request that copies of records be sent directly to them. In such cases, the individual must verify his or her identity as in § 0.554(b)(2) and provide an accurate return address. Records shall be sent only to that address.

(b) The disclosure of record information under this section is subject to the following limitations:

(1) Records containing medical information pertaining to an individual are subject to individual access under this section unless, in the judgment of the system manager having custody of the records after consultation with a medical doctor, access to such record information could have an adverse impact on the individual. In such cases, a copy of the record will be delivered to a medical doctor named by the individual.

(2) Classified material, investigative material compiled for law enforcement purposes, investigatory material compiled solely for determining suitability for federal employment or access to classified information, and certain testing or examination material shall be removed from the records to the extent permitted in the Privacy Act of 1974, 5 U.S.C. 552 (a). Section 0.561 of this subpart sets forth the systems of records maintained by the Commission which are either totally or partially exempt from disclosure under this subparagraph.

(c) No fee will be imposed if the number of pages of records requested is 25 or less. Requests involving more than 25 pages shall be submitted to the duplicating contractor (see § 0.456(a)).

(d) The provisions of this section in no way give an individual the right to access any information compiled in reasonable anticipation of a civil action or proceeding.

(e) In the event that a determination is made denying an individual access to his or her records for any reason, such individual may either:

(1) Seek administrative review of the adverse determination. Such a request shall be in writing and should be addressed to the system manager who made the initial decision. In addition, the request for review shall state specifically why the initial decision should be reversed.

(2) Seek judicial relief in the district courts of the United States pursuant to paragraph (g)(1)(B) of the Act.

§ 0.556 Request to correct or amend records.

(a) An individual may request the amendment of information contained in his or her record. Except as otherwise provided in this paragraph, the request to amend should be submitted in writing to the system manager responsible for the records. Requests to amend the official personnel records of active FCC employees should be submitted to the Chief, Personnel Division, Office of Executive Director, 1919 M Street NW., Washington, D.C. 20554. Requests to amend official personnel records of former FCC employees should be sent to the Director, Bureau of Manpower Information Systems, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415. Any request to amend should contain, as a minimum:

(1) The identity verification information required by § 0.554(b)(2) and the information needed to locate the record as required by § 0.554(a).

(2) A brief descripteion of the item or items of information to be amended; and

(3) The reason for the requested change.

(b) A written acknowledgment of the receipt of a request to amend a record will be provided within 10 days (excluding Saturdays, Sundays, and legal public holidays) to the individual requesting the amendment. Such an acknowledgment may, if necessary, request any additional information needed to make a determination. There will be no acknowledgement if the request can be reviewed, processed, and the individual notified of compliance or denial within the 10 day period.

(c) The responsible system manager or, in the case of official personnel records of active FCC employees, the Chief, Personnel Division, shall (normally within 30 days) take one of the following actions regarding a request to amend:

(1) If the system manager agrees that an amendment to the record is warranted, he shall:

(i) So advise the individual in writing;

(ii) Correct the record in compliance with the individual's request; and

(iii) If an accounting of disclosures has been made, advise all previous recipients of the fact that the record has been corrected and of the substance of the correction.

(2) If the system manager, after an initial review, does not agree that all or any portion of the record merits amendment, he shall:

(i) Notify the individual in writing of his refusal to amend and the reasons therefore;

(ii) Advise the individual that he may seek further administrative review of the initial decision by the full Commission pursuant to the procedures set forth in § 0.557. (In cases where the request to amend involves official personnel records, review is available exclusively from the Director, Bureau of Manpower Information Systems, U.S. Civil Service Commission, Washington, D.C. 20415); and

(iii) Inform the individual of the pro-

cedures for requesting Commission review pursuant to § 0.557.

(d) In reviewing a record in response to a request to amend, the system manager shall assess the accuracy, relevance, timeliness, or completeness of the record in light of each data element placed into controversy and the use of the record in making decisions that could possibly affect the individual. Moreover, he shall adjudge the merits of any request to delete information based on whether or not the information in controversy is both relevant and necessary to accomplish a statutory purpose required of the Commission by law or executive order of the President.

§ 0.557 Administrative review of an initial decision not to amend a record.

(a) An individual has 30 days from the date of the determination not to amend a record consistent with his or her request to seek further administrative review by the full Commission. Such a request shall be in writing and should be addressed to either the system manager who made the initial adverse decision, or, in the case of official personnel records of active FCC employees, to the Director, Bureau of Manpower Information Systems, U.S. Civil Service Commission, Washington, D.C. 20415. Any request for administrative review must:

(1) Clearly identify the questions presented for review (e.g., whether the record information in question is, in fact, accurate; whether information subject to a request to delete is relevant and necessary to the purpose for which it is maintained);

(2) Specify with particularity why the decision reached by the system manager is erroneous or inequitable; and

(3) Clearly state how the record should be amended or corrected.

(b) The Commission shall conduct an independent review of the record in controversy using the standards of review set out in § 0.556(d). It may seek such additional information as is necessary to make its determination. Final administrative review shall be completed not later than 30 days (excluding Saturdays, Sundays and legal public holidays) from the date on which the individual requests such review unless the Chairman determines that a fair and equitable review cannot be made within the 30 day period. In such event, the individual will be informed in writing of the reasons for the delay and the approximate date on which the review is expected to be completed.

(c) If upon review of the record in controversy the Commission agrees with the individual that the requested amendment is warranted, the Commission will proceed in accordance with § 0.556(c)(i)–(iii).

(d) If after the review, the Commission also refuses to amend the record as requested, it shall:

(1) Notify the individual in writing of its refusal and the reasons therefore;

(2) Advise the individual of his or her right to file a concise statement of the reasons for disagreeing with the decision of the Commission;

(3) Inform the individual:

(i) That such a statement should be signed and addressed to the system manager having custody of the record in question;

(ii) That the statement will be made available to any one to whom the record is subsequently disclosed together with, at the Commission's discretion, a summary of its reasons for refusing to amend the record; and

(iii) That prior recipients of the record will be provided a copy of the statement of dispute to the extent that an accounting of such disclosures is maintained; and

(4) Advise the individual of his or her right to seek judicial review of the Commission's decision not to amend the record in any district court of the United States.

§ 0.558 Advice and assistance.

Individuals who have questions regarding the procedures contained in this subpart for gaining access to a particular system of records or for contesting the contents of a record, either administratively or judicially, should write or call the Privacy Liaison Officer at the following address:

Federal Communications Commission, Office of General Counsel, 1919 M Street NW., Washington, D.C. 20554.

Individuals who request clarification of the Notice described in § 0.552 or who have questions concerning the characterization of specific systems of records as set forth therein, should write or call the Privacy Liaison Officer at the following address:

Federal Communications Commission, Records Management Division, Office of Executive Director, 1229 20th Street NW., Washington, D.C. 20554.

§ 0.559 Disclosure of disputed information to persons other than the individual to whom it pertains.

If the Commission determines not to amend a record consistent with an individual's request, and if the individual files a statement of disagreement pursuant to § 0.557(d)(2), the Commission shall clearly annotate the record so that the disputed portion becomes apparent to anyone who may subsequently have access to, use or disclose the record. A copy of the individual's statement of disagreement shall accompany any subsequent disclosure of the record. In addition, the Commission may include a brief summary of its reasons for not amending the record when disclosing the record. Such statements become part of the individual's record for granting access, but are not subject to the amendment procedures of § 0.556.

§ 0.560 Penalty for false representation of identity.

Any individual who knowingly and willfully requests or obtains under false pretenses any record concerning an individual from any system of records maintained by the Commission shall be guilty of a misdemeanor and subject to a fine of not more than $5,000.

§ 0.561 Exemptions.

The following systems of records are totally or partially exempt from Subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from §§ 0.554–0.557 of this subpart:

(a) System name: Radio Operator Records—FCC. Parts of this system of records are EXEMPT pursuant to Section (k)(2) of the Act because they contain investigatory material compiled solely for law enforcement purposes.

(b) System name: Violators File (records kept on individuals who have been subjects of FCC field enforcement actions)—FCC. Parts of this system of records are EXEMPT because they are maintained as a protective service for individuals described in Section 3056 of title 18, and because they are necessary for Commission employees to perform their duties, pursuant to Sections (k)(1), (2), and (3) of the Act.

(c) System name: Investigations involving Broadcast Owners, officers, employees—FCC.

(1) Hearing Division case file (includes information furnished by witnesses, complainants, informants)—FCC.

(2) Attorney Misconduct Files—FCC. This system of records is EXEMPT pursuant to Section 3(k)(2) of the Act because it is maintained for law enforcement purposes.

(d) *System name:* Complaints against Broadcast Stations, Licensees, Officers, Employees—FCC.

(1) Communications Interception—§ 605—FCC.

(2) Alleged Violators File (United States District Court Enforcement Actions)—FCC.

(3) Alleged Violators File (Ex Parte Rules)—FCC.

(4) Licensees or Unlicensed Persons Operating Radio Equipment Improperly—FCC.

Part of this system of records are EXEMPT pursuant to Section 3(k)(2) of the Act because they embody investigatory material compiled solely for law enforcement purposes.

(e)(1) *System name:* Personnel Investigations of Members of Advisory Committee (Maritime Communications Subcommittee, National Industry Advisory Committee)—FCC.

(2) *System name:* Personnel Investigations of Employees—FCC.

Parts of these systems of records are exempt because they embody investigatory material pursuant to sections 3(k)(2) and 3(k)(5) of the Act as applicable.

Title 12—Banks and Banking

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER A—GENERAL REGULATIONS

PART 505a—RECORDS MAINTAINED ON INDIVIDUALS

Sec.

505a.1 Purpose and scope.
505a.2 Definitions as used in this part 505a.
505a.3 Procedures for requests pertaining to individual records in a record system.
505a.4 Times, places and requirements for identification of individuals making requests.
505a.5 Disclosure of requested information to individuals.
505a.6 Special procedures for medical records.
505a.7 Request for amendment of record.
505a.8 Agency review of request for amendment of record.
505a.9 Appeal of an initial adverse determination of a request to amend a record.
505a.10 Fees for providing copies of records.
505a.11 Criminal penalties.
505a.12 Exemptions.

AUTHORITY: 5 U.S.C. 552a; sec. 17, 47 Stat. 736, as amended, sec. 5, 48 Stat. 132, as amended, sec. 402, 48 Stat. 1256, as amended; 12 U.S.C. 1437, 1464, 1725; Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1947 Supp.

§ 505a.1 Purpose and scope.

(a) This Part is issued by the Federal Home Loan Bank Board pursuant to the requirement of the Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a) that every Federal agency promulgate rules to establish procedures for notification and disclosure to an individual of agency records pertaining to him, and to provide procedures for review of such records.

(b) The records covered by this Part shall include (1) personnel and employment records maintained by the Board which are not governed by §§ 293.101-293.111 of the Rules and Regulations of the Civil Service Commission (5 CFR 293.101-293.111) and (2) other records contained in record systems maintained by the Board.

§ 505a.2 Definitions as used in this Part 505a.

(a) The term "Board" means the Federal Home Loan Bank Board or, where appropriate, the Federal Savings and Loan Insurance Corporation.

(b) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(c) The term "maintain" includes maintain, collect, use, or disseminate;

(d) The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

(e) The term "system of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(f) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected; and

(g) The term "agency" includes the Board.

§ 505a.3 Procedures for requests pertaining to individual records in a record system.

(a) Any present or former employee, officer, or agent of the Board seeking access to his official Civil Service records maintained by the Board shall submit his request in such manner as is prescribed by the Civil Service Commission.

(b) Any individual seeking information concerning records maintained by the Board which may contain personal information pertaining to such individual, including any present or former employee, officer, or agent seeking information concerning records other than those described in paragraph (a) of this section, or any individual seeking access to the accounting of disclosures from his record, shall submit a written request to the agency official designated by the Board. The request shall state the full name and address of the individual and identification of the record system or systems believed to contain the record or information sought.

(c) Identification of record systems maintained by the Board and agency officials designated by the Board to receive requests for information concerning such record systems may be obtained from the Board's notice of existing record systems published annually in the FEDERAL REGISTER, copies of which are available upon request from the Office of the Secretary, Federal Home Loan Bank Board, 320 First Street, N.W., Washington, D.C. 20552.

§ 505a.4 Times, places, and requirements for identification of individuals making requests.

(a) Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after receipt of a request for records or information pursuant to § 505a.3, the agency official designated by the Board shall acknowledge such receipt in writing and require the individual to provide information sufficient to establish his identity. If the request is being made on behalf of an individual, the legal representative of such individual shall provide the Board's designee with evidence of such representative's authority (which may be a certified copy of his letter(s) of appointment if he has been judicially appointed).

(b) The information establishing identity shall be presented by mail or in person during regular business hours to the Board designee.

(c) Requirements for identification may include but are not limited to personal identification cards, employee identification, driver's license, Social Security number, knowledge of birthdate and relatives' names, and signature comparisons.

(d) The Board designee shall promptly notify the requester as to the sufficiency of the identification provided.

§ 505a.5 Disclosure of requested information to individuals.

(a) After notification of satisfactory identification pursuant to § 505a.4(d), the Board designee shall determine whether the stated record system contains a record or information pertaining to such individual and shall so inform him. If such record or information is contained in the record system, disclosure shall be made within 30 days (excluding Saturdays, Sundays, and legal public holidays) from the date such identification is received, unless the individual is informed in writing within such 30 days of the reason additional time is required and the anticipated date of access. Disclosure shall be made to such individual (or his representative upon notarized written consent of the individual) or his legal representative, except as provided in paragraph (c) of this section and §§ 505a.6 and 505a.12. The individual may choose to be accompanied by a person selected by him when the record or information is disclosed, in which case he may be required to furnish a written statement authorizing discussion of the records in the presence of the accompanying person.

(b) Disclosure may be made by permitting physical examination of records or by copies presented or mailed to the individual in accordance with the fee schedule set forth in § 505a.10.

(c) This section does not entitle an individual to access to any information compiled in reasonable anticipation of a civil action or proceeding, or to the accounting of disclosures from his record to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request specifying the particular portion desired and the law enforcement activity for which the record is sought.

§ 505a.6 Special procedures for medical records.

Medical records in the custody of the Board which are not subject to Civil Service Commission regulations shall be disclosed either to the individual to whom they pertain or his authorized or legal representative or to a licensed physician named by the individual.

§ 505a.7 Request for amendment to record.

(a) If, after disclosure of the requested information, an individual believes that such record is not accurate, relevant, timely, or complete, he may request in writing that it be amended. Such a request shall be submitted to the Board designee and shall contain identification of the record or information therein, a brief description of the material requested to be changed, the requested change or changes, and the reason for such change or changes. The individual may obtain assistance in preparing such request from the board designee.

(b) The Board designee shall acknowledge receipt of the request within 10 days (excluding Saturdays, Sundays and legal public holidays). Such acknowledgement may contain a request for additional information needed to make a determination.

§ 505a.8 Agency review of request for amendment of record.

Upon receipt of a request for an amendment to a record pursuant to § 505a.7, the Board designee shall promptly take the following action:

(a) In the case of a personnel or employment record, forward the request to the official custodian of the record system in the Division of Personnel Management, who shall either make the requested amendment and so advise the individual and all others who have had access to the record or inform the individual of his refusal to amend the record, the reason for such refusal, the procedure provided for review of the determination, and the name, title, and business address of the senior official to whom an appeal may be directed; or

(b) In the case of other records or information contained in a record system maintained by the Board, forward the request to an official designated by the General Counsel, which official shall consult with such other officials of the Board as he deems necessary and either make the requested amendment and so advise the individual and all others who have had access to the record or inform the individual of his refusal to amend the record, the reason for such refusal, the procedure provided for review of the determination and the name, title, and business address of the senior official to whom an appeal may be directed.

§ 505a.9 Appeals.

(a) An individual whose request for access to a record has been denied or whose request to amend a record has been refused or who otherwise disagrees with the initial determination of his request may seek a review of that determination, to be conducted by the Chairman of the Board or an official designated by the Chairman, which official shall be senior to the official who made the initial determination regarding the requested action. The individual may obtain assistance from the Office of Housing and Urban Affairs in preparing a request for such review.

(b) The review shall be completed and a final determination made not later than 30 days (excluding Saturdays, Sundays, and legal public holidays) from receipt of the request for such review, unless the Chairman of the Board extends such 30-day period for good cause.

(c) If, after his review, the Chairman of the Board or his designee refuses to act in accordance with his request, the individual shall be informed of his right under 5 U.S.C. §§ 552a(g)(1) (A) and (B) to a judicial review of the determination and, in case of refusal to amend a record, his right to file a concise statement setting forth his disagreement with the final determination.

(d) After refusal to amend the record as requested upon review, the disputed portion of the record will contain a copy of the concise statement filed pursuant to paragraph (c) of this section together with, if the Board deems it appropriate, a concise statement of the reasons for not amending the record as requested. Such statements will be disclosed to all persons and agencies which have had or will have access to the disputed record under 5 U.S.C. 552a.

§ 505a.10 Fees for providing copies of records.

(a) No fee will be charged to an individual for processing the request for, searching for, or providing the first copy of, a record or any portion thereof contained in a record system if the record pertains to such individual.

(b) If an individual should desire multiple copies of a record pertaining to himself, he shall pay fees as set forth in § 505.4(e) of this chapter.

§ 505a.11 Criminal penalties.

The criminal penalties applicable to employees, officers, and agents of the Board for actions which violate the Privacy Act of 1974 are set forth in 5 U.S.C. 552a(i).

§ 505a.12 Exemptions.

Pursuant to subsection (k) of 5 U.S.C. 552a: (a) The Chairman of the Board may exempt the systems of records described in paragraph (b) of this section from the following statutory requirements:

(1) Availability to an individual of the accounting kept of disclosures made to other people and agencies of his record (5 U.S.C. 552a(c)(3));

(2) Access to an individual's own records (5 U.S.C. 552a(d), set out in §§ 505a.3, 505a.5, 505a.6, 505a.7, 505a.8, and 505a.9);

(3) Restriction of record maintenance to information about an individual which is relevant and necessary to accomplish a purpose of the Board required to be accomplished by statute or executive order of the President of the United States (5 U.S.C. 552a(e)(1));

(4) Record-system notice requirements concerning the publication of (i) procedures for requests pertaining to an individual's own records (5 U.S.C. 552a(e)(4)(G)), (ii) procedures for access to records (5 U.S.C. 552a(e)(4)(H)), and (iii) categories of sources of records (5 U.S.C. 552a(e)(4)(I)); and

(5) Promulgation of proposed rules as prescribed by 5 U.S.C. 552a(f).

(b) The Chairman of the Board may exempt any of the following types of records systems from the statutory requirements described in paragraphs (a)(1)–(5) of this section:

(1) Board records that are specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such Executive Order;

(2) Investigatory material compiled for law enforcement purposes: *Provided, however,* that if any individual is denied any right, privilege, or benefit that he would otherwise be entitled to under Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

(3) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence; and

(4) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process.

(5 U.S.C. 552(a); sec. 17, 47 Stat. 736, as amended, sec. 5, 48 Stat. 132, as amended, sec. 402, 48 Stat. 1256, as amended; 12 U.S.C. 1437, 1464, 1725; Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1947 Supp.)

Title 46—Shipping

CHAPTER IV—FEDERAL MARITIME COMMISSION

PART 503—PUBLIC INFORMATION

Subpart G—Access to Any Record of Identifiable Personal Information

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AUTHORITY: Privacy Act of 1974 (Sec. (f), Pub. L. 93-579, 88 Stat. 1897 (5 U.S.C. 552 (a))).

Subpart G—Access to any record of identifiable personal information

§ 503.60 Definitions.

For the purpose of this subpart:

(a) "Agency" means each authority of the government of the United States as defined in 5 U.S.C. 551(1) and shall include all executive department, military department, government corporation, government controlled corporation or other establishment in the executive branch of the government (including the Executive Office of the President), or any independent regulatory agency.

(b) "Commission" means the Federal Maritime Commission.

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence to whom a record pertains.

(d) "Maintain" includes maintain, collect, use, or disseminate.

(e) "Person" means any person not an individual and shall include, but is not limited to, corporations, associations, partnerships, trustees, receivers, personal representatives, and public or private organizations.

(f) "Record" means any item, collection, or grouping of information about an individual that is maintained by the Federal Maritme Commission including but not limited to his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol or other identifying particular assigned to the individual such as a finger or voice print, or a photograph.

(g) "Routine use" means [with respect to the disclosure of a record], the use of such record for a purpose which is compatible with the purpose for which it was collected.

(h) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual but shall not include matter pertaining to the Census as defined in 13 U.S.C. § 8.

(i) "System of records" means a group of any records under the control of the Commission from which information is retrieved by the name of the individual or by some identifying number, symbol or other identifying particular assigned to the individual.

§ 503.61 Conditions of disclosure.

(a) Subject to the conditions of paragraphs (b) and (c) of this section, the Commission shall not disclose any record which is contained in a system of records, by any means of communication to any person or other agency who is not an individual to whom the record pertains.

(b) Upon written request or with prior written consent of the individual to whom the record pertains, the Commission may disclose any such record to any person or other agency.

(c) In the absence of a written consent from the individual to whom the record pertains, the Commission may disclose any such record provided such disclosure is:

(1) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. 552);

(3) For a routine use;

(4) To the Bureau of Census for purposes of planning or carrying out a census or survey or related activity under the provisions of Title 13 of the United States Code;

(5) To a recipient who has provided the Commission with adequate advance written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity authorized by law, provided the head of the agency or instrumentality has made a prior written request to the Assistant Managing Director of the Commission specifying the particular record and the law enforcement activity for which it is sought;

(8) To either House of Congress, and to the extent of a matter within its jurisdiction, any committee or subcommittee, or joint committee of Congress;

(9) To the Comptroller General, or any of his authorized representatives in the course of the performance of the duties of the GAO; or

(10) Under an order of a court of competent jurisdiction.

§ 503.62 Accounting of disclosures.

(a) The Assistant Managing Director shall make an accounting of each disclosure by him of any record contained in a system of records in accordance with 5 U.S.C.A. 552a(c) (1) and (2).

(b) Except for a disclosure made under § 503.61(c)(7) of this subpart the Assistant Managing Director shall make the accounting described in paragraph (a) of this section available to any individual upon written request made in accordance with section 503.63 (b) or (c) of this subpart.

(c) The Assistant Managing Director shall make reasonable efforts to notify an individual when any record which pertains to him is disclosed to any person under compulsory legal process when such process becomes a matter of public record.

§ 503.63 Request for information.

(a) Upon request in person or by mail made in accordance with the provisions of paragraph (b) or (c) of this section, any individual shall be informed whether or not any Commission system of records contains a record pertaining to him.

(b) Any individual requesting such information in person shall present himself at the Office of the Assistant Managing Director, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573 and shall:

(1) Provide information sufficient in the opinion of the Assistant Managing Director to identify the record, e.g. the individual's own name, date of birth, place of birth, etc.;

(2) Provide identification acceptable to the Assistant Managing Director to verify the individual's identity; e.g. driver's license, employee identification card or medicare card;

(3) Complete and sign the appropriate form provided by the Assistant Managing Director.

(c) Any individual requesting such information by mail shall address such request to the Assistant Managing Director, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573 and shall include in such request the following:

(1) Information sufficient in the opinion of the Assistant Managing Director to identify the record, e.g. the individual's own name, date of birth, place of birth, etc.;

(2) A signed notarized statement to verify his identity.

§ 503.64 Commission procedure on request for information.

Upon request for information made in accordance with § 503.63 of this subpart, the Assistant Managing Director or his delegate shall within 10 days (excluding Saturdays, Sundays, and legal public holidays), furnish in writing to the requesting party notice of the existence or nonexistence of any records described in such request.

§ 503.65 Request for access to records.

(a) *General.* Upon request by any individual made in accordance with the procedures set forth in paragraph (b) of this section, such individual shall be granted access to any record pertaining

to him which is contained in a Commission system of records. However, nothing in this section shall allow an individual access to any information compiled by the Commission in reasonable anticipation of a civil or criminal action or proceeding.

(b) *Procedures for requests for access to records.* Any individual may request access to a record pertaining to him in person or by mail in accordance with paragraph (b) (1) and (2) of this section.

(1) Any individual making such request in person shall present himself at the Office of the Assistant Managing Director, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573 and shall:

(i) Provide identification acceptable to the Assistant Managing Director to verify the individual's identity, e.g. driver's license, employee identification card, or medicare card; and

(ii) Complete and sign the appropriate form provided by the Assistant Managing Director.

(2) Any individual making a request for access to records by mail shall address such request to the Assistant Managing Director, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573 and shall include therein a signed notarized statement to verify his identity.

(3) Any individual requesting access to records under this section in person may be accompanied by a person of his own choosing while reviewing the record requested. If an individual elects to be so accompanied, he shall notify the Assistant Managing Director of such election in his request and shall provide a written statement authorizing disclosure of the record in the presence of the accompanying person. Failure to so notify the Assistant Managing Director in a request for access shall be deemed to be a decision by the individual not to be accompanied.

(c) *Commission determination of requests for access.*

(1) Upon request made in accordance with this section, the Assistant Managing Director or his delegate shall:

(i) Determine whether or not such request shall be granted;

(ii) Make such determination and provide notification within 10 days (excluding Saturdays, Sundays, and legal public holidays) after receipt of such request, and, if such request is granted, shall;

(iii) Notify the individual that fees for reproducing copies will be made in accordance with § 503.69.

(2) If access to a record is denied because such information has been compiled by the Commission in reasonable anticipation of a civil or criminal action or proceeding, or for any other reason, the Assistant Managing Director shall notify the individual of such determination and his right to judicial appeal under 5 U.S.C. 552a(g).

(d) *Manner of providing access.* (1) If access is granted, the individual making such request shall notify the Assistant Managing Director whether the records requested are to be copied and mailed to the individual.

(2) If records are to be made available for personal inspection, the individual shall arrange with the Assistant Managing Director a mutually agreeable time and place for inspection of the record.

(3) Fees for reproducing and mailing copies of records will be made in accordance with § 503.69 of this subpart.

§ 503.66 Amendment of a record.

(a) *General.* Any individual may request amendment of a record pertaining to him according to the procedure in paragraph (b) of this section.

(b) *Procedure to request amendment of a record.* After inspection of a record pertaining to him, an individual may file a request, in person or by mail, with the Assistant Managing Director for amendment of a record. Such request shall specify the particular portions of the record to be amended, the desired amendments and the reasons therefor.

(c) *Commission procedure on request for amendment of a record.* (1) Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of a request made in accordance with this section to amend a record in whole or in part, the Assistant Managing Director or his delegate shall:

(i) Make any correction of any portion of the record which the individual believes is not accurate, relevant, timely or complete and thereafter inform the individual of such correction; or

(ii) Inform the individual, by certified mail return receipt requested, of refusal to amend the record setting out the reasons therefor, and notify the individual of his right to appeal that determination to the Chairman of the Commission under § 503.67 of this subpart.

(2) The Assistant Managing Director shall inform any person or other agency to whom a record has been disclosed of any correction or notation of dispute made by the Assistant Managing Director with respect to such records in accordance with 5 U.S.C.A. 552a(c)(4) referring to amendment of a record, if an accounting of such disclosure has been made.

§ 503.67 Appeals from denial of request for amendment of a record.

(a) *General.* An individual whose request for amendment of a record pertaining to him is denied, may further request a review of such determination in accordance with paragraph (b) of this section.

(b) *Procedure for appeal.* Not later than 30 days (excluding Saturdays, Sundays and legal public holidays) following receipt of notification of refusal to amend, an individual may file an appeal to amend the record. Such appeal shall:

(1) Be addressed to the Chairman, Federal Maritime Commission, 1100 L Street, NW., Washington, D.C. 20573; and

(2) Specify the reasons for which the refusal to amend is challenged.

(c) *Commission procedure on appeal.* (1) Upon appeal from a denial to amend a record, the Chairman of the Commission or the officer designated by the Chairman to act in his absence, shall make a determination whether or not to amend the record and shall notify the individual of that determination by certified mail return receipt requested not later than 30 days (excluding Saturdays, Sundays and legal public holidays) after receipt of such appeal, unless extended pursuant to paragraph (d) of this section.

(2) The Chairman shall also notify the individual of the provisions of 5 U.S.C.A. 552a(g)(1)(A) regarding judicial review of the Chairman's determination.

(3) If on appeal the refusal to amend the record is upheld, the Commission shall permit the individual to file a statement setting forth the reasons for his disagreement with the Commission's determination.

(d) The Chairman or his delegate in his absence may extend up to 30 days the time period prescribed in paragraph (c) (1) of this section within which to make a determination on an appeal from refusal to amend a record for the reason that a fair and equitable review cannot be completed within the prescribed time period.

§ 503.68 Exemptions.

The Chairman of the Commission reserves the right to promulgate rules in accordance with the requirements of 5 U.S.C. 553 (b) (1), (2) and (3), (c), and (e) (Administrative Procedure Act—Rulemaking) to exempt any system of records maintained by the Commission in accordance with the provisions of 5 U.S.C.A. 552a(k).

§ 503.69 Fees.

(a) *General.* The following Commission services are available, with respect to requests made under the provisions of this subpart, for which fees will be charged as provided in paragraphs (b) and (c) of this section:

(1) Copying records/documents.

(2) Certification of copies of documents.

(b) *Fees for services.* The fees set forth below provide for documents to be mailed with ordinary first-class postage prepaid. If a copy is to be transmitted by registered, certified, air, or special delivery mail, postage therefor will be added to the basic fee. Also, if special handling or packaging is required, costs thereof will be added to the basic fee.

(1) The copying of records and documents will be available at the rate of 30 cents per page (one side), limited to size 8¼" x 14" or smaller.

(2) The certification and validation (with Federal Maritime Commission seal) of documents filed with or issued by the Commission will be available at $2.00 for each certification.

(c) *Payment of fees and charges.* The fees charged for special services may be paid by check, draft or postal money order, payable to the Federal Maritime Commission.

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 261a—RULES REGARDING ACCESS TO AND REVIEW OF PERSONAL INFORMATION IN SYSTEMS OF RECORDS

Sec.

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AUTHORITY: 5 U.S.C. 552a; 5 U.S.C. 553; 5 U.S.C. 552.

§ 261a.1 Purpose and scope.

The purpose of this part is to establish regulations implementing the provisions of the Privacy Act, 5 U.S.C. 552a, with regard to access to and review of personal information in systems of records maintained by the Board of Governors of the Federal Reserve System ("Board").

§ 261a.2 Definitions.

For the purposes of this part, the following definitions shall apply:

(a) The term "individual" means a natural person who is either a citizen of the United States or an alien lawfully admitted for permanent residence. The term "individual" includes the parent of any minor or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction.

(b) The term "maintain" also includes maintain, collect, use, disseminate, or control.

(c) The term "record" means any item, collection or grouping of information about an individual maintained by the Board that contains the individual's name, or the identifying number, symbol, or other identifying particular assigned to the individual.

(d) The term "system of records" means a group of any records under the control of the Board from which information is retrieved by the name of the individual or some identifying number, symbol or other identifying particular assigned to the individual.

(e) The term "designated system of records" means a system of records that has been listed in the FEDERAL REGISTER pursuant to the requirements of 5 U.S.C. 552a(e).

(f) The term "routine use" means, with respect to disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

(g) The term "business days" means all days except Saturdays, Sundays, and legal public holidays.

§ 261a.3 Procedures for requests pertaining to individual records in a record system.

(a) Requests for notification of the existence of or for access to personal information in a designated system of records may be made by the person to whom such information pertains. Every such request shall be made in writing and shall specify that it is made pursuant to the Privacy Act. Each request should identify the designated system of records in which the requested record is to be found, should reasonably describe the information requested and, except as provided in § 261a.4, should include a notarized statement attesting to the identity of the requestor.

(b) Requests made pursuant to paragraph (a) of this section shall be addressed to the Director of the Division of Personnel, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, in the case of records relating to employment with the Board. Requests for other records should be addressed to the Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Requests for information pursuant to paragraph (a) of this section may also be made in person during regular business hours at the offices of the Board of Governors of the Federal Reserve System, Federal Reserve Building, 20th and Constitution Avenue, NW., Washington, D.C. 20551.

(c) An individual making a request pursuant to paragraph (a) of this section may also include in such request a request for the accounting required by section (c) of the Privacy Act, 5 U.S.C. 552a, of previous disclosures of records pertaining to such individual in a designated system of records.

(d) Every request made pursuant to this section will be acknowledged or, where practicable, substantially responded to within 10 business days from receipt.

§ 261a.4 Requirements for identification of individuals making requests.

(a) Each request for information made pursuant to § 261a.3 shall include a notarized statement attesting to the identity of the requestor except in the following instances:

(1) Where the information requested is otherwise publicly available under the Freedom of Information Act, 5 U.S.C. 552, and the Board's Rules Regarding Availability of Information (12 CFR Part 261).

(2) Where the requestor makes written request for information in person and presents a driver's license, birth certificate, employment identification card or other means of identification, sufficient to establish his identity.

(3) Where the request is only for notification of the existence of records in a designated system of records pertaining to the requestor.

§ 261a.5 Disclosure of requested information to individuals.

(a) Information requested pursuant to § 261a.3, except for that compiled in reasonable anticipation of a civil action or proceeding or otherwise exempted from disclosure as provided in § 261a.13, will be made available for inspection and copying during regular business hours at the Board's offices. However, where the requested information can be disclosed only by providing a copy of the record, because such record cannot reasonably be put into a form for individual inspection (e.g., computer tapes), or where the requestor may request that copies of requested information be forwarded, such information will be mailed to the requestor. Access to or copies of requested information will be promptly provided after the acknowledgment as provided in § 261a.3 (c), unless good cause for delay is communicated to the requestor.

(b) Fees for copying such records will be assessed in accordance with § 261a.11.

(c) The requestor of information may be accompanied in the inspection and discussion of that information by a person of the requestor's own choosing upon the submission by the requestor of a written and signed statement authorizing the presence of such person.

§ 261a.6 Special procedures—medical records.

Medical records requested pursuant to § 261a.3 will be disclosed to the requestor unless the disclosure of such records directly to the requestor could, in the judgment of the official deemed responsible for such records, have an adverse effect upon the requestor. In such instance, such information will be transmitted to a licensed physician named by the requestor.

§ 261a.7 Request for correction or amendment to record.

(a) Where an individual believes that any portion of a record in a designated system of records used in making a determination about such individual is not accurate, relevant, timely or complete, that individual may request that such

record be amended or corrected. Such request should be submitted in writing to the appropriate officer as designated in § 261a.3. Each request for amendment or correction of a record should identify the system of records containing the record for which amendment or correction is requested, specify the portion of that record requested to be amended or corrected, and describe the nature of and reasons for each requested amendment or correction. Additionally, each request must include a notarized statement attesting to the identity of the requestor except where the request is presented in person and the requestor's identity may thereupon be verified.

(b) Nothing in paragraph (a) of this section shall permit collateral attack upon that which has been decided in a previous judicial, quasi-judicial or other proceeding.

§ 261a.8 Agency review of request for amendment of record.

(a) As appropriate, the Secretary of the Board or the Director of the Division of Personnel shall acknowledge each request made pursuant to § 261a.7 within 10 business days of its receipt. Such acknowledgment may request additional information necessary for a determination of the request for amendment or correction.

(b) As appropriate, the Secretary of the Board or the Director of the Division of Personnel shall promptly review each request made pursuant to § 261a.7 in light of the criteria of accuracy, relevance, timeliness, completeness and necessity set forth in subsections (e)(1) and (e)(5) of the Privacy Act, 5 U.S.C. 552a.

(c) Upon completion of review of each request made pursuant to § 261a.7, the Secretary of the Board or the Director of the Division of Personnel shall immediately inform the requestor of the determination to grant or deny the requested amendment or correction.

(d) Where any request pursuant to § 261a.7 has been denied in whole or part, the requestor shall be advised of the reasons therefor, the procedure for appeal of the determination and the name, title and address of the official to whom such appeal should be directed.

§ 261a.9 Appeal of initial adverse determination on correction or amendment.

(a) A denial of a request made pursuant to § 261a.7 may be appealed to the Board of Governors or any official designated by the Chairman of the Board of Governors within 30 business days of issuance of notification of denial. Every such appeal should be made in writing to the official designated in the letter of initial denial, should specify the previous background of the request and should provide reasons why the initial determination should be reversed.

(b) The Board of Governors or such official designated by the Chairman of the Board shall make a determination with respect to the review of such appeal not later than 30 business days from its receipt, unless the reviewing official extends such period for good cause shown.

(c) If the Board or designated official affirms the initial denial of a request to amend or correct made pursuant to § 261a.7, such determination shall be communicated to the requestor together with a statement of the reasons therefore and the requestor shall be informed of the right of judicial review of the determination. The requestor may then file a concise statement setting forth disagreement with the affirmation of denial within 30 days of notification of such determination and such statement shall be provided to persons or other agencies to whom the disputed record is disclosed.

§ 261a.10 Disclosure of record to person other than individual to whom it pertains.

(a) No record contained in a designated system of records shall be disclosed to any person or agency without the prior written consent of the individual to whom the record pertains unless the disclosure is authorized by paragraph (b) of this section.

(b) The restrictions on disclosure in paragraph (a) of this section do not apply to any disclosure (1) to those officers and employees of the Board who have a need for the record in the performance of their duties; (2) that is required under the Freedom of Information Act (5 U.S.C. 552); (3) for a routine use listed with respect to a designated system of records; (4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13 of the United States Code; (5) to a recipient who has provided the Board with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable; (6) to the National Archives of the United States as a record that has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value; (7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the Board specifying the particular portion desired and the law enforcement activity for which the record is sought; (8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual; (9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee; (10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or (11) pursuant to the order of a court of competent jurisdiction.

§ 261a.11 Fees.

(a) Copies of records requested pursuant to § 261a.3 will be provided at a cost of $.10 per page for photocopying or at a cost not to exceed the direct cost of printing, typing or otherwise preparing such copies.

(b) Documents may be furnished without charge where total charges are less than $2.

§ 261a.12 Penalties.

The Privacy Act, 5 U.S.C. 552a(1)(3), provides:

> Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretense shall be guilty of a misdemeanor and fined not more than $5,000.00.

§ 261a.13 Exemptions.

(a) Pursuant to subsection (k) of the Privacy Act, 5 U.S.C. 552a, the Board may exempt certain portions of records within designated systems of records from the requirements of the Privacy Act, (including access to and review of such records pursuant to this part) if such portions are:

(1) Subject to the provisions of section 552(b)(1) of the Freedom of Information Act 5 U.S.C. 552:

(2) Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j)(2) of the Privacy Act, 5 U.S.C. 552a: *Provided, however,* That if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of the Privacy Act, 5 U.S.C. 552a, under an implied promise that the identity of the source would be held in confidence:

(3) Maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18 of the United States Code;

(4) Required by statute to be maintained and used solely as statistical records;

(5) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosures of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date

of the Privacy Act, 5 U.S.C. 552a, under an implied promise that the identity of the source would be held in confidence;

(6) Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

(7) Evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of the Privacy Act, 5 U.S.C. 552a, under an implied promise that the identity of the source would be held in confidence.

(b) Those designated systems of records which are exempt from the requirements of this part or any other requirements of the Privacy Act, 5 U.S.C. 552a, will be indicated in the notice of designated systems of records published by the Board.

(c) Nothing in this part shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

Title 45—Public Welfare

CHAPTER V—FOREIGN CLAIMS SETTLEMENT COMMISSION

PART 504—PRIVACY ACT REGULATIONS

Sec.

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AUTHORITY: 5 U.S.C. 552a(f).

§ 504.1 General policies.

The Foreign Claims Settlement Commission will protect the privacy of an individual identified in any information or record systems which it maintains. Accordingly, its officials and employees, except as otherwise provided by law or regulation, will:

(a) Permit an individual to determine what records pertaining to such individual are collected, maintained, used or disseminated by the Foreign Claims Settlement Commission.

(b) Permit an individual to prevent records pertaining to such individual obtained by the Foreign Claims Settlement Commission for a particular purpose from being used or made available for another purpose from being used or made available for another purpose without the individual's consent.

(c) Permit an individual to gain access to information pertaining to such individual in Foreign Claims Settlement Commission records, to have a copy made of all or any portion thereof, and to correct or amend such records.

(d) Collect, maintain, use, or disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that the information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information.

(e) Permit exemptions from record requirements provided under the Privacy Act only where an important public policy used for such exemption has been determinated in accordance with specific statutory authority.

§ 504.2 Definitions.

For the purpose of this part:

(a) The term "agency" includes any executive department, military department, government corporation, government controlled corporation, or other establishments in the executive branch of the government (including the Executive Office of the President) or any independent regulatory agency. The Foreign Claims Settlement Commission (FCSC) is an "agency" within the meaning of the term.

(b) The Micronesian Claims Commission, created under the provisions of the Micronesian Claims Act of 1971, Public Law 92-39, 85 Stat. 92, under the control and direction of the Chairman of the Foreign Claims Settlement Commission, is deemed a component part of the FCSC, an "agency" defined under paragraph (a) of this section for the purposes of the Privacy Act.

(c) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(d) The term "maintain" includes maintain, collect, use, or disseminate.

(e) The term "record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, an individual's education, financial transactions, medical history, and criminal or employment history, and that contains an individual's name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph.

(f) The term "statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual except as provided by section 8 of Title 13, United States Code.

(g) The term "system of records" means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual.

(h) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 504.3 Conditions of disclosure.

The Commission will not disclose any record contained in a system of records by any means of communication to any person or any other agency except by written request of or prior written consent of the individual to whom the record pertains unless such disclosure is:

(a) To those officers and employees of the Commission which maintains the record and who have a need for the record in the performance of their duties;

(b) Required under the Freedom of Information Act, 5 U.S.C. 552;

(c) For a routine use;

(d) To the Bureau of Census for purposes of planning or carrying out a census or survey or related activity under the provisions of Title 13 of the United States Code;

(e) To a recipient who has provided the Commission with adequate advance assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(g) To another agency or to an instrumentality of any government jurisdiction within or under control of the United States for a civil or criminal law enforcement activity authorized by law, provided the head of the agency or instrumentality has made a prior written request to the Commission, specifying the particular record and the law enforcement activity for which it is sought;

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office;

(k) Pursuant to the order of a court of competent jurisdiction.

§ 504.4 Accounting of certain disclosures.

(a) Except for disclosures under § 504.3 (a) and (b) of this part, the Executive Director shall keep an accurate accounting of each disclosure or a record to any person or to another agency made under § 504.3 (c), (d), (e), (f), (g), (h), (i), (j), and (k) of this part.

(b) Except for a disclosure made to another agency or to an instrumentality of any governmental jurisdiction under § 504.3(g) of this part, the Executive Director shall make the accounting as required under paragraph (a) of this section available to any individual upon written request made in accordance with § 504.5.

(c) The Executive Director shall inform any person or other agency about any correction or notation of dispute in accordance with § 504.7(d) of any record that has been disclosed to the person or agency if an accounting of the disclosure was made.

(d) An accounting of disclosures of records within this section shall consist of the date, nature, the purpose of each disclosure of a record to any person or to another agency, and the name and address of the person or agency to whom the disclosure is made.

(e) Such accounting shall be retained for 5 years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

§ 504.5 Access to records or information.

(a) Upon request in person or by mail, any individual shall be informed whether

or not a system of records maintained by the Commission contains a record or information pertaining to such individual.

(b) Any individual requesting access to such record or information in person shall preesnt himself at the Office of the Executive Director, Foreign Claims Settlement Commission, Vanguard Building, 4th Floor, 1111 20th Street, NW, Washington, DC, between the hours of 8:30 a.m. and 5 p.m., Monday through Friday, and

(1) Provide information sufficient in the opinion of the Executive Director to identify the record, e.g., the individual's own name, claim and decision number, date and place of birth, etc.;

(2) Provide identification acceptable to the Executive Director to verify the individual's identity, e.g., driver's license, identification or medicare card;

(3) Any individual requesting access to records or information pertaining to such individual may be accompanied by a person of the individual's own choosing while reviewing the record thereof. If an individual elects to be so accompanied, he shall notify the Executive Director of such election in his request, and shall provide a written statement authorizing disclosure and discussion of the record in the presence of the accompanying person at any time, including the time access is granted.

(c) Any individual making a request for access to records or information pertaining to such individual by mail, shall address such request to the Executive Director (Privacy Officer) Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, DC 20579, and shall provide information acceptable to the Executive Director to verify the individual's identity, e.g., claim and decision number, description of property loss, etc.

(d) Resonses to requests under this section normally will be made within ten (10) days of receipt (excluding Saturdays, Sundays, and legal holidays). If it is not possible to respond to requests within such period, an acknowledgement will be sent to the individual within ten (10) days of receipt of the request (excluding Saturdays, Sundays, and legal holidays).

§ 504.6 Determination of requests for access to records.

(a) Upon request made in accordance with § 504.5, the Executive Director shall:

(1) Determine whether or not such request will be granted;

(2) Make such determination and provide notification within a reasonable period of time after receipt of such request.

(b) If access to a record is denied because information has been compiled by the Commission in reasonable anticipation of a civil or criminal action or proceeding, the Executive Director shall notify the individual of such determination and that such individual shall be apprised of the reason(s) for denial, and his right to judicial appeal under 5 U.S.C. 552a(g).

(c) If access to the record is granted, the individual making such request shall notify the Executive Director whether the records requested are to be copied and mailed to the individual.

(d) If records are to be made available for personal inspection, the individual shall arrange with the Executive Director a mutually agreeable time and place for inspection of the record.

§ 504.7 Amendment of record.

(a) Any individual may request amendment of a record pertaining to him according to the procedure in paragraph (b) of this section except those records described under paragraph (e) of this section.

(b) After inspection by an individual of a record pertaining to such individual, such individual may file a written request, presented in person or by mail, with the Executive Director for an amendment to a record. Such request shall specify the particular portions of the record to be amended, the desired amendments and the reasons therefor.

(c) Not later than 10 days (excluding Saturdays, Sundays, and legal holidays) after the receipt of a request made in accordance with this section to amend a record in whole or in part, the Executive Director shall:

(1) Make any correction of any portion of the record which the individual believes is not accurate, relevant, timely, or complete and thereafter inform the individual of such correction; or

(2) Inform the individual, by certified mail return receipt requested, of the refusal to amend such record setting forth the reasons therefor, and notify the individual of his right to appeal that determination to the Chairman of the Commission under § 504.8 of this part.

(d) The Executive Director shall inform any person or other agency to whom a record or notation of dispute made by the Executive Director with respect to such records in accordance with § 504.4 of this part referring to amendment of a record, if an accounting of such disclosure has been made.

(e) The provisions for amending records do not permit the alteration of evidence presented in the course of Commission proceedings in the adjudication of claims, nor do they permit collateral attack upon what has already been subject to final agency action in the adjudication of claims in programs previously completed by the Commisison pursuant to statutory time limitations.

§ 504.8 Appeals from denial of request for amendment to records.

(a) An individual whose request to amendment of a record pertaining to him is denied, may further request a review of such determination in accordance with paragraph (b) of this section.

(b) Not later than 30 days (excluding Saturdays, Sundays, and legal public holidays from the date on which the individual requests such review, the Chairman of the Commission or an officer designated by the Chairman to act in his absence shall complete such review and make a final determination unless, for good cause shown, the Chairman of the Commisison or an officer designated by the Chairman to act in his absence extends such 30-day period.

(c) Such request shall be addressed to the Chairman, Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. 20579, and shall specify the reasons for which the refusal to amend is challenged.

(d) Upon appeal from a denial to amend a record, the Chairman of the Commission or the officer designated by the Chairman to act in his absence, shall make a determination whether or not to amend the record and shall notify the individual of that determination by certified mail return receipt requested not later than 30 days (excluding Saturdays, Sundays, and legal holidays) after receipt of such appeal, unless extended pursuant to paragraph (g) of this section.

(e) The Chairman or the officer designated by the Chairman to act in his absence shall also notify the individual of the provisions of 5 U.S.C. 552a(g)(1)(A) regarding judicial review of the Chairman's or the officer's determination.

(f) If on appeal the refusal to amend the record is upheld, the Commission shall permit the individual to file a statement setting forth the reasons for his disagreement with the Chairman's or the officer's determination.

(g) The Chairman or the officer acting in his absence may extend up to 30 days the time prescribed in paragraph (d) of this section within which to make a determination on an appeal from refusal to amend a record for the reason that a fair and equitable review cannot be completed within the prescribed period.

§ 504.9 Fees.

(a) Fees to be charged, if any, to any individual for making copies of such individual's record, excluding the cost of any search for and review of the record will be as follows:

(1) Photocopy reproductions, each copy $0.05.

(2) Where the Commission undertakes to perform for a requestor for any other person services which are very clearly not required to be performed under the Privacy Act, either voluntarily or because such services are required by some other law, the question of charging fees for such services will be determined by the official or designee authorized to release the information, under the Federal user charge statute 31 U.S.C. 483a, any other applicable law, and the provisions of § 503.14 of Part 503 of the Commission's regulations.

§ 504.10 Exemptions.

No system of records maintained by the Foreign Claims Settlement Commission are exempt from the provisions of 5 U.S.C. 552a as permitted under certain conditions by 5 U.S.C. a (j) and (k). However the Chairman of the Commission reserves the right to promulgate

rules in accordance with the requirements of 5 U.S.C. 553(b) (1), (2) and (3), (c) and (e) to exempt any system of records maintained by the Commission in accordance with the provisions of 5 U.S.C. 552a(k).

§ 504.11 Reports.

(a) The Executive Director or designee will provide adequate advance notice to Congress and the Office of Management and Budget of any proposal to establish or alter any Commission system or systems of records, as required by 5 U.S.C. 552a(0).

(b) If at any time a system or systems of records maintained by the Commission is determined to be exempt from the application of 5 U.S.C. 552a in accordance with the provisions of 5 U.S.C. 552a (j) and (k), the number of records contained in such system or systems will be separately listed and reported to the Office of Management and Budget.

§ 504.12 Notices.

(a) The Commission shall publish in the FEDERAL REGISTER at least annually a notice of the existence and character of the system or systems of records which it maintains. Such notice shall include:

(1) The name and location of the system;

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

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

(4) Each routine use of the records contained in the system including the categories of users and the purpose of each use;

(5) The policies and practices of the Commission regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) The title and business address of the agency official who is responsible for the system of records;

(7) Commission procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him.

(8) Commission procedures whereby an individual can be notified if the system of records contains a record pertaining to him contained in the systems of records, and how he can contest its contents, and

(9) The categories of sources of records in the system.

Title 22—Foreign Relations

CHAPTER XI—INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO, UNITED STATES SECTION

PART 1101—PRIVACY ACT OF 1974

Sec.
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Appendix B.[1] Requests for notification and access to records in person.

AUTHORITY: Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a).

§ 1101.1 Purpose and scope.

The purpose of these rules is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a). The main objectives are defining the responsibilities of United States Section employees which will assure that personal information about individuals collected by the United States Section is limited to that which is legally authorized and necessary and is maintained in a manner which precludes unwarranted intrusions upon individual privacy. Further, these rules establish procedures by which an individual can: a) Determine if the United States Section maintains records or a system of records which include a record pertaining to the individual and b) gain access to a record pertaining to him for the purpose of review, amendment or correction.

§ 1101.2 Definitions.

For the purpose of these rules:

(a) "The Act" means the Privacy Act of 1974.

(b) "The Section" means the United States Section, International Boundary and Water Commission, United States and Mexico.

(c) "The Commission" means the International Boundary and Water Commission, United States and Mexico.

(d) "Agency" is defined to include any executive department, military department, Government corporation, Government controlled corporation or other establishment in the executive branch of the Government (including the Executive Office of the President, or any independent regulatory agency) (5 U.S.C. 552(e)).

(e) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(f) "Maintain" includes maintain, collect, use, or disseminate.

(g) "Record" means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying means assigned to the individual, such as a finger or voice print or a photograph.

(h) "System of records" means a group of any records under the control of any agency from which information is retrived by the name of the individual or by some identifying number, symbol, or other identifying means assigned to the individual. .

(i) "Statistical record" means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by 13 U.S.C. 8 (Census data).

(j) "Routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 1101.3 Procedures for requests pertaining to individual's records in a record system.

(a) Any individual may submit an inquiry to the United States Section to ascertain whether a system of records contains a record pertaining to him.

(b) The inquiry should be made either in person or by mail addressed to the Comptroller, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. The Comptroller shall provide assistance to the individual making the inquiry to assure the timely identification of the appropriate system of records. The office of the Comptroller is located in Room 212 and is open to an individual between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (excluding holidays).

(c) Inquiries submitted by mail should bear the designation "PRIVACY ACT—1974" in capital letters on the address side of the envelope.

(d) The Section has an official form for making inquiries, a facsimile of which is printed as Appendix B hereto. Its use is urged. Copies may be obtained by contacting the Comptroller, Room 212, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. Copies may also be obtained by contacting the Project Offices listed in Appendix A hereto.

(e) Inquiries concerning whether a system of records contains a record pertaining to an individual should contain the following:

(1) Name, address and telephone number (optional) or the individual making the inquiry;

(2) Name, address and telephone number (optional) of the individual to whom the record pertains, if the inquiring individual is either the parent of a minor or the legal guardian of the individual to whom a record pertains;

(3) A certified or authenticated copy of documents establishing parentage or guardianship;

(4) Whether the individual to whom the record pertains is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States;

(5) Name of the system of records, as published in the FEDERAL REGISTER;

(6) Location of the system of records, as published in the FEDERAL REGISTER;

(7) Such additional information as the individual believes will or might assist the Section in responding to the inquiry and in verifying the individual's identity (for example: date of birth, place of birth, names of parents, place of work, dates of employment, position title, etc.);

(8) Date of inquiry; and

(9) Individual's signature.

The Section reserves the right to require compliance with the identification procedures appearing at paragraph (f) of this section where conditions warrant.

(f) The requirements for identification of individuals seeking access to records are as follows:

(1) *In person.* Each individual making a request in person shall be required to present satisfactory proof of identity. The means of proof, in the order of preference and priority, are:

(i) A document bearing the individual's photograph (for example, driver's license, passport or military or civilian identification card);

(ii) A document bearing the individual's signature, preferably issued for participation in a Federally sponsored program (for example, Social Security card, unemployment insurance book, employer's identification card, national credit card and professional, craft or union membership card; and

(iii) A document bearing either the photograph or the signature of the individual, preferably issued for participation in a Federally sponsored program (for example, Medicaid card). In the event the individual can provide no suitable documentation of identity, the Section will require a signed statement asserting the individual's identity and stipulating that the individual understands the penalty provision of 5 U.S.C. 552a(i)(3).

(2) *Not in person.* If the individual making a request does not appear in person before the Comptroller, a certificate of a notary public or equivalent officer empowered to administer oaths must accompany the request. The Section's official form, Appendix B, for requests contains a certificate.

(3) *Parents of minors and legal guardians.* An individual acting as the

[1] Appendices A and B filed as part of the original document.

parent of a mnior or the legal guardian of the individual or an heir or legal representative of a deceased person to whom a record pertains shall establish his or her personal identify in the manner prescribed in either paragraph (f)(1) or (2) of this section. In addition, such individual shall establish his or her identity shall be a certified or authentiparent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of a legal guardian of an individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the court's order. A parent or legal guardian may act only for a living individual, not for a decedent. A parent or legal guardian may be accompanied during personal access to a record by another individual, provided the requirements of Paragraph (f) of § 1101.4 are satisfied. In the case of an heir or legal representative of a decreased person, the proof of identity shall be a certified copy of the Will, if any; the order of a court of competent jurisdiction admitting the Will to probate; the order of a court of competent jurisdiction appointing an executor, executrix, administrator; a letter of administration; or any other documentary evidence which establishes the identity of the individual as an heir or legal representative of a deceased person.

(g) When the provisions of this part are alleged to have the effect of impeding an individual in exercising his or her right to access, the Section will consider, from an individual making a request, alternative suggestions regarding proof of identity and access to records.

(h) Any inquiry which is not addressed as specified in paragraph (b) of this section or which is not marked as specified in paragraph (c) of this section will be so addressed and marked by the Section's personnel and forwarded immediately to the Comptroller. An inquiry which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until forwarding of the inquiry to the Comptroller has been effected. In each instance when an inquiry so forwarded is received, the Comptroller shall notify the individual that his or her inquiry was improperly addressed and the date when the inquiry was received at the proper address.

(i) Each inquiry received shall be acted upon promptly by the Comptroller. Every effort will be made to respond within ten (10) days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten (10) days, the Comptroller shall send an acknowledgement during that period providing information on the status of the inquiry and asking for such further information as may be necessary to process the inquiry.

(j) An individual shall not be required to state a reason or otherwise justify his or her inquiry.

§ 1101.4 Disclosure of requested information to individuals.

(a) Each reuest received shall be acted upon promptly by the Comptroller. Every effort will be made to respond within ten (10) days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten (10) days due to unusual circumstances, the Comptroller shall send an acknowledgment during that period providing information on the status of the request and asking for such further information as may be necessary to process the request. "Unusual circumstances" shall include circumstances where a search for and collection of reuested records from inactive storage, field facilities or other establishments are required, cases where a voluminous amount of data is involved, instances where information on other individuals must be separated or expunged from the particular record, and cases where consultations with other agencies having a substantial interest in the determination of the request are necessary.

(b) *Grant of assess.*—(1) *Notification.* (i) An individual shall be granted access to a record pertaining to him or her except where the record is subject to an exemption under the Act and these rules.

(ii) The Comptroller shall notify the individual of such determination and provide the following information:

(A) The methods of access, as set forth in paragraph (b)(2) of this section;

(B) The place at which the record may be inspected;

(C) The earliest date on which the record may be inspected and the period of time that the records will remain available for inspection. In no event shall the earliest date be later than thirty days from the date of notification;

(D) The estimated date by which a copy of the record could be mailed and the estimate of fees pursuant to § 1101.10. In no event shall the estimated date be later than thirty (30) days from the date of notification;

(E) The fact that the individual, if he or she wishes, may be accompanied by another individual during personal access, subject to the procedures set forth in paragraph (f) or this section; and

(F) Any additional requirements needed to grant access to a specific record.

(2) *Method of Access.* The following methods of access to records by an individual may be available depending on the circumstances of a given situation:

(i) Inspection in person may be made in the office specified by the Comptroller, between the hours of 8:00 a.m. and 4:30 p.m. Monday through Friday (excluding holidays);

(ii) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the Comptroller determines that a suitable facility is available, that the individual's access can be properly supervised at that facility, and that transmittal of the records to that facility will not unduly interfere with operations of the Section or involve unreasonable costs in terms of both money and manpower; and

(iii) Copies may be mailed at the request of the individual, subject to payment of the fees prescribed in § 1101.10. The Section, at its own initiative, may elect to provide a copy by mail, in which case no fee will be charged the individual.

(c) Access to medical records is governed by § 1101.5.

(d) The Section shall supply such other information and assistance at the time of access as to make the record intelligible to the individual.

(e) The Section reserves the right to limit access to copies and abstracts of original records, rather than the original records. This election would be appropriate, for example, when the record is in an automated data media such as tape or disc, when the record contains information on other individuals, and when deletion of information is permissible under exemptions (for example, 5 U.S.C. 552(k)(1)). In no event shall original records of the Section be made available to the individual except under the immediate supervision of the Comptroller or his designee. Title 18 U.S.C. section 2701(a) makes it a crime to conceal, mutilate, obliterate, or destroy a record filed in a public office, or to attempt to do any of the foregoing.

(f) Any individual who requests access to a record pertaining to that individual may be accompanied by another individual of his or her choice. "Accompanied" includes discussion of the record in the presence of the other individual. The individual to whom the record pertains shall authorize the presence of the other individual in writing and shall include the name of the other individual, a specific description of the record to which access is sought, and the date and the signature of the individual to whom the record pertains. The other individual shall sign the authorization in the presence of the Comptroller or his designee. An individual shall not be required to state a reason or otherwise justify his or her decision to be accompanied by another individual during personal access to a record.

(g) *Initial denial of access.*—(1) *Grounds.* Access by an individual to a record which pertains to that individual will be denied only upon a determination by the Comptroller that:

(i) The record is subject to an exemption under the Act and these rules;

(ii) The record is information compiled in reasonable anticipation of a civil action or proceeding;

(iii) The provisions of § 1101.5(b) pertaining to medical records have been temporarily invoked; or

(iv) The individual unreasonably has failed to comply with the procedural requirements of these rules.

(2) *Notification.* The Comptroller shall give notice of denial of access to records to the individual in wrtting and shall include the following information:

(i) The Comptroller's name and title or position;

(ii) The date of the denial;

(iii) The reasons for the denial, including citation to the appropriate section of the Act and these rules;

(iv) The individual's opportunities for further administrative consideration, including the identity and address of the responsible official;

(v) If stated to be administratively final within the Section, the individual's right to judicial review under 5 U.S.C. 552a(g) (1) and (5).

(3) *Administrative Review.* When an initial denial of a request is issued by the Comptroller, the individual's opportunities for further consideration shall be as follows:

(i) As to denial under paragraph (g) (1) (i) of this section, the sole procedure is a petition for the issuance, amendment, or repeal of a rule under 5 U.S.C. 553(e). Such petition shall be filed with the United States Commissioner, International Boundary and Water Commission, P.O. Box 2003, El Paso, Texas 79998. If the exception was determined by another agency, the Comptroller will provide the individual with the name and address of the other agency and any relief sought by the individual shall be that provided by the regulations of the other agency. Within the United States Section, no such denial is administratively final until such a petition has been filed by the individual and disposed of on the merits by the United States Commissioner.

(ii) As to denial under paragraph (g) (1), (ii), (iii) or (iv) of this section, the individual may file for review with the United States Commissioner, as indicated in the Comptroller's initial denial notification.

(h) If a request is partially granted and partially denied, the Comptroller shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 1101.5 Special procedures: medical records.

(a) In every case of a request by an individual for access to medical records, the Comptroller shall:

(1) Inform the individual that no response to any request for access to medical records will be issued for a period of seven (7) days (excluding Saturdays, Sundays and holidays);

(2) Obtain the name and address of the individual's physician and psychologist, if the individual consents to give them;

(3) Obtain specific, written consent for the Section to consult the individual's physician and psychologist in the event that the Section believes such consultation is advisable. There will be no consultation without the written consent of the individual;

(4) Obtain specific, written consent for the Section to provide the medical records to the individual's physician or psychologist in the event that the Section believes access to the record by the individual is best effected under the guidance of the individual's physician or psychologist, no records will be provided to a physician or psychologist without the written consent of the individual; and

(b) If an individual refuses to give the names and consents set forth in paragraphs (a) (2) through (4) of this section and the Section has determined that disclosure could have an adverse affect upon the individual, the Section shall refuse the individual access to said records.

§ 1101.6 Request for correction of or amendments to a record.

(a) Any individual may submit a request for correction of or amendment to a record to the Section. The request should be made either in person or by mail addressed to the Comptroller who processed the individual's request for access to the record, and to whom is delegated authority to make initial determinations on requests for correction or amendment.

(b) Since the request, in all cases, will follow a request for access under § 1101.3, the individual's identity will be established by his or her signature on the request.

(c) A request for correction or amendment should include the following:

(1) A specific identification of the record sought to be corrected or amended (for example, description, title, date, paragraph, sentence, line and words);

(2) The specific wording to be deleted, if any;

(3) The specific wording to be inserted or added, if any, and the exact place at which it is to be inserted or added, and

(4) A statement of the basis for the requested correction or amendment, with all available supporting documents and materials which substantiate the statement. The statement should identify the standard of the Act being invoked, that is, whether the information in the record is unnecessary, inaccurate, irrelevant, untimely or incomplete.

§ 1101.7 Agency review of request for correction or amendment of record.

(a) (1) Not later than ten (10) days (excluding Saturdays, Sundays and holidays) after receipt of a request to correct or amend a record, the Comptroller shall send an acknowledgement providing an estimate of time within which action will be taken on the request and asking for such further information as may be necessary to process the request. The estimate of time may take into account unusual circumstances as described in § 1101.4(a). No acknowledgement will be sent if the request can be reviewed, processed and the individual notified of the results of review (either compliance or denial) within ten (10) days (excluding Saturdays, Sundays and holidays). Requests filed in person will be acknowledged in writing at the time submitted.

(2) Promptly after acknowledging receipt of a request, or after receiving such further information as might have been requested, or after arriving at a decision within ten (10) days, the Comptroller shall either:

(i) Make the requested correction or amendment and advise the individual in writing of such action, providing either a copy of the corrected or amended record or a statement as to the means whereby the correction or amendment was effected in cases where a copy cannot be provided (for example, erasure of information from a record maintained only in an electronic data bank); or

(ii) Inform the individual in writing that his or her request is denied and provide the following information:

(A) The Comptroller's name, title and position;

(B) The date of the denial;

(C) The reasons for the denial, including citation to the appropriate sections of the Act and these rules;

(D) The procedures for appeal of the denial as set forth in § 1101.8.

The term "promptly" in this subparagraph means within thirty (30) days (excluding Saturdays, Sundays and holidays). If the Comptroller cannot make the determination within thirty (30) days, the individual will be advised in writing of the reason therefor and of the estimated date by which the determination will be made.

(b) Whenever an individual's record is corrected or amended pursuant to a request by that individual, the Comptroller shall notify all persons and agencies to which copies of the record had been disclosed prior to its correction or amendment, if an accounting of such disclosure required by the Act was made. The notification shall require a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record, and to apprise any agency or person to which it had disclosed the record of the substance of the correction or amendment.

(c) The following criteria will be considered by the Comptroller in reviewing a request for correction or amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accufacy of the information;

(3) The relevance and necessity of the information in terms of purpose for which it was collected;

(4) The timeliness and currency of the information in light of the purpose for which it was collected;

(5) The completeness of the information in terms of the purpose for which it was collected;

(6) The degree of possibility that denial of the request could unfairly result in determinations adverse to the individual;

(7) The character of the record sought to be corrected or amended; and

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual.

(d) The Section will not undertake to gather evidence for the individual, but

does reserve the right to verify the evidence which the individual submits.

(e) Correction or amendment of a record requested by an individual will be denied only upon a determination by the Comptroller that:

(1) The individual has failed to establish, by a preponderance of the evidence, the propriety of the correction or amendment in light of the criteria set forth in paragraph (c) of this Section;

(2) The record sought to be corrected or amended was compiled in a terminated judicial, quasi-judicial or quasi-legislative proceeding to which the individual was a party or participant;

(3) The record sought to be corrected or amended is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual in a party or participant;

(4) The correction or amendment would violate a duly enacted statute or promulgated regulation; or,

(5) The individual unreasonably has failed to comply with the procedural requirements of these rules.

(f) If a request is partially granted and partially denied, the Comptroller shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 1101.8 Appeal of initial adverse agency determination on correction or amendment.

(a) An appeal of the initial refusal to amend a record under § 1101.7 may be requested by the individual who submitted the request. The appeal must be requested in writing, signed by the individual making the request, and received by the Section within sixty (60) days of the date the individual is informed of the Comptroller's refusal to amend a record in whole or in part. The request should be addressed and sent via certified mail to the Commissioner, United States Section, International Boundary and Water Commission, P.O. Box 20003, El Paso, Texas 79998. The processing of appeals will be facilitated if the words "PRIVACY APPEAL" appears in capital letters on both the envelope and the top of the appeal papers. An appeal not addressed and marked as provided herein will be marked by Section personnel when it is so identified and will be forwarded immediately to the Commissioner.

(b) The time for decision on the appeal begins on the date the appeal is received by the Commissioner. The appeal should include any documentation, information or statements advanced for the amendment of the record.

(c) There shall be a written record of the reason for the final determination. The final determination will be made not later than thirty (30) days (excluding Saturdays, Sundays and holidays) from the date the Commissioner receives the appeal; unless for good cause shown, the Commissioner extends such determination beyond the thirty (30) day period.

(d) When the final determination is that the record should be amended in accordance with the individual's request, the Commissioner shall direct the office responsible for the record to comply. The office responsible for the record shall:

(1) Amend the record as directed;

(2) If a distribution of the record has been made, advise all previous recipients of the record of the amendment and its substance;

(3) So advise the individual in writing.

(e) When the final decision is that the request of the individual to amend the record is refused, the Commissioner shall advise the individual:

(1) Of the refusal and the reasons for it;

(2) Of his or her right to file a concise statement of the reasons for disagreeing with the decision of the Section;

(3) Of the procedures for filing the statement of disagreement;

(4) That the statement which is filed will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the Section, a brief statement by the Section summarizing is reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) Of his or her right to seek judicial review of the Section's refusal to amend the record.

(f) When the final determination is to refuse to amend a record and the individual has filed a statement under paragraph (e)(2) of this section, the Section will clearly annotate the record so that the fact that the record is disputed is apparent to anyone who may subsequently have access to, use, or disclose it. When information that is the subject of a statement of dispute filed by an individual is subsequently disclosed, the Section will note that the information is disputed and provide a copy of the individual's statement. The Section may also include a brief summary of the reasons for not making a correction when disclosing disputed information. Such statements will normally be limited to the reasons given to the individual for not amending the record. Copies of the Section's statement shall be treated as part of the individual's record for granting access; however, it will not be subject to amendment by the individual under these rules.

(g) An appeal will be decided on the basis of the individual's appeal papers and the record submitted by the Comptroller. No personal appearances or hearing on appeal will be allowed.

§ 1101.9 Disclosure of record to person other than the individual to whom it pertains.

(a) The Section will not disclose any information about an individual to any person other than the individual except in the following instances:

(1) Upon written request by the individual about whom the information is maintained;

(2) Prior written consent of the individual about whom the information is maintained;

(3) To parent or legal guardian, heir(s) and their legal representative(s).

(4) When permitted under 5 U.S.C. 552a(b)(1) through (11) which provides as follows:

(i) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(ii) Required under section 552 of Title 5 of the U.S. Code;

(iii) For a routine use as defined in the Act 552a(a)(7);

(iv) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of Title 13 of the U.S. Code;

(v) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(vi) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(vii) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(viii) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(ix) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee, and to a Congressman who is acting on behalf of his constitutent;

(x) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(xi) Pursuant to the order of a court of competent jurisdiction.

(5) When required by the Act and not covered explicitly by the provisions of 5 U.S.C. 552a(b). These situations include the following:

(i) Dissemination of a corrected or amended record or notation of a disa-

greement statement (5 U.S.C 552a(c)(4));

(ii) Disclosure of records to an individual to whom they pertain (5 U.S.C. 552a(d));

(iii Civil actions by an individual (5 U.S.C. 552a(g));

(iv) Release of records or information to Privacy Protection Study Commission (5 U.S.C. 552—section 5(e)(2));

(v) Fulfill needs of Office of Management and Budget to provide continuing oversight and assistance to the Section in implementation of the Act (5 U.S.C. 552—section 6).

§ 1101.10 Fees.

(a) The Section will charge no fee for the first copy of an individual's personnel record.

(b) The Section will charge a fee of $0.10 per page for copies of documents which are identified by an individual and reproduced at the individual's request for retention, except that there will be no charge for requests involving cost of $1.00 or less, but the copying fees for contemporaneous request by the same individual shall be aggregated to determine the total fee.

(c) Special and additional services provided at the request of the individual, such as certification or authentication, will be charged to the individual in accordance with other published regulations of the Section pursuant to statute (for example, 5 U.S.C. 552—Freedom of Information Act).

(d) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittance shall be made payable to the order of the Treasurer of the United States and delivered to or mailed to the Comptroller, United States Section, International Boundary and Water Commission, 4110 Rio Bravo, El Paso, Texas 79902. The Section will assume no responsibility for cash sent by mail.

(e) A receipt for fees paid will be given only upon request.

§ 1101.11 Penalties.

(a) *Criminal Penalties.* The criminal penalties which have been established for violations of the Privacy Act of 1974 are set forth in 5 U.S.C. 552a(i). These penalties are applicable to any officer or employee of the Section and individuals who commit any of the violations. The three possible violations of the Act are:

(1) Unauthorized disclosure.

(2) Failure to publish a public notice of a system of records subject to these rules.

(3) Obtaining access to information under false pretenses.

(b) *Civil Remedies.* (1) An individual may bring a civil action against the United States Section to correct or amend a record, or where there is a refusal to comply with an individual request or failure to maintain any record with accuracy, relevance, timeliness and completeness, so as to guarantee fairness or failure to comply with other sections of the Act and these rules.

(2) A district court of the United States may order correction or amendment of a record and enjoin the Section from withholding a record and order the production to an individual.

(3) A district court of the United States may assess against the United States reasonable attorney fees and other costs, in any case in which a complaining individual has substantially prevailed.

§ 1101.12 General exemptions.

Individuals may not have access to records maintained by the Section but originating with another agency which has determined by regulations that such information is subject to a general exemption under 5 U.S.C. 552a(j). If such records are within a request for access, the Section will advise the requestor of their existence and of the name and address of the source agency which the requestor must contact for any further information.

§ 1101.13 Specific exemptions.

(a) Pursuant to subsection 3(k)(1) of the Act those records in any of the system of records maintained by the Section which contain any information properly classified under Executive Order 11652 and which are required by the Executive Order to be kept secret in the interest of national defense or a foreign policy are exempt. This exemption which conceivably could be applicable to individual records in any system of records for which the Section has published a systems notice is necessary because certain records in systems not specifically designated could contain isolated items of information which have been properly classified and which can not be disclosed.

(b) Those listed in the Notice of Records.

§ 1101.14 Employee; rules of conduct.

(a) Heads of Divisions, Branches, and the projects shall ensure that all Section personnel subject to their supervision are advised of the provisions of the Privacy Act, including the criminal penalties and civil liabilities provided therein, and that Section personnel are made aware of their responsibilities to protect the security of personal information, to assure its accuracy, relevance, timeliness and completeness, to avoid unauthorized disclosure either orally or in writing, and to ensure that no system of records concerning individuals, no matter how small or specialized, is maintained without public notice.

(b) Section personnel shall:

(1) Collect no information of a personal nature from individuals unless authorized to collect it to achieve a function or carry out a responsibility or function of the Section;

(2) Collect from individuals only that information which is necessary to Section responsibilities or functions;

(3) Collect information, wherever possible, directly from the individual to whom it relates;

(4) Inform individuals from whom information is collected of the authority for collection, the purpose thereof, the uses that will be made of the information, and the effects, both legal and practical, of not furnishing the information;

(5) Neither collect, maintain, use nor disseminate information concerning an individual's religious or political beliefs or activities or his membership in associations or organizations, unless (i) the individual has volunteered such information for his own benefit; (ii) the information is expressly authorized by statute to be collected, maintained, used or disseminated; or (iii) the activities involved are pertinent to and within the scope of an authorized investigation or adjudication activity;

(6) Advise an individual's supervisors of the existence or contemplated development of any system of records which retrieves information about individuals by individual identifier;

(7) Maintain an accounting of all disclosures of information to other than Section personnel;

(8) Disclose no information concerning individuals to other than Section personnel except when authorized by the Act or pursuant to a routine use published in the FEDERAL REGISTER;

(9) Maintain and process information concerning individuals with care in order to ensure that no inadvertent disclosure of the information is made to other than Section personnel; and

(10) Call to the attention of the Comptroller any information in a system maintained by the Section which is not authorized to be maintained under the provisions of the Act, including information on First Amendment activities, information that is inaccurate, irrelevant or so incomplete as to risk unfairness to the individual concerned.

(c) The system of records maintained by the Section shall be reviewed annually by the Comptroller to ensure compliance with the provisions of the Act.

(d) Information which may be used in making determinations about an individual's rights, benefits, and privileges shall, to the greatest extent practicable, be collected directly from that individual. In deciding whether collection of information from an individual, as opposed to a third party source, is practicable, the following criteria, among others, may be considered:

(1) Whether the nature of the information sought is such that it can only be obtained from a third party;

(2) Whether the cost of collecting the information from the individual is unreasonable when compared with the cost of collecting it from a third party;

(3) Whether there is a risk that information requested from the third parties, if inaccurate, could result in an adverse determination to the individual concerned;

(4) Whether the information, if supplied by the individual, would have to be verified by a third party; or

(5) Whether provisions can be made for verification by the individual of information collected from third parties.

(e) Employees whose duties require handling of records subject to the Act shall, at all times, take care to protect

the integrity, security and confidentiality of these records.

(f) No employee of the Section may alter or destroy a record subject to the Act unless (1) such alteration or destruction is properly undertaken in the course of the employee's regular duties or (2) such alteration or destruction is required by a decision of the Commissioner or the decision of a court of competent jurisdiction.

§ 1101.15 Security, confidentiality and protection of records.

(a) The Act requires that records subject to the Act be maintained with appropriate administrative, technical and physical safeguards to ensure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience or unfairness to any individual on whom information is maintained.

(b) When maintained in manual form (typed, printed, handwritten, etc.) records shall be maintained, at a minimum, subject to the following safeguards, or safeguards affording comparable protection:

(1) Areas in which the records are maintained or regularly used shall be posted with an appropriate warning stating that access to the records is limited to authorized persons. The warning shall also summarize the requirements of § 1101.14 and state that the Act contains a criminal penalty for the unauthorized disclosure of records to which it applies.

(2) During working hours: (i) The area in which the records are maintained or regularly used shall be occupied by authorized personnel or (ii) access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

(3) During non-working hours, access to the records shall be restricted by their storage in locked metal file cabinets or a locked room.

(4) Where a locked room is the method of security provided for a system, that security shall be supplemented by (i) providing lockable file cabinets or containers for the records or (ii) changing the lock or locks for the room so that they may not be opened with a master key. For purposes of this paragraph, a master key is a key which may be used to open rooms other than the room containing records subject to the Act, unless those rooms are utilized by officials or employees authorized to have access the records subject to the Act.

(5) Personnel handling personal information during routine use will ensure that the information is properly controlled to prevent unintentional or unauthorized disclosure. Such information will be used, held, or stored only where facilities or conditions are adequate to prevent unauthorized or unintentional disclosure.

(c) When the records subject to the Act are maintained in computerized form, safeguards shall be utilized based on those recommended in the National Bureau of Standard's booklet "Computer Security Guidelines for Implementing the Privacy Act of 1974" (May 30, 1975), and any supplements thereto, which are adequate and appropriate to assuring the integrity of the records.

§ 1101.16 Accounting for disclosures.

(a) Each system manager shall establish a system of accounting for all disclosures of records, either orally or in writing made outside the U.S. Section, unless otherwise exempted under this section. Accounting procedures may be established in the least expressive and most convenient form that will permit the Comptroller to advise individuals promptly upon request of the persons or agencies to which records concerning them have been disclosed. Accounting of disclosures made under subsection (b) (7) of the Privacy Act (552a) relating to civil or criminal law enforcement activities shall not be made available to the individual named in the record.

(b) Accounting records, at a minimum, shall include the date, nature, and purpose of each disclosure of a record and the name and address of the person or agency to whom the disclosure was made. Accounting records shall be maintained for at least five years or the life of the record, whichever is longer.

(c) Accounting is not required to be kept for disclosure made within the U.S. Section or disclosures made pursuant to the Freedom of Information Act.

(d) If an accounting of the disclosure was made, the Comptroller shall inform any person or other agency about any correction or notation of dispute made by the U.S. Section in accordance with subsection (d) of section 552a of any record that has been disclosed to the person or agency.

Title 19—Customs Duties

CHAPTER II—INTERNATIONAL TRADE COMMISSION

PART 201—RULES OF GENERAL APPLICATION

Subpart D—Safeguarding Individual Privacy

Subpart D—Safeguarding Individual Privacy Pursuant to 5 U.S.C. 552a

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AUTHORITY: 5 U.S.C. 552a.

Subpart D—Safeguarding Individual Privacy Pursuant to 5 U.S.C. 552a

§ 201.22 Purpose and scope.

The purpose of these regulations is to provide certain safeguards for an individual against an invasion of personal privacy by the United States International Trade Commission. These regulations are promulgated pursuant to the requirements for all Federal Agencies contained in 5 U.S.C. 552a(f).

§ 201.23 Definitions.

For the purpose of these regulations,

(a) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(b) The term "maintain" includes maintain, collect, use, or disseminate;

(c) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Commission, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual;

(d) The term "system of records" means a group of any records under the control of the Commission from which information is retrieved by the name of the individual or by some identifying particular assigned to the individual;

(e) The term "Director of Personnel" refers to the Director, Office of Personnel and Management Systems, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, or his or her designee.

§ 201.24 Procedures for requests pertaining to individual records in a records system.

(a) A request by an individual to gain access to his or her record or to any information pertaining to him or her which is contained in the systems of records maintained by the Commission shall be addressed to the Director of Personnel, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, and shall indicate clearly both on the envelope and in the letter that it is a Privacy Act request.

(b) In order to facilitate location of requested records, the request of the individual shall name the systems of records maintained by the Commission which he or she believes contain records pertaining to him or her or shall reasonably describe the requested record.

(c) The Director of Personnel shall acknowledge receipt of a request within ten days (excluding Saturdays, Sundays, and legal public holidays), and wherever practicable, indicate whether or not access can be granted. If access is not to be granted, the requestor shall be notified of the reason.

(d) The Director of Personnel shall ascertain whether the systems of records maintained by the Commission contain records pertaining to the individual. Thereupon the Director of Personnel shall: (1) notify the individual whether or not the requested record is contained in any system of records maintained by the Commission; and (2) notify the individual of the procedures as prescribed in §§ 201.25 and 201.26 of these regulations by which the individual may gain access to those records maintained by the Commission which pertain to him or her. Access to the records will be provided within 30 days (excluding Saturdays, Sundays, and legal public holidays).

§ 201.25 Times, places, and requirements for identification of individuals making requests.

(a) It shall be the responsibility of the individual requester to arrange an appointment with the Director of Personnel for the purpose of inspecting individual records. The time of inspection shall be during the regular office hours of the Commission, 8:45 A.M. to 5:15 P.M., Monday through Friday. The time arranged should be mutually convenient to the requester and to the Commission.

(b) The place where an individual may gain access to records maintained by the Commission which pertain to him or her shall be at the United States International Trade Commission Building, 701 E Street, NW., Washington, D.C. 20436. The Director of Personnel shall inform the individual requester of the specific room wherein inspection will take place.

(c) An individual who requests to gain access to those records maintained by the Commission which pertain to him or her shall not be granted access to those records without first presenting adequate identification to the Director of Personnel. Adequate identification includes, but is not limited to, a government identification card, a driver's license, medicare card, a birth certificate, or a passport.

(d) Where the nature of the record or system of records permits and where the individual cannot view the records pertaining to him in person, the Director of Personnel may dispense with the requisites of §§ 201.25(a) and 201.25(b) of these regulations and provide the individual with a copy of the record by certified mail.

§ 201.26 Disclosure of requested information to individuals.

(a) Assuming that the individual requester has met the adequate identification criterion of § 201.25(c) of these regulations, the Director of Personnel shall permit the individual to review the pertinent records and to have a copy made of all or any portion of them. Where specific exemptions within the purview of § 201.32(c) would render such records or portions thereof incomprehensible, the Director of Personnel shall furnish an abstract in addition to an actual copy.

(b) The individual has the right to have a person of his or her own choosing accompany him or her to review his or her records. The Director of Personnel shall permit a person of the individual requester's choosing to accompany the individual during inspection.

(c) When the individual requests the Director of Personnel to permit a person of the individual's choosing to accompany him or her during the inspection of his or her records, the Director of Personnel shall require the individual requester to furnish a written statement authorizing discussion of the records in the accompanying person's presence.

(d) The Director of Personnel shall take all necessary steps to insure that individual privacy is protected while the individual requester is inspecting his or her records or while those records are being discussed. Only the Director of Personnel shall accompany the individual as representative of the Commission during the inspection of the individual's records. The Director of Personnel shall be authorized to discuss the pertinent records with the individual.

§ 201.27 Special procedures: Medical records.

(a) While an individual has an unqualified right of access to the records in systems of records maintained by the Commission which pertain to him or her, medical and psychological records merit special treatment because of the possibility that disclosure will have an

adverse physical or psychological effect upon the requesting individual. Accordingly, therefore, in those instances where an individual is requesting the medical and/or psychological records which pertain to him or her, he or she shall, in his or her Privacy Act request to the Director of Personnel as called for in § 201.24(a) of these regulations, specify a physician to whom the medical and/or psychological records may be released.

(b) It shall be the responsibility of the individual requesting medical or psychological records to specify a physician to whom the requested records may be released. If an individual refuses to name a physician and insists on inspecting his or her medical or psychological records in the absence of a doctor's discussion and advice, the individual shall so state in his Privacy Act request to the Director of Personnel as called for in § 201.24 (a) and the Director of Personnel shall provide access to or transmit such records directly to the individual.

§ 201.28 Request for correction or amendment of record.

(a) If, upon viewing his or her records, the individual disagrees with a portion thereof or feels sections thereof to be erroneous, the individual may request amendment(s) of the records pertaining to him or her. The individual should request such an amendment in writing. The request for amendment of records shall be addressed to the Director of Personnel, United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, and shall clearly indicate both on the envelope and in the letter that it is a Privacy Act request for amendment of records.

(b) Not later than 10 days (Saturdays, Sundays and Federal legal public holidays excluded) after the date of receipt of a Privacy Act request for amendment of records, the Director of Personnel shall acknowledge such receipt in writing. Thereupon the Director of Personnel shall promptly either: (1) Make any correction of any portion of the record which the individual believes is not accurate, relevant, timely, or complete; or (2) inform the individual of the Director of Personnel's refusal to amend the record in accordance with the individual's request and give the reasons for the refusal. In cases where the Director of Personnel has refused to amend in accordance with an individual's request, he or she also shall advise the individual of the procedures under § 201.29 of these regulations for the individual to request a review of that refusal by the full Commission or by an officer designated by the Commission.

§ 201.29 Commission review of request for correction or amendment to record.

(a) The individual who disagrees with the refusal of the Director of Personnel to amend the record may request a review of the refusal by the Commission. All requests for review of refusals to amend records should be addressed to the Chairman, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, and shall clearly indicate both on the envelope and in the letter that it is a Privacy Act review request.

(b) Not later than 30 days (Saturdays, Sundays, and Federal legal public holidays excluded) from the date on which the Commission receives a request for review of the Director of Personnel's refusal to amend the record, the Commission shall complete such a review and make a final determination thereof unless, for good cause shown, the Commission extends the 30-day period.

(c) After the individual's request to amend his or her records has been reviewed by the Commission, if the Commission agrees with the Director of Personnel's refusal to amend the record in accordance with the individual's request, the Commission shall: (1) Notify the individual in writing of the Commission's decision; (2) advise the individual that he or she has the right to file a concise statement of disagreement with the Commission which sets forth his or her reasons for disagreement with the refusal of the Commission to amend the records; and (3) notify the individual of his or her legal right to judicial review of the Commission's final determination.

(d) In any disclosure, containing information about which the individual has filed a statement of disagreement, the Director of Personnel shall clearly note any portion of the record which is disputed and shall provide copies of the statement and, if the Commission deems it appropriate, copies of a concise statement of the reasons of the Commission for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed.

§ 201.30 Commission disclosure of record to person other than the individual to whom it pertains.

(a) Except as is permitted under 5 U.S.C. 552a(b)(1)–(b)(11), it is the policy of the Commission not to disclose any record which is contained in any system of records maintained by the Commission to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains.

(b) Except for disclosures to those officers and employees of the Commission who have a need for the record in the performance of their duties and any disclosure required by 5 U.S.C. 552, the Director of Personnel shall keep an accurate accounting of: (1) The date, nature, and purpose of each disclosure of a record to any person or to another agency under subsection (a) of this section; and (2) the name or address of the person or agency to whom the disclosure is made.

(c) The Director of Personnel shall retain the accounting required by § 201.30(b) for at least five years or the life of the record, whichever is longer, after such disclosure.

(d) Except for disclosures made to other agencies for civil or criminal law enforcement purposes pursuant to 5 U.S.C. 552a(b)(7), the Director of Personnel shall make any accounting made under § 201.30(b) available to the individual named in the record at the individual's request.

(e) Where the Commission has provided any person or other agency with an individual record and such accounting as required by § 201.30(b) has been made, the Director of Personnel shall inform all such persons or other agencies of any correction, amendment, or notation of dispute concerning said record.

§ 201.31 Fees.

(a) The Commission shall not charge any fee for the cost of searching for and reviewing an individual's records.

(b) Reproduction, duplication or copying of records by the Commission shall be at the rate of 10 cents per page. There shall be no charge, however, when the total amount does not exceed 50 cents.

§ 201.32 Specific exemptions.

(a) A system of records or a record which is specifically required by Executive order to be kept secret in the interest of national defense or foreign policy, pursuant to 5 U.S.C. 552(b)(1), shall be exempt from this subpart and from subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f) of section 3 of the Privacy Act.

(b) Systems of records required by statute to be maintained and used solely as statistical records shall be exempt from this subpart and shall be exempt from subsections (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and of section 3 of the Privacy Act.

(c) Personnel investigations records in the custody of the Security Officer of the Commission, which are compiled solely for the purpose of determining suitability, eligibility, or qualifications for Commission employment or access to classified information shall be exempt from this subpart and from subsections (c)(3), (d), (e)(4) (G), (H), and (I) and (f) of section 3 of the Privacy Act, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to government investigators under an express promise that the identity of the source would be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence.

Title 20—Employees' Benefits

CHAPTER VIII—JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

PART 903—ACCESS TO RECORDS

Subpart A—Records Pertaining to Individuals

Sec.

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AUTHORITY: (5 U.S.C. 552)a.

Subpart A—Records Pertaining to Individuals

§ 903.1 Purpose and scope of regulations.

The regulations in this subpart are issued to implement the provisions of the Privacy Act of 1974 (5 U.S.C. 552a). The regulations relate to all records maintained by the Joint Board for the Enrollment of Actuaries (Joint Board) which are identifiable by individual name or identifier and all systems of such records which are retrievable by name or other identifier. They do not relate to personnel records of Government employees, which are under the jurisdiction of the Civil Service Commission, and, thus, subject to regulations issued by such Commission. The regulations set forth the procedures by which individuals may request notification of whether the Joint Board maintains or has disclosed a record pertaining to them or may seek access to such records maintained in any non-exempt system of records, request amendment of such records, and appeal any initial adverse determination with respect to any such request.

§ 903.2 Definitions.

(a) The term "agency" includes any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency (see 5 U.S.C. 552(e));

(b) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(c) The term "maintain" includes maintain, use, collect or disseminate;

(d) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Joint Board, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual such as a finger or voice print or a photograph;

(e) The term "system of records" means a group of any records under the control of the Joint Board from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(f) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

§ 903.3 Procedures for notification with respect to records regarding individuals.

(a) *Procedures for notification.* The systems of records maintained by the Joint Board are listed annually as required by the Privacy Act of 1974. Any individual, who wishes to know whether a system of records contains a record regarding him, may write to the Executive Director, Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220. Requests may also be delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, NW., Suite 1537, Washington, D.C. between the hours of 9 a.m. and 5 p.m. on workdays. Any such inquiry will be acknowledged in writing within 10 days (excluding Saturdays, Sundays and legal public holidays) of receipt of the request.

(b) *Requests.* A request for notification of whether a record exists shall:

(1) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative (see § 903.7),

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a, or the regulations contained in this Part;

(3) Furnish the name of the system of records with respect to which notification is sought, as specified in the systems notices published in the FEDERAL REGISTER, Volume 40, No. 167;

(4) Mark "Privacy Act Request" on the request and on the envelope in which the request is contained;

(5) Be addressed as specified in paragraph (a) of this section, unless personally delivered; and

(6) Meet the requirements set forth in paragraph (c) of this section.

(c) *Verification of identity.* Notification of the existence of records in certain systems maintained by the Joint Board will not be made unless the individual requester's identity is verified. Where applicable, requirements for verification of identity are specified in the notices of systems published in the FEDERAL REGISTER, Volume 40, No. 167.

(d) *Date of receipt of request.* A request for notification with respect to records shall be considered to have been received on the date on which the requirements of paragraphs (a), (b) and (c) of this section have been satisfied. Requests for notification shall be stamped with the date of receipt by the Office of the Executive Director.

(e) *Exemptions.* The procedures prescribed under paragraphs (a), (b) and (c) of this section shall not apply to: (1) Systems of records exempted pursuant to 5 U.S.C. 552a(k); (2) information compiled in reasonable anticipation of a civil action or proceeding (see 5 U.S.C. 552a(d)(5)); or (3) information regarding an individual which is contained in, and inseparable from, another individual's record.

(f) *Notification of determination.*—(1) *In general.* The Executive Director shall, except as otherwise provided in this paragraph, notify an individual requester as to whether or not a system of records contains a record regarding such individual. Such notification shall be made within 30 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of the request, as determined in accordance with paragraph (d) of this section. If it is not possible to respond within 30 days, the Executive Director will inform the requester, stating the reasons for the delay (e.g., volume of records involved, need to consult other agencies, or the difficulty of the legal issues involved) and when a response will be dispatched.

(2) *Denial of request.* When it is determined that a request for notification with respect to records will be denied (whether in whole or in part or subject to conditions or exceptions), the person making the request shall be so notified by mail in accordance with paragraph (f)(1) of this section. The letter of notification shall set forth the name and title or position of the responsible official.

(3) *Records exempt in whole or in part.* (i) When an individual requests notification with respect to records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Executive Director will neither confirm nor deny the existence of the record but shall advise the individual only that no record with respect to the existence of which he is entitled to be notified pursuant to the Privacy Act of 1974 has been identified.

(ii) Requests for records which have been exempted from the requirement of notification pursuant to 5 U.S.C. 552a (k)(2) shall be responded to in the manner provided in paragraph (f)(3)(i) of this section.

§ 903.4 Procedures for access to records and accountings of disclosures from records, regarding individuals.

(a) *Access.* The Executive Director of the Joint Board shall, upon request by any individual to gain access to a record regarding him which is contained in a system of records maintained by the Joint Board, or to an accounting of a disclosure from such record made pursuant to 5 USC 552a(c)(1), permit that individual and, upon his/her request, a person he/she chooses to accompany him/her, to review the record or any such accounting and have a copy made of all or any portion thereof in a form comprehensible to the individual, except that the Executive Director may require the individual to furnish a written statement authorizing discussion of that individual's record in the accompanying person's presence. Such request may be ad-

dressed to the Executive Director, Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220. Requests may also be delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, NW., Suite 1537, Washington, D.C., between the hours of 9 a.m. and 5 p.m. on workdays. Any such inquiry will be acknowledged in writing within 10 days (excluding Saturdays, Sundays and legal public holidays) of receipt of the request (see paragraph (e) of this section).

(b) *Requests.* A request for access to records or accountings of disclosure from records, shall:

(1) Be signed in writing by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative (see § 903.7);

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a, or the regulations contained in this Part;

(3) Furnish the name of the system of records to which access is sought, or the name of the system for a disclosure from which an accounting is sought, as specified in the systems notices published in the FEDERAL REGISTER, Volume 40, No. 167;

(4) Mark "Privacy Act Request" on the request and on the envelope in which the request is contained;

(5) Be addressed as specified in paragraph (a) of this section, unless personally delivered;

(6) State whether the requester wishes to inspect the records and/or accountings of disclosures therefrom, or desires to have a copy made and furnished without inspecting them;

(7) State, if the requester desires to have a copy made, the requester's agreement to pay the fees for duplication as ultimately determined in accordance with § 903.6; and

(8) Meet the requirements set forth in paragraph (c) of this section.

(c) *Verification of identity.* Access to records contained in certain systems maintained by the Joint Board and/or accountings of disclosures from such records, will not be granted unless the individual requester's identity is verified. Where applicable, requirements for verification of identity are specified in the notices of systems published in the FEDERAL REGISTER, Volume 40, No. 167.

(d) *Exemptions.* The procedures specified in paragraphs (a), (b) and (c) of this section shall not apply to: (1) Systems of records exempted pursuant to 5 U.S.C. 552a(k); (2) information compiled in reasonable anticipation of a civil action or proceeding (see 5 U.S.C. 552a (d)(5)); or (3) information regarding an individual which is contained in, and inseparable from, another individual's record.

(e) *Date of receipt of request.* A request for access to records and/or accountings shall be considered to have been received on the date on which the requirements of paragraphs (a), (b) and (c) of this section have been satisfied. Requests for access, and any separate agreement to pay, shall be stamped with the date of receipt by the Office of the Executive Director. The latest of such stamped dates will be deemed to be the date of receipt of the request.

(f) *Notification of determination—* (1) *In general.* Notification of determinations as to whether to grant access to records and/or accountings requested will be made by the Executive Director of the Joint Board. The notification of the determination shall be made within 30 days (excluding Saturdays, Sundays and legal public holidays) after the date of receipt of the request, as determined in accordance with paragraph (g) of this section. If it is not possible to respond within 30 days, the Executive Director will inform the requester, stating the reason(s) for the delay (e.g., volume of records requested, need to consult other agencies, or the difficulty of the legal issues involved) and when a response will be dispatched (See 5 U.S.C. 552a (d) and (f)).

(2) *Granting of access.* (i) When it has been determined that the request for access will be granted—(A) and a copy requested; such copy in a form comprehensible to him shall be furnished promptly, together with a statement of the applicable fees for duplication as set forth elsewhere in these regulations (See § 903.6); and (B) and the right to inspect has been requested, the requester shall be promptly notified in writing of the determination, and when and where the requested records and/or accountings may be inspected. (ii) An individual seeking to inspect records concerning himself and/or accountings of disclosure from such records may be accompanied by another individual of his own choosing. The individual seeking access shall be required to sign the required form indicating that the Joint Board is authorized to discuss the contents of the subject record in the accompanying person's presence. If, after making the inspection, the individual making the request desires a copy of all or portion of the requested records, such copy in a form comprehensible to him shall be furnished upon payment of the applicable fees for duplication as prescribed by § 903.6. Fees shall not be charged where they would amount, in the aggregate, to less than $53.00. (See 5 U.S.C. 552a (d) and (f)):

(3) *Denial of request.* (i) When it is determined that the request for access to records will be denied (whether in whole or in part or subject to conditions or exceptions), the person making the request shall be so notified by mail in accordance with paragraph (f)(1) of this section. The letter of notification shall contain a statement of the reasons for not granting the request as made, set forth the name and title or position of the responsible official and advise the individual making the request of the right to file suit in accordance with 5 U.S.C. 552a(g)(1)(B).

(ii) When it is determined that a request for access to accountings will be denied, the person making the request shall be so notified by mail in accordance with paragraph (f)(1)(4)(iii) of this section.

(4) *Records exempt in whole or in part.* (i) When an individual requests records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding either in a court or before an administrative tribunal, the Executive Director will neither confirm nor deny the existence of the record but shall advise the individual only that no record available to him pursuant to the Privacy Act of 1974 has been identified.

(ii) Requests for records which have been exempted from disclosure pursuant to 5 U.S.C. 552a(k)(2) shall be responded to in the manner provided in paragraph (f)(4)(i) of this section unless a review of the information indicates that the information has been used or is being used to deny the individual any right, privilege or benefit for which he is eligible or to which he would otherwise be entitled under federal law. In that event, the individual shall be advised of the existence of the information but such information as would identify a confidential source shall be extracted or summarized in a manner which protects the source to the maximum degree possible and the summary extract shall be provided to the requesting individual.

(iii) When an individual requests access to acountings of disclosure from records concerning himself which have been compiled in reasonable anticipation of a civil action or proceeding, either in a court or before an administrative tribunal, or which have been exempted from disclosure pursuant to 5 USC 552a (k)(2), the Executive Director will neither confirm nor deny the existence of the record or accountings of disclosure therefrom, but shall advise the individual that no accounting available to him pursuant to the Privacy Act of 1974 has been identified.

§ 903.5 Procedures for amendment of records regarding individual—format, agency review and appeal from initial adverse agency determination.

(a) *In general.* Subject to the application of exemptions promulgated by the Joint Board, in accordance with 5 U.S.C. 552a(k), the Executive Director shall, in conformance with 5 U.S.C. 552a(d)(2), permit an individual to request amendment of a record pertaining to him. Any such request shall be addressed to the Executive Director, Joint Board for the Enrollment of Actuaries, U.S. Department of the Treasury, Washington, D.C. 20220 or delivered personally to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, N.W., Suite 1537, Washington, D.C. Any request for amendment of records or any appeal from the initial denial of a request which does not fully comply with the requirements of this section will not be deemed subject to the time constraints of paragraph (e) of this section, unless and until amended so as to comply. However, the Executive Director shall forthwith advise the requester in

what respect the request or appeal is deficient so that it may be resubmitted or amended. (See 5 U.S.C. 552a (d) and (f)).

(b) *Form of request to amend records.* In order to be subject to the provisions of this section, a request to amend records shall:

(1) Be made in writing and signed by the person making the request, who must be the individual about whom the record is maintained, or his duly authorized representative. (See § 903.7);

(2) State that it is made pursuant to the Privacy Act, 5 U.S.C. 552a or these regulations;

(3) Mark "Privacy Act Amendment Request" on the request and on the envelope; and

(4) Reasonably describe the records which the individual desires to have amended, including, to the best of the requester's knowledge, dates of letters requesting access to such records previously and dates of letters in which notification concerning access was made, if any, and the individual's documentation justifying the correction. (See 5 U.S.C. 552a (d) and (f)).

(c) *Date of receipt of request.* A request for amendment of records pertaining to an individual shall be deemed to have been received for purposes of this subpart when the requirements of paragraphs (a) and (b) of this section have been satisfied. The Office of the Executive Director shall stamp the date of receipt of the request thereon. (See 5 U.S.C. 552a (d) and (f)).

(d) *Review of requests to amend records.* The Executive Director shall:

(1) Not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, acknowledge in writing such receipt; and

(2) Promptly, either—(i) make any correction of any portion of a record which the individual believes and the Executive Director agrees is not accurate, relevant, timely, or complete; or (ii) inform the individual of the refusal to amend the record in accordance with his request, the reason for the refusal, and that he may request that the Joint Board review such refusal. (See 5 U.S.C. 552a (d) and (f)).

(e) *Administrative appeal.*—(1) *In general.* The Joint Board shall permit individuals to request a review of initial decisions made under paragraph (d) of this section when an individual disagrees with a refusal to amend his record. (See 5 U.S.C. 552a(d), and (g)(1)).

(2) *Form of request for administrative review of refusal to amend record.* At any time within 35 days after the date of the notification of the initial decision described in paragraph (d)(2)(ii) of this section, the requester may submit a request for review of such refusal to the official specified in the notification of the initial decision. The appeal shall:

(i) Be made in writing stating any arguments in support thereof and be signed by the person to whom the record pertains, or his duly authorized representative (See § 903.7);

(ii) Within 35 days of the date of the initial decision: (A) be addressed and mailed to the Joint Board for the Enrollment of Actuaries, c/o U.S. Department of the Treasury, Washington, D.C. 20220; or (B) be personally delivered to the Executive Director, Joint Board for the Enrollment of Actuaries, 2401 E Street, N.W., Suite 1537, Washington, D.C. on workdays between the hours of 9 a.m. and 5 p.m.;

(iii) Have clearly marked on the appeal and on the envelope, "Privacy Act Amendment Appeal";

(iv) Reasonably describe the records requested to be amended; and

(v) Specify the date of the initial request to amend records, and the date of the letter giving notification that the request was denied. (See 5 U.S.C. 552a (d) and (f)).

(3) *Date of Receipt.* Appeals shall be promptly stamped with the date of their receipt by the Office of the Executive Director and such stamped date will be deemed to be the date of receipt for all purposes of this section. The receipt of the appeal shall be acknowledged within 10 days from the date of receipt (unless the determination on appeal is dispatched in 10 days, in which case, no acknowledgment is required) by the Joint Board and the requester is advised of the date of receipt established by the foregoing and when a response is due in accordance with this paragraph. (See 5 U.S.C. 552a (d) and (f)).

(4) *Review of administrative appeals from denial of requests to amend records.* The Joint Board shall complete the review and notify the requester of the final agency decision within 30 days (exclusive of Saturdays, Sundays and legal public holidays) after the date of receipt of such appeal, unless it extends the time for good cause shown. If such final agency decision is to refuse to amend the record, in whole or in part, the requester shall also be advised of his right; (i) to file a concise "Statement of Disagreement" setting forth the reasons for his disagreement with the decision which shall be filed within 35 days of the date of the notification of the final agency decision and (ii) to seek judicial review of the final agency decision under 5 U.S.C. 552a(g)(1)(A). (See 5 U.S.C. 552a (d), (f) and (g)(1)).

(5) *Notation on record and distribution of statements of disagreement.* (i) The Executive Director is responsible, in any disclosure containing information about which an individual has filed a "Statement of Disagreement," occurring after the filing of the statement under (4) above, for clearly noting any portion of the record which is disputed and providing copies of the statement and, if deemed appropriate, a concise statement of the Joint Board's reasons for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed. (See 5 U.S.C. 552a(d)(4)).

(ii) In addition, when a "Statement of Disagreement" is filed regarding information previously disclosed to a person or other agency and when, for such disclosure, an accounting was made pursuant to 5 U.S.C. 552(c)(1), then the Executive Director shall provide such person or other agency with the following:

(A) Copy of the "Statement of Disagreement";

(B) Copy of the portion of the previously disclosed in dispute clearly noted as disputed and;

(C) If deemed appropriate, a concise statement of the Joint Board's reasons for not making requested amendments.

(f) *Records not subject to correction.* The following records are not subject to correction or amendment by individuals:

(i) Transcripts or written statements made under oath;

(ii) Transcripts of Grand Jury proceedings, judicial or quasi-judicial proceedings which form the official record of those proceedings;

(iii) Pre-sentence reports comprising the property of the courts but maintained in agency files;

(iv) Records pertaining to the determination, the collection and the payment of federal taxes; and

(v) Records duly exempted from correction by notice published in the FEDERAL REGISTER.

§ 903.6 Fees.

Charges for copies of records made pursuant to part 903 of this chapter will be at the rate of $0.10 per copy. For records not susceptible to photocopying, e.g., over-size materials, photographs, etc., the amount charged will be the actual cost of copying. Only one copy of each record requested will be provided. No charge will be made unless the charge as computed above would exceed $3 for each request or related series of requests. If a fee in excess of $25 is required, the requester will be notified that the fee must be tendered before the records will be copied.

§ 903.7 Guardianship.

The guardian of a person judicially determined to be incompetent shall, in addition to establishing the identity of the person he represents, establish his own guardianship by furnishing a copy of a court order establishing the guardianship and may thereafter act on behalf of such individual. (See 5 U.S.C. 552a(h)).

§ 903.8 Exemptions.

(a) *Names of systems:* (1) JBEA—Enrollment Files.

(2) JBEA—Application Files.

(3) JBEA—General Information.

(4) JBEA—Charge Case Inventory Files.

(5) JBEA—Suspension and Termination Files.

(b) *Provisions from which exempted:* These systems contain records described in 5 U.S.C. 552a(k), the Privacy Act of 1974. Exemption will be claimed for such records only where appropriate from the following provisions: subsections (c)(3), (d)(1), (2), (3) and (4), (e)(1), (c)(4)(G), (H) and (I), and (f)(1), (2), (3), (4) and (5) of 5 U.S.C. 552a.

(c) *Reasons for claimed exemptions:* (1) The Privacy Act of 1974 creates several methods by which individuals may

learn of and obtain records containing information on such individuals and consisting of investigatory material compiled for law enforcement purposes. These methods are as follows: subsection (c)(3) allows individuals to discover if other agencies are investigating such individuals; subsections (d)(1), (e)(4)(H) and (f)(2), (3) and (5) establish the ability of individuals to gain access to investigatory material compiled on such individuals; subsections (d)(2), (3) and (4), (e)(4)(H) and (f)(4) presuppose access and enable individuals to contest the contents of investigatory material compiled on these individuals; and subsections (e)(4)(G) and (f)(1) allow individuals to determine whether or not they are under investigation. Because these subsections are variations upon the individual's ability to ascertain whether his civil or criminal misconduct has been discovered, these subsections have been grouped together for purposes of this notice.

(2) (i) The Joint Board believes that imposition of the requirements of subsection (c)(3), which requires that accountings of disclosures be made available to individuals, would impair the ability of the Joint Board and other investigative entities to conduct investigations of alleged or suspected violations of the regulations governing the performance of actuarial services with respect to plans to which the Employee Retirement Income Security Act (ERISA) applies, and of civil or criminal laws. Making the accountings of disclosures available to individuals enables such individuals to identify entities investigating them and thereby to determine the nature of the violations of which they are suspected. With such knowledge, individuals would be able to alter their illegal activities, destroy or alter evidence of such activities and seriously impair the successful completion of investigations. For these reasons, the Joint Board seeks exemption from the requirements of subsection (c)(3).

(ii) With respect to subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5), the Joint Board believes that access to investigatory material would prevent the successful completion of investigations. Individuals who gain access to investigatory material involving them discover the nature and extent of the violations of regulations, and of civil and criminal laws, of which they are suspected. By gaining access, such individuals also learn the facts developed during investigations. Knowledge of these matters enables these individuals to destroy or alter evidence which would otherwise have been used against them. In addition, knowledge of the facts and suspected violations gives individuals, who are committing ongoing violations, or who are about to commit violations of regulations, or of civil or criminal laws, the opportunity to temporarily postpone the commission of the violations or to effectively disguise the commission of these violations. Material compiled on investigated individuals reveals investigative techniques and procedures, disclosure of which enables such individuals to structure their illegal activities so as to escape detection. Further, such material may contain, or by its very nature reveal, the identity of confidential sources. When the identities of confidential sources are revealed, they may be subjected to various forms of reprisal. If confidential sources of information are subjected to actual reprisals or fear thereof, they may become reluctant to provide information necessary to identify or prove the guilt of persons who violate regulations, or civil or criminal laws. Further, the protections afforded by the above-referenced subsections are unnecessary because the Joint Board may not deny enrollment or suspend or terminate the enrollment of an individual to perform actuarial services until it has provided such individual with due process safeguards. For the reasons stated in this subparagraph, the Joint Board seeks exemptions from the requirements of subsections (d)(1), (e)(4)(H), and (f)(2), (3) and (5).

(iii) With respect to subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4), the Joint Board believes that the imposition of these requirements, which presuppose access and provide for amending records, would impair the ability to conduct investigations and would be unnecessary for the same reasons stated in the preceding subparagraph (2)(B). These reasons herein are incorporated by reference. Therefore, the Joint Board seeks exemption from the requirements of subsections (d)(2), (3) and (4), (e)(4)(H), and (f)(4).

(iv) With respect to subsections (e)(4)(G) and (f)(1), the Joint Board believes that informing individuals that they are the subjects of a particular system or systems of records would impair the ability of the Joint Board and its agents to successfully complete investigations of suspected or alleged violators of the regulations governing the performance of actuarial services with respect to plans to which ERISA applies. Individuals who learn that they are suspected of violating said regulations are given the opportunity to destroy or alter evidence needed to prove the alleged violations. Such individuals may also be able to impair investigations by temporarily suspending or restructuring the activities which place them in violation of said regulations. Further, as noted in preceding subparagraph (2)(B) and incorporated by reference herein, the procedural requirements imposed on the Joint Board by ERISA make the protections afforded by subsections (c)(4)(G) and (f)(1) unnecessary. For these reasons, the Joint Board seeks exemptions from the requirements of subsections (c)(4)(G) and (f)(1).

(v) Subsection (e)(1) of the Privacy Act of 1974 requires that the Joint Board maintain in its records only information that is relevant and necessary to accomplish a purpose of the Office required to be accomplished by statute or by executive order of the President. The Joint Board believes that imposition of said requirement would seriously impair its ability, and the abilities of its agents and other investigative entities to effectively investigate suspected or alleged violations of regulations and of civil or criminal laws. The Joint Board does not initiate inquiries into individuals' conduct unless it receives information evidencing violation by such individuals of the regulations governing performance of actuarial services with respect to plans to which ERISA applies. Sources of such information may be unfamiliar with the Joint Board's interpretations of said regulations and, therefore, may not always provide only relevant and necessary information. Therefore, it may often be impossible to determine whether or not information is relevant and necessary. For these reasons, the Joint Board seeks exemptions from the requirement of subsection (e)(1).

(vi) Subsection (e)(4)(I) of the Privacy Act of 1974 requires the publication of the categories of sources of records in each system of records. The Joint Board believes that imposition of said requirement would seriously impair its ability to obtain information from such sources for the following reasons. Revealing such categories of sources could disclose investigative techniques and procedures and could cause sources to decline to provide information because of fear of reprisal, or fear of breaches of promises of confidentiality. For these reasons, the Joint Board seeks exemptions from the requirement of subsection (e)(4)(I).

Title 35—Panama Canal

CHAPTER I—CANAL ZONE REGULATIONS

PART 10—ACCESS TO INFORMATION CONCERNING INDIVIDUALS

Sec.

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AUTHORITY: 5 U.S.C. 552a, 88 Stat. 1897.

§ 10.1 Purpose and scope.

(a) The purpose of this part is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93-579), and particularly the provisions of 5 U.S.C. 552a as enacted thereby.

(b) The procedures specified in this part apply only to information concerning individuals which is maintained under the control of the Panama Canal Company or the Canal Zone Government or both, in a system of records the existence and character of which has been disclosed by publication in the FEDERAL REGISTER. Where another agency has published notice of the existence and character of a system of records which is partially under the control of the Panama Canal Company or Canal Zone Government, the regulations of the agency publishing the notice take precedence over these regulations.

(c) For purposes of these regulations and the provisions of 5 U.S.C. 552a, all systems of records maintained by either the Panama Canal Company or the Canal Zone Government are deemed to be systems of records maintained by both agencies, and officers or employees of either agency who have need for a record in the performance of their duties are deemed to be employees of the agency which maintains the record within the meaning of 5 U.S.C. 552a(b)(1). Implementation of the provisions of the Privacy Act by the Canal Zone Government is not intended to waive any exemption to which the agency is entitled under 5 U.S.C. 551(1)(C) as the government of a territory or possession of the United States.

§ 10.2 Definitions.

(a) All terms used in this part which are defined in 5 U.S.C. 552a shall have the meanings set forth therein.

(b) As used in this part

"Agency Records Officer" means the Chief, Administrative Services Division.

"System manager" means the official designated as such in the most recent Notice of Systems of Records published in the FEDERAL REGISTER.

§ 10.3 Procedures for requests pertaining to individual records in a record system.

(a) An individual wishing to determine whether a particular system of records contains information pertaining to him shall:

(1) Apply either in person or in writing to the system manager designated in the Notice of the System of Records or to the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone;

(2) Reasonably identify the system or systems of records to which the request pertains; and

(3) Adequately identify himself to the official to whom the request is made. If the request is made in person, display of a proper employee identification card, driver's license, or other photo identification card shall be sufficient. If the request is made in writing, the individual shall supply such information as may assist in verifying his identity (e.g., signature, employee identification number, date and place of birth) and may be required to provide the certificate of a notary public or other official authorized to administer oaths.

(b) An inquiry which is submitted in writing shall be clearly marked, on the envelope and in the text, with the words "Privacy Act Inquiry".

(c) The official to whom an inquiry is directed shall acknowledge its receipt promptly, but in no case later than 10 work days. The individual shall be notified

(1) That a record is maintained on him in the system of records specified, and the conditions under which it may be reviewed;

(2) That no record is maintained on him in the system of records specified; or

(3) That no answer to the inquiry can be given because the system of records or the individual has not been adequately identified, the system of records is exempt from disclosure, or the record or system of records in question is not within the agency's control.

§ 10.4 Times, places, and requirements for identification of individuals making requests.

(a) An individual who desires to inspect his record or information pertaining to him shall present himself during regular working hours at the location specified in the Notice of the System of Records or at the office of the Agency Records Officer, Administration Building, Balboa Heights, Canal Zone. He shall identify himself to the system manager or the Agency Records Officer (or a person designated by them) by displaying at least one identification document containing his picture (e.g., employee identification card, driver's license, passport) or at least two identification documents containing his signature, or other documentation suitable to the official concerned.

(b) An individual purporting to act on behalf of another individual, as the parent of a minor or as the legal guardian of an individual who has been declared to be incompetent, shall (after satisfactorily identifying himself) present evidence that he is entitled to act on the other individual's behalf. A parent shall display a certified or authenticated copy of the minor's birth certificate and a legal guardian shall display a certified or authenticated copy of the court order establishing guardianship. In addition, in appropriate cases the parent or legal guardian of a minor may be requested to provide evidence that the minor is in his custody, that the minor has consented to disclosure of certain information to him, or otherwise that he has authority to act on the minor's behalf.

(c) An individual who desires to inspect his record or information pertaining to him but who cannot appear in person during regular working hours shall contact the system manager or the Agency Records Officer, by telephone or by letter, to establish the procedures to be followed in verifying the individual's identity and in granting him access to the record or records in question. An individual who is unable to appear in person shall normally be required to have his identity verified by a notary public or equivalent officer empowered to administer oaths.

(d) When for any reason an individual is unable to establish his identity to the satisfaction of the system manager or Agency Records Officer, such individual may be requested to furnish a signed statement asserting his identity and stipulating that he understands that knowingly and willfully requesting or obtaining access to any record concerning another individual under false pretenses is a misdemeanor punishable by a fine of up to $5,000.

§ 10.5 Disclosure of requested information to individuals.

(a) When a system manager has determined, in response to a request, that information pertaining to an individual is contained in a system of records under his control and is not exempt from disclosure to that individual, and when the individual has satisfactorily identified himself, immediate access to the record or records in question will normally be provided. When for any reason immediate access cannot be provided, the system manager shall arrange with the individual for access at a mutually acceptable time and place or for copying of the record or records in question. In the event that access cannot be granted within 10 working days following a request, the individual shall be advised

in writing of the circumstances causing the delay.

(b) Illustrative of the circumstances that can reasonably be anticipated to cause delay in granting an individual access to his records or information pertaining to him are: physical inaccessibility of the record, volume of material involved, number of requests pending with the system manager, need to extract from a record information which is exempt from disclosure or which pertains to other individuals, and need to consult with other agencies having a substantial interest in determinations involved with the request.

(c) The decision by a system manager to deny an individual access to his record or to information pertaining to him shall not be considered a final agency decision unless it has been reviewed and confirmed in writing by the Agency Records Officer.

(d) An individual who is granted access to his record or to information pertaining to him may, upon request, be accompanied by a person of his choosing provided he has furnished the system manager with a written statement authorizing disclosure of the record or information to such person.

(e) An individual may be granted access to copies of a record rather than to the record itself when such record is not maintained at, or cannot be transferred to, a location which is accessible to the individual. Copies prepared at the request of the individual are subject to payment of the fees prescribed in § 10.11. No fee will be charged the individual for copies prepared at the election of the agency unless the individual declines to return such copies at the agency's request.

(f) No individual shall be permitted to inspect original agency records except under the immediate supervision of the system manager or his designee.

§ 10.6 Special procedures: Medical records.

(a) Medical records pertaining to an individual, including psychological records which are not subject to paragraph (b) of this section, may be disclosed to the individual only after the Health Director or his designee has determined that such disclosure would not be likely to have an adverse effect upon the individual to whom they pertain. Upon written request from an individual, however, medical records which are not otherwise exempt from disclosure may be reviewed by a licensed medical practioner designated by the individual.

(b) Psychological records which are maintained on students by the Division of Schools may be disclosed to the individual to whom they pertain, or to the parent or legal guardian of such individual, only to the extent that the Superintendent of Schools or his designee determines that such disclosure would not be likely to have an adverse effect upon the individual to whom they pertain.

§ 10.7 Request for correction or amendment to record.

After an individual has inspected a record pertaining to him, he may apply in writing to the Agency Records Officer, Box M, Balboa Heights, Canal Zone, for the correction or amendment of any portion of such record which he believes is not accurate, timely, relevant, or complete. The envelope and the letter containing such request shall be clearly marked with the words "Privacy Act Request for Amending Records" and the letter shall set forth with reasonable specificity the record or portion of the record concerned, the correction or amendment desired, and the reasons therefor, together with any other information which may be necessary for proper processing of the request.

§ 10.8 Agency review of requests for correction or amendment of record.

(a) Within 10 working days after receipt of a request for correction or amendment of a record, the Agency Records Officer or his designee shall acknowledge receipt of the request and advise the individual making the request of either (1) the initial agency decision or (2) the date by which an initial agency decision can be expected.

(b) When all or part of the individual's request is approved, the Agency Records Officer or the system manager will so advise the individual. The system manager will be responsible for correcting the record and, where an accounting of disclosures has been maintained, for advising all previous recipients of the record that the correction has been made.

(c) Where after initial review all or part of the individual's request is disapproved, the Agency Records Officer or the system manager will:

(1) Advise the individual of this determination and the reasons therefor, including any criteria for determining accuracy which were employed in the review;

(2) Inform the individual that he may request a further review by the Lieutenant Governor of the Canal Zone (Vice President, Panama Canal Company) or by some other specified official in cases where the initial determination is based upon advice from another agency; and

(3) Describe the procedures to be followed in obtaining such review.

§ 10.9 Appeal of initial adverse agency determination on correction or amendment.

(a) An individual whose request for correction or amendment of a record has been denied in whole or in part may obtain review of such denial by the Lieutenant Governor of the Canal Zone (Vice President, Panama Canal Company). Requests for review must be in writing and must be clearly marked on the exterior and in the text with the words "Privacy Act Appeal".

(b) Following receipt of a request, the Lieutenant Governor-Vice President shall direct such review as he deems appropriate and shall make a final agency determination within 30 working days from the date of the request.

(c) If the Lieutenant Governor-Vice President concurs in the refusal to amend the record, he will advise the individual of such refusal and the reasons therefore, and that:

(1) Such determination is a final agency action;

(2) The individual may file a concise statement setting forth his reasons for disagreeing with the determination, and any procedures to be followed in submitting such a statement;

(3) Such statement, if submitted, will be made available to anyone to whom the record is subsequently disclosed and to any prior recipients of the disputed record (to the extent that an accounting of disclosures has been maintained), together with any summary of the agency's position which is considered appropriate; and

(4) The individual may seek judicial review of the agency's refusal to amend a record, in accordance with 5 U.S.C. 552 a(g).

(d) If the Lieutenant Governor-Vice President determines that the record should be amended in accordance with the individual's request, he will so advise the individual. The system manager will be responsible for correcting the record and, where an accounting of disclosures has been maintained, for advising all previous recipients of the record that such correction has been made.

(e) The 30-day period specified in paragraph (b) of this section may be extended by the Governor for good cause shown. When additional time is required, the individual shall be advised in writing of the reason for the delay and the approximate date on which the review will be completed.

(f) When an individual elects to file with the agency a statement of disagreement with the denial of his request for amendment of a record, the system manager shall cause the disputed portion of the record to be clearly marked. Thereafter, copies of the statement of disagreement shall be provided to anyone to whom the record is subsequently disclosed and to any prior recipients of the disputed record (to the extent that an accounting of disclosures has been maintained), together with any summary of the agency position which is deemed appropriate.

§ 10.10 Disclosure of record to person other than the individual to whom it pertains.

(a) Except as provided in this section or as required by other applicable law, information on an individual which is maintained in a system of records under the control of the Panama Canal Company and Canal Zone Government may not be released to anyone other than the individual to whom it pertains without the prior written consent of that individual.

(b) Pursuant to 5 U.S.C. 552a, information pertaining to an individual may be disclosed:

(1) Upon written request by the indi-

vidual (5 U.S.C. 552a(b));

(2) To the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, where such person is acting on the individual's behalf (5 U.S.C. 552a(h));

(3) To officers and employees of the Panama Canal Company and Canal Zone Government having a need for such information in the performance of their duties (5 U.S.C. 552a(b)(1));

(4) As required under the Freedom of Information Act (5 U.S.C. 552) (5 U.S.C. 552a(b)(2));

(5) For a routine use as described for all systems of records in Appendix A and for specific systems of records in the Notice of Systems of Records published in the FEDERAL REGISTER (5 U.S.C. 552a(b)(3));

(6) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13, U.S. Code (5 U.S.C. 552a(b)(4));

(7) To a recipient who has provided advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable (5 U.S.C. 552a(b)(5));

(8) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value (5 U.S.C. 552a(b)(6));

(9) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request specifying the particular portion desired and the law enforcement activity for which the record is sought (5 U.S.C. 552a(b)(7));

(10) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual (5 U.S.C. 552a(b)(8));

(11) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee (5 U.S.C. 552a(b)(9));

(12) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office (5 U.S.C. 552a(b)(10));

(13) Pursuant to the order of a court of competent jurisdiction (5 U.S.C. 552a(b)(11)).

(c) The system manager or his designee shall maintain an accounting of each disclosure of personal information from a system of records under his control, except where such disclosure is made pursuant to paragraphs (b)(3) or (b)(4) of this section. Such accounting shall include the date, nature, and purpose of each such disclosure and the name and address of the person or agency to whom the disclosure is made. This accounting shall be retained for the life of the record, but in no instance for less than five years following the disclosure. Except with respect to disclosures made pursuant to paragraph (b)(9) of this section, the accounting shall be made available to an individual named in the record to which it pertains, in accordance with the procedures specified in § 10.5, unless the record is exempt from disclosure pursuant to § 10.13 or § 10.14.

§ 10.11 Fees.

(a) The fee for the first copy of a record or any portion thereof furnished an individual pursuant to a request under this part shall be that provided in § 9.5 (a)(1) of this title for copies of documents furnished under the Freedom of Information Act. Additional copies of a record or any portion thereof shall be provided at the photocopy reproduction rate set forth in the official tariff of the Panama Canal Company and the Canal Zone Government.

(b) The cost of regular or airmail postage, insurance, and special delivery or certified mail fees may also be charged to the individual where transmission of records to places off the Isthmus is required and where such cost exceeds $1.00.

(c) A request for copies of records or portions thereof which is expected to involve fees in excess of $50 will not be deemed to have been received until the requester has been advised of the anticipated cost and has agreed in writing to pay it.

§ 10.12 Penalties.

Subsections (g) and (i) of 5 U.S.C. 552a provide civil remedies and criminal penalties for noncompliance with provisions of the Privacy Act of 1974 (Pub. L. 93-579) or regulations promulgated thereunder. Adverse or disciplinary action also may be taken against any officer or employee who willfully or negligently fails to comply with the requirements of the act or the regulations in this part.

§ 10.13 General exemptions.

(a) Activities pertaining to the enforcement of criminal laws are performed as the principal function of the Internal Security Office and the following components of the Civil Affairs Bureau: Canal Protection Division, Customs Division, Police Division, and Probation and Parole Unit. Identification of individuals who are (or are not) the subjects of investigative files, disclosure to such individuals of the contents of such files and of the persons or agencies to whom such contents may have been transmitted, and the imposition of certain restrictions on the manner in which investigatory data is collected, verified, or retained could be expected to preclude the apprehension or the successful prosecution of persons engaged in criminal activity. Accordingly, the following systems of records maintained by the aforementioned agency components shall be exempt, pursuant to 5 U.S.C. 552a(j), from subsections (c) (3) and (4), (d), (e) (1) through (3), (e) (4) (G) through (I), (e)(5), (e)(8), (f) through (h), and (o) of 5 U.S.C. 552a and from the procedures for access and contest set forth in §§ 10.3 through 10.9 of this part:

(1) Vital Installation Access Files, PCC-CZG/CACP-1;

(2) State Department Visa Lookout Book, PCC-CZG/CACU-1;

(3) Immigration and Naturalization Service Lookout Book, PCC-CZG/CACU-2;

(4) Customs Fugitive Records, PCC-CZG/CACU-3;

(5) Cardex File—Smuggling; Narcotics; Violators or Suspects and Fugitives, PCC-CZG/CACU-4;

(6) Cardex File—Vehicle Exporters, PCC-CZG/CACU-5;

(7) Cardex File—Contraband Violations, PCC-CZG/CACU-6;

(8) Seamen's Locator List, PCC-CZG/CACU-7;

(9) Law Enforcement Case Report Files, PCC-CZG/CAPL-1;

(10) Police Headquarters Confidential Files, PCC-CZG/CAPL-2;

(11) Detective Confidential Files, PCC-CZG/CAPL-3;

(12) Convict Files, PCC-CZG/CAPL-4;

(13) Prisoner Record Cards, PCC-CZG/CAPL-5;

(14) Police Photo Files, PCC-CZG/CAPL-6;

(15) Fingerprint File, PCC-CZG/CAPL-7;

(16) Pending Detective Investigation Records, PCC-CZG/CAPL-8;

(17) Informant Name File, PCC-CZG/CAPL-9;

(18) Master Name File, PCC-CZG/CAPL-10;

(19) Youth Unit Drug Abuse File, PCC-CZG/CAPL-11;

(20) Youth Unit Name Index File, PCC-CZG/CAPL-12;

(21) Probation and Parole Unit Child Custody Reports, PCC-CZG/CAPR-1;

(22) Presentence and Pre-parole Investigative Reports, PCC-CZG/CAPR-2;

(23) Probation and Parole Unit Statistical File, PCC-CZG/CAPR-3;

(24) Personnel Security Files, PCC-CZG/ISO-1;

(25) Confidential Sources and Contacts, PCC-CZG/ISO-2;

(26) Card Index System, PCC-CZG/ISO-3;

(27) Index of Contractor Employees, PCC-CZG/ISO-4;

(28) Biographical Data Cards, PCC-CZG/ISO-5;

(29) Biographical Data Files, PCC-CZG/ISO-6;

(b) Individuals may not obtain access under this part to information contained in any system of records when such in-

formation is identified as having been obtained from a system of records that has been exempted by any agency from the provisions of 5 U.S.C. 552a(d) by authority of 5 U.S.C. 552a(j).

§ 10.14 Specific exemptions.

(a) The following systems of records shall be exempt, pursuant to 5 U.S.C. 552 a(k), from subsections (c)(3), (d), (e)(1), (e)(4) (G) through (I), and (f) of 5 U.S.C. 552a and from the procedures for access and contest set forth in §§ 10.3 through 10.9 of this part;

(1) Systems containing material which has been properly classified in accordance with Part 60 of this title, because its disclosure could reasonably be expected to cause damage to the national security:

(i) Personnel Security Files, PCC-CZG/ISO-1;

(ii) Confidential Sources and Contacts, PCC-CZG/ISO-2;

(iii) Card Index System, PCC-CZG/ISO-3;

(iv) Biographical Data Files, PCC-CZG/ISO-6.

(2) Systems consisting of investigatory material compiled for law enforcement purposes, because disclosure could be expected to impede the investigatory process, reveal the identities of confidential sources, or prevent the detection of unlawful actions:

(i) Board of Registration for Architects and Professional Engineers Reference Files, PCC-CZG/BRAE-1;

(ii) Vital Installation Access Files, PCC-CZG/CACP-1;

(iii) State Department Visa Lookout Book, PCC-CZG/CACU-1;

(iv) Immigration and Naturalization Service Lookout Book, PCC-CZG/CACU-2;

(v) Customs Fugitive Records, PCC-CZG/CACU-3;

(vi) Cardex File—Smuggling; Narcotics; Violators or Suspects and Fugitives, PCC-CZG/CACU-4;

(vii) Cardex File—Vehicle Exporters, PCC-CZG/CACU-5;

(viii) Cardex File—Contraband Violations, PCC-CZG/CACU-6;

(ix) Seamen's Locator List, PCC-CZG/CACU-7;

(x) Driver's License Investigatory File, PCC-CZG/CALS-7;

(xi) Law Enforcement Case Report Files, PCC-CZG/CAPL-1;

(xii) Police Headquarters Confidential Files, PCC-CZG/CAPL-2;

(xiii) Detective Confidential Files, PCC-CZG/CAPL-3;

(xiv) Convict Files, PCC-CZG/CAPL-4;

(xv) Prisoner Record Cards, PCC-CZG/CAPL-5;

(xvi) Police Photo Files, PCC-CZG/CAPL-6;

(xvii) Fingerprint File, PCC-CZG/CAPL-7;

(xviii) Pending Detective Investigation Records, PCC-CZG/CAPL-8;

(xix) Informant Name File, PCC-CZG/CAPL-9;

(xx) Master Name File, PCC-CZG/CAPL-10;

(xxi) Youth Unit Drug Abuse File, PCC-CZG/CAPL-11;

(xxii) Youth Unit Name Index File, PCC-CZG/CAPL-12;

(xxiii) Probation and Parole Unit Child Custody Reports, PCC-CZG/CAPR-1;

(xxiv) Presentence and Pre-parole Investigative Reports, PCC-CZG/CAPR-2;

(xxv) Probation and Parole Unit Statistical File, PCC-CZG/CAPR-3;

(xxvi) Mail Covers, PCC-CZG/CAPS-1;

(xxvii) Claims Investigation Files, PCC-CZG/CAPS-2;

(xxviii) Personnel Investigation Records, PCC-CZG/CZPB-3;

(xxix) Embezzlements, Burglaries, and Cash Shortages, PCC-CZG/FVAC-1;

(xxx) Claims Files, PCC-CZG/FVAK-1;

(xxxi) Cash Audit Files, PCC-CZG/FVGA-1;

(xxxii) EEO Counselling and Investigation File, PCC-CZG/GVEO-2;

(xxxiii) Medical Administration System—Exempt, PCC-CZG/HL-2;

(xxxiv) Personnel Security Files, PCC-CZG/ISO-1;

(xxxv) Confidential Sources and Contacts, PCC-CZG/ISO-2;

(xxxvi) Card Index System, PCC-CZG/ISO-3;

(xxxvii) Index of Contractor Employees, PCC-CZG/ISO-4;

(xxxviii) Biographical Data Cards, PCC-CZG/ISO-5;

(xxxix) Biographical Data Files, PCC-CZG/ISO-6;

(xl) Housing Complaint File, PCC-CZG/SC-2.

(3) [Reserved]

(4) Systems used only for statistical research or reporting purposes and not used in making any determinations about identifiable individuals:

(i) Minority Group Designator Records, PCC-CZG/PR-11.

(5) Systems consisting of investigatory material compiled to determine suitability, eligibility or qualifications for employment, security clearance, or participation in Federal contracts, to the extent that disclosure would reveal the identity of confidential sources:

(i) Merit System Recruiting, Examining, and Placement Records, PCC-CZG/CZPB-1;

(ii) Appeals, Grievances, Complaints, and Requests for Assistance, PCC-CZG/CZPB-2;

(iii) Personnel Investigation Records, PCC-CZG/CZPB-3;

(iv) Embezzlements, Burglaries, and Cash Shortages, PCC-CZG/FVAC-1;

(v) Personnel Security Files, PCC-CZG/ISO-1;

(vi) Confidential Sources and Contacts, PCC-CZG/ISO-2;

(vii) Card Index System, PCC-CZG/ISO-3;

(viii) Index of Contractor Employees, PCC-CZG/ISO-4;

(ix) Biographical Data Files, PCC-CZG/ISO-6;

(x) Recruiting and Placement Records, PCC-CZG/PR-5.

(6) Systems containing testing or examination material used to determine individual qualifications for appointment or promotion, the disclosure of which would compromise the objectivity or fairness of the testing or examination process:

(i) Board of Registration for Architects and Professional Engineers Reference Files, PCC-CZG/BRAE-1;

(ii) Merit System Recruiting, Examining, and Placement Records, PCC-CZG/CZPB-1;

(iii) Marine License Files, PCC-CZG/MRBLI-1;

(iv) Admeasurer Examination File, PCC-CZG/MRPA-1.

(b) Information in any other system of records which meets one or more of the criteria for exemption specified in paragraph (a) of this section or in subsection (k) of 5 U.S.C. 552a shall be deemed to be part of a system of records which is exempt from disclosure pursuant thereto.

(c) Information contained in a system of records listed under paragraph (a)(2) of this section which is used to deny to an individual any right, privilege, or benefit to which he would otherwise be entitled by law or for which he would otherwise be eligible shall be disclosed to such individual pursuant to §§ 10.5 or 10.6 except to the extent that such disclosure would reveal the identity of a confidential source.

APPENDIX A—GENERAL ROUTINE USES

Information pertaining to individuals which is maintained in any system of records under the control of the Panama Canal Company or Canal Zone Government is subject to disclosure, as a routine use of such information, to any of the following persons or agencies under the circumstances described:

1. Information indicating a violation or potential violation of law (whether civil, criminal, or regulatory in nature, and whether involving a statute or regulation or a rule or order issued pursuant thereto) may be referred to the federal, state, local, foreign, or international agency charged with investigating or prosecuting such violations or charged with implementing or enforcing the particular statute, or regulations, rule, or order, which is pertinent thereto.

2. Information which has a bearing on matters which may be in dispute may be disclosed in the course of presenting evidence or argument to a court or administrative tribunal, a judicial official, or counsel for a party in connection with litigation or administrative proceedings in which the agency, or its officers or employees, are or may become involved.

3. Information may be provided to persons or agencies from whom information is solicited, to the extent necessary to elicit facts which may be relevant to a financial audit or an agency decision to hire or retain an employee, issue a security clearance, award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

4. Information may be disclosed to a federal agency, in response to its request in a particular case or in a category of cases, in connection with that agency's (a) decision in a personnel matter; (b) financial audits and accounting; (c) issuance of a security clearance; (d) investigation of an individual employed or formerly employed by the Pan-

ama Canal Company or Canal Zone Government; or (e) decision to award a contract, grant a license, or otherwise provide a benefit or incur an obligation.

5. Information may be supplied in response to an inquiry from a Member of Congress on behalf of an individual or, at any stage of the legislative coordination and clearance process, to the Office of Management and Budget in connection with the review of private relief legislation.

6. Information which has a bearing on the qualifications of professional personnel (such as architects, attorneys, engineers, medical practitioners, pilots, and teachers) who have been employed by the agency or have had professional dealings with the agency may be provided to the appropriate authorities such as professional licensing and certifying boards and grievance committees.

Title 39—Postal Service

CHAPTER III—POSTAL RATE COMMISSION

PART 3003—PRIVACY ACT RULES

Sec.

3003.1 Purpose and scope.
3003.2 Definitions.
3003.3 Procedures for requests pertaining to individual records in a record system.
3003.4 Times, places and requirements for identification of individuals making requests.
3003.5 Disclosure of requested information to individuals.
3003.6 Special procedures: Medical records.
3003.7 Request for correction or amendment to record.
3003.8 Agency review of request for correction or amendment of record.
3003.9 Appeal of initial adverse agency determination on correction or amendment.
3003.10 Disclosure of record to person other than the individual to whom it pertains.
3003.11 Fees.
3003.12–3003.13 [Reserved]
3003.14 Specific exemptions.

AUTHORITY: Privacy Act of 1974 (Pub. L. 93-579).

§ 3003.1 Purpose and scope.

This Part is published in compliance with the Privacy Act of 1974 (Pub. L. 93-579). It establishes procedures, consistent with the purposes of the Act, by which individuals may safeguard their privacy by obtaining access to, and requesting amendments or corrections in, information about them which is under the Commission's control.

§ 3003.2 Definitions.

For purposes of this Part:

(a) "Commission" means The Postal Rate Commission.

(b) "Act" means the Privacy Act of 1974 (Pub. L. 93-579).

(c) "Individual" means a citizen of the United States or an alien lawfully admitted for permanent residence.

(d) "Maintain", used with reference to a record means to collect, to use, to disseminate, to have control over and responsibility for such record.

(e) "Record" means any item, collection or grouping of information about an individual that is maintained by the Commission and that is retrievable by his or her name or an identifying particular, such as a number, symbol, fingerprint, or photograph, of the individual. Information maintained by the Commission includes but is not limited to, education, financial transactions, medical history, employment history and criminal history.

(f) "Routine use" means, with respect to the disclosure of a record, the use of such a record for a purpose which is compatible with the purpose for which it was collected. The routine uses of record systems maintained by the Commission were established pursuant to notice in the FEDERAL REGISTER.

(g) "System of records" means a group of any records under the control of the Commission from which information about an individual is retrievable by his or her name or by some identifying particular.

§ 3003.3 Procedures for requests pertaining to individual records in a record system.

(a) (1) An individual who wishes to know whether a system of records maintained by the Commission contains a record or records pertaining to him or her shall file a written inquiry to this effect with the Chief Administrative Officer of the Commission at the Commission's business address. The request shall clearly state on the outside of the envelope and in the body that it is a Privacy Act request.

(2) The Chief Administrative Officer shall respond within 10 days of receipt of such an inquiry (exclusive of Saturdays, Sundays, and legal holidays) informing the individual whether a system of records maintained by the Commission contains such a record or records.

(b) After an accounting of disclosures has been kept, an individual may request an accounting of disclosures of his or her record or records made within the immediately preceding year, except for those made:

(1) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(2) Required under the Freedom of Information Act (5 U.S.C. § 552);

(3) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought.

Such a request shall be addressed in writing to the Chief Administrative Officer.

(c) (1) An individual who desires to gain access to any record pertaining to him or her contained in a system of records maintained by the Commission shall file a written request with the Chief Administrative Officer at the Commission's business address.

(2) The written request shall state whether the individual intends to appear in person at the Commission's offices or whether he desires to receive a copy of the record or records pertaining to him or her through the mails.

§ 3003.4 Times, places and requirements for identification of individuals making requests.

(a) An individual appearing in person pursuant to paragraph (c) of § 3003.3 of this Part, shall:

(1) Appear at the Commission's business offices between the hours of 8 a.m. and 4:30 p.m. on any day except Saturdays, Sundays, and legal holidays;

(2) Present suitable identification, such as a driver's license, employee identification card, or Medicare card;

(3) If accompanied by another individual of his or her choosing, provide a written statement authorizing discussion of his or her record in the presence of the accompanying individual.

(b) An individual who files a request through the mails pursuant to paragraph (c) of § 3003.3 of this Part shall include as suitable proof of identity his or her date of birth and Social Security number.

§ 3003.5 Disclosure of requested information to individuals.

An individual who has filed a request in accordance with § 3003.4 of this Part shall be permitted to review the record or records pertaining to him or her and to have all or any portion thereof copied. Review of Commission records pursuant to § 3003.4(a) will be conducted in the presence of a representative of the Commission.

§ 3003.6 Special procedures: Medical records.

An individual who requests access to records containing medical information about himself or herself shall provide the Chief Administrative Officer with the name of a licensed medical practitioner. If in the Chief Administrative Officer's judgment transmission of the medical information to the individual could have an adverse effect upon him or her, the information will be transmitted directly to the named medical practitioner.

§ 3003.7 Request for correction or amendment to record.

(a) An individual may request that a record or records pertaining to him or her be amended or corrected. Such requests shall be submitted in writing to the Chief Administrative Officer at the Commission's business address.

(b) An individual requesting amendment of a record or records pertaining to him or her shall furnish suitable identification, as provided in §§ 3003.4(a)(2) and (b) of this Part.

(c) A request for amendment shall contain an exact description of the item or items sought to be amended and specific reasons for the requested amendment.

§ 3003.8 Agency review of request for correction or amendment of record.

(a) Within 10 days (excluding Saturdays, Sundays, and legal holidays) after receipt of a request to amend a record, the Chief Administrative Officer shall transmit to the requester a written acknowledgment of receipt of the request. Such an acknowledgment may, if necessary, request any additional information needed to make a determination on the request. No acknowledgment is required if the request can be reviewed, processed, and the individual notified of compliance or denial within the ten-day period.

(b) The Chief Administrative Officer shall promptly review the record upon receipt of a request for amendment thereof.

(c) If the Chief Administrative Officer determines that the requested amendment is appropriate to insure that the record is:

(1) Relevant and necessary to accomplish the purposes of chapter 36 of title 39, United States Code; and

(2) As accurate, timely and complete as is reasonably necessary to assure fairness to the requester, the Chief Administrative Officer shall:

(i) Change the record accordingly;

(ii) Advise the requester that the change has been made and transmit a copy of the revision to him or her; and

(iii) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a (c), advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

(d) If, after review of the record, the Chief Administrative Officer determines that the requested amendment is not in conformity with the requirements of the Act, he shall:

(1) Advise the requester in writing of such determination, together with the specific reasons therefor; and

(2) Inform the requester that further review of the request by the Chairman of the Commission is available if a written request therefor is made.

§ 3003.9 Appeal of initial adverse agency determination on correction or amendment.

(a) Within 30 days (excluding Saturdays, Sundays, and legal holidays) of receipt of a written request for review pursuant to § 3003.8(d)(2) of this Part, the Chairman shall make an independent review of the record, using the criteria of § 3003.8(c) (1) and (2) of this Part. If the Chairman determines that the record should be amended in accordance with the request, the Chief Administrative Officer shall:

(1) Change the record accordingly;

(2) Advise the requester that the change has been made; and

(3) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552 a(c), advise all previous recipients of the record of the fact that the amendment was made and the substance of the amendment.

(b) If the Chairman, after independent review, determines that the record should not be amended in accordance with the request, the Chief Administrative Officer shall advise the requester:

(1) Of the determination and the reasons therefor:

(2) Of his or her right to file with the Chief Administrative Officer a concise statement of his or her reasons for disagreeing with the refusal to amend the record:

(3) That the record will be annotated to indicate to anyone subsequently having access to it that a statement of disagreement has been filed, and that the statement will be made available to anyone to whom the record is disclosed;

(4) That the Chairman and the Chief Administrative Officer may, in their discretion, include a brief summary of their reasons for refusing to amend the record whenever such disclosure is made;

(5) That any prior recipients of the disputed record will be sent a copy of the statement of disagreement, after an accounting of disclosures has been kept pursuant to 5 U.S.C. § 552a(c);

(6) Of his or her right to seek judicial review of the refusal to amend the record, pursuant to 5 U.S.C. § 552a(g)(1)(A).

§ 3003.10 Disclosure of record to person other than the individual to whom it pertains.

Commission employees or officers who have possession of or access to individuals' records may be subject to criminal penalties pursuant to 5 U.S.C. 552 a(i)(1) for disclosure thereof without the prior written consent of the individuals to whom the records pertain unless disclosure is:

(a) To those officers and employees of the Commission who have a need for the record in the performance of their duties;

(b) Required under the Freedom of Information Act (5 U.S.C. § 552);

(c) For a routine use as defined in § 3003.2(f) of this Part;

(d) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(e) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(f) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(g) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency which maintains the record has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought;

(h) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(i) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(j) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(k) Pursuant to the order of a court of competent jurisdiction.

§ 3003.11 Fees.

There shall be no charge for the first copy of any records furnished pursuant to § 3003.5 and § 3003.6 of this Part. Additional copies will be charged at the cost of reproduction.

§§ 3003.12—3003.13 [Reserved]

§ 3003.14 Specific Exemptions.

The provisions of §§ 3003.3, 3003.4, 3003.5, 3003.6, 3003.7, 3003.8, 3003.9, and 3003.11 shall not be applicable to an individual's record or records if:

(a) They are maintained solely for purposes of determining an individual's qualifications, eligibility, or suitability for employment; and

(b) They are relevant and necessary to making a judicious determination as to qualifications, eligibility, suitability, and could only have been obtained by providing express assurance to the source of the materials that his or her identity would not be revealed to the subject of the record; and

(c) Disclosure of the record with the source's name or identity removed would probably not conceal the source's name or identity.

Title I—General Provisions

CHAPTER IV—PRESIDENT'S COMMISSION ON WHITE HOUSE FELLOWSHIPS

PART 425—PRIVACY ACT REGULATIONS

Sec.

425.1 Purpose and scope
425.2 Procedures for notification of existence of records pertaining to individuals.
425.3 Procedure for requests for access to or disclosure of records pertaining to individuals.
425.4 Correction of records.
425.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

AUTHORITY: 5 U.S.C. 522a(f).

§ 425.1 Purpose and scope.

This part sets forth the President's Commission on White House Fellowships procedures under the Privacy Act of 1974 as required by USC 522a(f). Information to applicants regarding the implementation of this Act is contained in the White House Fellowships Application Instructions.

§ 425.2 Procedures for notification of existence of records pertaining to individuals.

(a) The system of records, as defined in the Privacy Act of 1974, maintained by the President's Commission on White House Fellowships is listed annually in the FEDERAL REGISTER as required by that Act. Any person who wishes to know whether a system of records contains a record pertaining to him or her may either appear in person at Room 1308, 1900 E Street, NW., on work days between the hours of 8:30 a.m. and 5 p.m. or may write to the President's Commission on White House Fellowships Administrative Officer, Washington, D.C. 20415 (Phone 202-382-4661). It is recommended that requests be made in writing.

(b) Requests for notification of the existence of a record should state, if the requester is other than the individual to whom the record pertains, the relationship of the requester to that individual. (Note that requests will not be honored by the Commission pursuant to the Privacy Act unless made (1) by the individual to whom the record pertains or (2) by such individual's legal guardian if the individual has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction.)

(c) The Commission will acknowledge requests for the existence of records within 10 working days from the time it receives the request and will normally notify the requester of the existence or non-existence of records within 30 working days from receipt of request.

(d) No special identity verification is required for individuals who wish to know whether a specific system of records pertains to them.

§ 425.3 Procedure for requests for access to or disclosure of records pertaining to individuals.

(a) Any person may request review of records pertaining to him by appearing at Room 1308, 1900 E Street, NW., Washington, D.C. on work days between the hours of 8:30 a.m. and 5 p.m. or by writing to the Commission on White House Fellowships Administrative Officer, Washington, D.C. 20415. (See paragraph (b) of this section for identification requirements.) The Commission will strive either to make the record available within 15 working days of the request or to inform the requester of the need for additional identification.

(b) In the case of persons making requests by appearing at the Commission, reasonable identification such as employment identification cards, drivers licenses, or credit cards will normally be accepted as sufficient evidence of identity in the absence of any indications to the contrary.

(c) Charges for copies of records will be at the rate of $0.10 per photocopy of each page. No charge will be made unless the charge as computed above would exceed $3 for each request or related series of requests. If a fee in excess of $25 would be required, the requester shall be notified and the fee must be tendered before the records will be copied. Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Administrative Officer, President's Commission on White House Fellowships, 1900 E Street, NW., Washington, D.C. 20415.

(d) Individuals will not be denied access to records pertaining to them.

§ 425.4 Correction of records.

(a) An individual may request that a record or records pertaining to him or her be amended or corrected. Such requests shall be submitted in writing to the Administrative Officer at the Commission's business address.

(b) The signature of the requester will be sufficient identification for requesting correction of records.

(c) A request for amendment shall contain an exact description of the item or items sought to be amended and specific reasons for the requested amendment, as well as the individual's birthdate for purposes of verification of records.

(d) Within 10 working days after receipt of a request to amend a record, the Administrative Officer shall transmit to the requester a written acknowledgement of receipt of request. No acknowledgement is required if the request can be reviewed and processed with notification to the individual of compliance or denial within the ten-day period. Requester will be notified within 30 days whether or not his or her request has been granted.

(e) If the Administrative Officer determines that the requested amendment is appropriate to insure that the record is:

(1) Relevant and necessary to accomplish the purposes for which the records were collected; and

(2) As accurate, timely, and complete as are reasonably necessary to assure fairness to the requester, the Administrative Officer shall:

(i) Change the record accordingly;

(ii) Advise the requester that the change has been made, thirty days from receipt of written request;

(iii) After an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c), advise all previous recipients of the record, who, the Commission believes, still retain a copy thereof, of the fact that the amendment was made and the substance of the amendment.

(f) If, after review of the record, the Administrative Officer determines that the requested amendment is not in conformity with the requirements of the Act, he shall:

(1) Advise the requester in writing within thirty days of written request of such determination together with specific reasons therefor; and

(2) Inform the requester that further review of the request by the Director of the Commission is available if a written request therefor is made within 30 days after date of denial.

(g) Within 30 working days of receipt of a written request for review pursuant to § 425.4(f)(2) the Director shall make an independent review of the record, using the criteria of § 425.4(e)(1) and (2).

(1) If the Director determines that the record should be amended in accordance with the request, the Administrative Officer shall take the actions listed in § 425.4(e)(2)(i), (ii), and (iii).

(2) If the Director, after independent review, determines that the record should not be amended in accordance with the request, the Administrative Officer shall advise the requester:

(i) Of the determination and the reasons therefor;

(ii) Of his or her right to file with the Administrative Officer a concise statement of his or her reasons for disagreeing with the refusal to amend the record;

(iii) That the record will be annotated to indicate to anyone subsequently having access to it that a statement of disagreement has been filed, and that the statement will be made available to anyone to whom the record is disclosed;

(iv) That the Director and the Administrative Officer may, in their discretion, include a brief summary of their reasons for refusing to amend the record whenever such disclosure is made;

(v) That any prior recipients of this disputed record, who, the Commission believes, still retain a copy thereof, will be sent a copy of the statement of disagreement, after an accounting of disclosures has been kept pursuant to 5 U.S.C. 552a(c);

(vi) Of his or her right to seek judicial review of the refusal to amend the record, pursuant to 5 U.S.C. 552a(g)(1)(A).

§ 425.5 Disclosure of records to agencies or persons other than the individual to whom the record pertains.

Records subject to the Privacy Act that are requested by any person other than the individual to whom they pertain

will not be made available except under the following circumstances:

(a) Records may be circulated to appropriate officials incident to placing Fellows in work assignments for the Fellowship year.

(b) An accounting of the date, nature, and purpose of each disclosure of a record as well as the name and address of the person and agency to whom the disclosure was made will be indicated on the record. This accounting is available to the individual to whom the records pertain on written request to the Commission.

CHAPTER II—TENNESSEE VALLEY AUTHORITY

PART 301—PROCEDURES

Subpart B—Privacy Act

Sec.

301.11 Purpose and scope.
301.12 Definitions.
301.13 Procedures for requests pertaining to individual records in a record system.
301.14 Times, places, and requirements for identification of individuals making requests.
301.15 Disclosure of requested information to individuals.
301.16 Special procedures—Medical records.
301.17 Requests for correction or amendment of record.
301.18 TVA review of request for correction or amendment of record.
301.19 Appeals on initial adverse agency determination on correction or amendment.
301.20 Disclosure of record to persons other than individual to whom it pertains.
301.21 Fees.
301.22 Penalties.
301.23 General exemptions.
301.24 Special exemptions.

Subpart B—Privacy Act

§ 301.11 Purpose and scope.

(a) The regulations in §§ 301.11 to 301.24 implement section 3 of the Privacy Act of 1974, 5 U.S.C. § 552a, with respect to systems of records maintained by TVA. They provide procedures by which an individual may exercise the rights granted by the Act to determine whether a TVA system contains a record pertaining to him; to gain access to such records; to have a copy made of all or any portion thereof; and to request administrative correction or amendment of such records. They prescribe fees to be charged for copying records; establish identification requirements; list penalties provided by statute for certain violations of the Act; and establish exemptions from certain requirements of the Act for certain TVA systems or components thereof.

(b) Nothing in §§ 301.11 to 301.24 entitles an individual to any access to any information or record compiled in reasonable anticipation of a civil action or proceeding.

(c) Certain records of which TVA may have physical possession are the official records of another government agency which exercises dominion and control over the records, their content, and access thereto. In such cases, TVA's maintenance of the records is subject to the direction of the other government agency. Except for a request for a determination of the existence of the record, when TVA receives requests related to these records, TVA will immediately refer the request to the controlling agency for all decisions regarding the request, and will notify the individual making the request of the referral.

§ 301.12 Definitions.

For purposes of § 301.11 to § 301.24:

(a) The "Act" means section 3 of the Privacy Act of 1974, 5 U.S.C. § 552a;

(b) The terms "individual," "maintain," "record," "system of records," "statistical record," and "routine use" have the meaning provided for by the Act;

(c) The term "TVA system" means a system of records maintained by TVA;

(d) The term "TVA system notice" means a notice of a TVA system published in the FEDERAL REGISTER pursuant to the Act. TVA has published TVA system notices about the following TVA systems:

Apprentice Training Record System—TVA.
Consultant and Personal Service Contractor Records—TVA.
Cooperative Training Program for Construction Craftsmen—TVA.
Demonstration Farm Records—TVA.
Discrimination Complaint File—TVA.
Employee Accident Information System—TVA.
Employee Accounts Receivable—TVA.
Employee Alleged Misconduct Investigatory Files—TVA.
Medical Record System—TVA.
Employee Statements of Employment and Financial Interests—TVA.
Employee Supplementary Vacancy Announcement Records—TVA.
Employee Travel Advance Records—TVA.
Employment Applicant File—TVA.
Grievance Records—TVA.
Land Between The Lakes Register of Hunter Applications—TVA.
Land Between The Lakes Register of Law Violations—TVA.
Management Appraisal Records—TVA.
Payroll Records—TVA.
Personnel Files—TVA.
Prospective Condemnation Witness File—TVA.
OEDC Quality Assurance Personnel Records—TVA.
Questionnaire—Farms in Vicinity of Proposed Nuclear Power Plant—TVA.
Radiation Dosimetry Personnel Monitoring Records—TVA.
Reforestation, Erosion Control, and Plantation Case History Record—TVA.
Rehabilitation and Career Counseling Records—TVA.
Retirement System Records—TVA.
Test Demonstration Farm Records—TVA.
Wildland Owner Survey Records—TVA.

(e) The term "appellant" means an individual who has filed an appeal pursuant to § 301.19(a) from an initial determination refusing to amend a record on request of the individual;

(f) The term "reviewing official" means TVA's General Manager, or another TVA official designated by him in writing to decide an appeal pursuant to § 301.19;

(g) The term "day," when used in computing a time period, excludes Saturdays, Sundays, and legal public holidays.

§ 301.13 Procedures for requests pertaining to individual records in a record system.

(a) An individual may, in accordance with this section (1) request a TVA determination whether a record retrieved by the individual's name or other personal identifier is maintained in a TVA system, and (2) request access to such a record. A request for determination may be combined with a request for access.

(b) Requests under this section shall:

(1) Be in writing and signed by the individual seeking the determination or access;

(2) Include the individual's mailing address;

(3) Name the TVA system as listed in the TVA system notice;

(4) Include any additional identifying information specified in the paragraph headed "Notification procedure" in the applicable TVA system notice;

(5) Specify whether the request is for determination only or for both determination and access; and

(6) Include such proof of identity as may be required by § 301.14 and the applicable system notice.

Requests may be presented in person or by mail. In-person requests shall be presented during normal TVA business hours, as set out in § 301.14(g).

(c) Requests for determination only shall be presented to the official designated in the paragraph headed "Notification procedure" in the TVA system notice for the TVA system concerned. Requests for both determination and access shall be presented to the official designated in the paragraph headed "Access procedure" in the TVA system notice for the TVA system concerned. Certain TVA system notices designate officials at field locations of TVA systems. With respect to such TVA systems, an individual who believes his record is located at the field location may present a request to the designated official at the field location. If the record is not available at that field location, the request will be forwarded to the appropriate TVA office.

(d) If a request is for determination only, the determination will normally be made within 10 days after receipt of the request. If the determination cannot be made within 10 days after receipt of a request, the designated official will acknowledge the request in writing and state when the determination will be made. Upon making a determination, the designated official will notify the individual making the request whether the record exists. The notice will include any additional information necessary to enable the individual to request access to the record.

(e) A request which includes a request for access will be acknowledged within 10 days after receipt. If access can be granted as requested, the acknowledgment will provide a time and place for disclosure of the requested record. Disclosure will normally be made within 30 days of the date of the acknowledgement, but the designated official may extend the 30-day period for reasons found by him to be good cause. In case of an extension, TVA will notify the individual, in writing, that disclosure will be delayed, the reasons for delay, and the anticipated date on which the individual may expect the record to be disclosed. TVA will attempt to accommodate reasonable requests for disclosure at specified times and dates, as set forth in a request for access, so far as compatible with the conduct of TVA business.

§ 301.14 Times, places, and requirements for identification of individuals making requests.

(a) TVA will require proof of identity, in accordance with this section, before it will disclose a record under § 301.15 of this part to an individual requesting

access to the record, and before it will disclose the existence of a record to a requester under § 301 13 of this part, if TVA determines that disclosure of the existence of such record would constitute an unwarranted invasion of personal privacy.

(b) Identification normally required would be an identification card such as a valid state driver's license or TVA or other employee identification card. A comparison of the signature of the requester with either the signature on the card or a signature in the record may be used to confirm identity.

(c) Because of the sensitivity of the subject matter in a TVA system, a TVA system notice may prescribe special identification requirements for the disclosure of the existence of or access to records in that TVA system. In such case, the special identification requirements prescribed in the TVA system notice shall apply in lieu of those prescribed by paragraph (b) of this section.

(d) If TVA deems it warranted by the nature of identification presented, the subject matter of the material to be disclosed, or other reasons found by TVA to be sufficient, TVA may require the individual requesting access to sign a statement asserting identity and stating that the individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(e) Where TVA is requested to provide access to records by mailing copies of records to the requester, the request shall contain or be accompanied by adequate identifying information to make it likely the requester is the person he purports to be and a notarized statement asserting identity and stating that the individual understands that knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to $5,000.

(f) Where sensitivity of record information may warrant (i.e., unauthorized access could cause harm or embarrassment to the individual) or disclosure by mail to third persons is requested, TVA may require in-person confirmation of identity. If in-person confirmation of identity is required, the individual may arrange with the designated TVA official to provide such identification at any of these TVA locations convenient to the individual: Knoxville, Nashville, and Chattanooga, Tennessee; Muscle Shoals, Alabama; Washington, D.C.; or another location agreed upon by the individual and the designated TVA official. Upon request the TVA official will provide an address and an appropriate time for such identification to be presented.

(g) In general, TVA offices located in the eastern time zone are open 8 a.m. to 4:45 p.m. and those in the central time zone 7:30 a.m. to 4:15 p.m. Construction project offices and Land Between The Lakes are generally open 7 a.m. to 3:30 p.m. Offices are closed on Saturdays, Sundays and the following holidays: New Year's Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Columbus Day, Veterans Day, Thanksgiving, and Christmas Day.

§ 301.15 Disclosure of requested information to individuals.

(a) All disclosure and examination of records shall normally be made in the presence of a TVA representative. If an individual wishes to be accompanied by a third person of the individual's choosing when the record is disclosed, TVA may require the individual to furnish TVA, in advance of disclosure of the record, a statement signed by the individual authorizing discussion and disclosure of the record in the presence of the accompanying person. If desired by the individual, TVA shall provide copies of any documents reviewed in the record which are requested at the time of review. Fees shall be charged for such copies in accordance with the fee schedule in § 301.21, and shall be payable prior to delivery of the copies to the individual.

(b) Where permitted by § 301 14, copies of an individual's record will be made available by mail. A charge for copies will be made in accordance with § 301 21 of this part. All fees due shall be paid prior to mailing of the materials. However, if TVA is unable to allow in-person review of the record, the first copy will be made available without charge.

§ 301.16 Special procedures—Medical records.

If, in the judgment of TVA, the transmission of medical records, including psychological records, directly to a requesting individual could have an adverse effect upon such individual, TVA may refuse to disclose such information directly to the individual. TVA will, however, disclose this information to a licensed physician designated by the individual in writing.

§ 301.17 Requests for correction or amendment of record.

(a) An individual may request amendment of records pertaining to him in a TVA system to the extent permitted by the Act in accordance with this section. A request for amendment shall:

(1) Be in writing and signed by the individual seeking the amendment;

(2) Name the TVA system in which the record is maintained;

(3) Describe the item or items of information to be amended;

(4) Describe the nature of the amendment requested; and

(5) Give the reasons for the requested change.

(b) Requests shall be made to the official designated in the paragraph headed "Contesting record procedures" in the TVA system notice for the TVA system concerned. Before considering a request, TVA may require proof of identity of the requester similar to that required under § 301.14 to gain access to the record.

(c) The individual requesting amendment has the responsibility of providing TVA with evidence of why his record should be amended, and must provide adequate evidence to TVA to justify his request.

(d) TVA's Director of Information, Knoxville, Tennessee 37902, will provide advice and assistance to individuals relating to amendment of TVA records, including information on preparing requests to amend records, and appeals from initial adverse determinations on amendment requests. He can also provide information on the Act's provisions for judicial review.

(e) The provisions of §§ 301.11 to 301.24 of this Part do not permit the alteration of evidence presented or to be presented in the course of judicial or administrative proceedings; neither do they permit collateral attack on a prior judicial or administrative action, or provide a collateral remedy for a matter otherwise judicially or administratively cognizable.

§ 301.18 TVA review of request for correction or amendment of record.

(a) TVA will acknowledge a request for amendment within 10 days of receipt. The acknowledgment will be in writing, will request any additional information TVA requires to determine whether to make the requested correction or amendment, and will indicate the date by which TVA expects to make its initial determination.

(b) TVA will, except in unusual circumstances, complete its consideration of requests to amend records within 30 days. If more time is deemed necessary, TVA will notify the individual of the delay and of the expected date of completion of the review.

(c) If TVA determines that a record should be corrected or amended, in whole or in part, in accordance with a request, it will advise the requesting individual in writing of its deteremination, and correct or amend the record accordingly. If an accounting of disclosures has been made, TVA will, to the extent of the accounting, inform prior recipients of the record of the fact that the correction was made and the substance of the correction.

(d) If TVA, after initial consideration of a request, determines that a record should not be corrected or amended, in whole or in part, in accordance with a request, it will notify the individual in writing of ts refusal to amend the record and the reasons therefor. The notification will inform the individual that the refusal may be appealed administratively and will advise the individual of the procedures for such appeals.

§ 301.19 Appeals on initial adverse agency determination on correction or amendment.

(a) An individual may appeal an initial determination refusing to amend that individual's record in accordance with this section. An appeal must be taken within 20 days of receipt of notice of TVA's initial refusal to amend the record, and is taken by delivering a written notice of appeal to the General Manager, Tennessee Valley Authority, Knoxville, Tennessee 37902. Such notice shall be signed by the appellant and shall state:

(1) That it is an appeal from a denial of a request to amend the individual's records under these regulations and under the Privacy Act of 1974;

(2) The reasons why the appellant believes the denial to have been erroneous;

(3) The date on which the denial was issued; and

(4) The date on which the denial was received by the appellant.

(b) Appeals shall be determined by a reviewing official. Such determination may be based on information provided for the initial determination; any additional information which TVA or the appellant may desire to provide; and any other material the reviewing official deems relevant to the determination. The reviewing official, in his sole discretion, may request TVA or the appellant to provide additional information deemed relevant to the appeal. The appellant will be given an opportunity to respond to any information provided by TVA or independently procured by the reviewing official. If in the sole discretion of the reviewing official a hearing is deemed necessary for resolution of the appeal, the reviewing official may conduct a hearing upon notice to TVA and the appellant, at which both TVA and the appellant shall be afforded an opportunity to be heard on the appeal. The rules governing any hearing will be set forth in the notice of hearing.

(c) The reviewing official shall make final determination on the appeal within 30 days after it is received unless such period is extended for good cause. If the reviewing official finds good cause for an extension, TVA will inform the appellant in writing of the reason for the delay and of the approximate date on which the reviewing official expects to complete his determination of the appeal.

(d) If the reviewing official determines that a record should be amended in whole or in part in accordance with an appellant's request, TVA will inform the appellant in writing of its determination and correct or amend the record. If an accounting of disclosures has been made, TVA will, to the extent of the accounting, inform prior recipients of the record of the fact that the correction was made and of the substance of the correction.

(e) If the reviewing official determines not to amend a record, in whole or in part, in accordance with a request, TVA will advise the individual:

(1) Of its refusal to amend and the reasons therefor;

(2) Of the appellant's right to file a concise statement of reasons for disagreement with the refusal as set out in paragraph (f) of this section;

(3) Of the procedures for filing a statement of disagreement;

(4) That any statement of disagreement will be made available to anyone to whom the record is subsequently disclosed together with any statement by TVA summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) Of his or her right to seek judicial review of the agency's refusal to amend a record.

(f) If the reviewing official's final determination of an appeal is a refusal to correct or amend a record, in whole or in part, in accordance with the request, the appellant may file with TVA a concise statement setting forth the reasons for his or her disagreement with the refusal of TVA to amend the records. Such statements normally should not exceed 100 words. A statement of disagreement should be submitted within 30 days of receipt of notice of the reviewing official's decision on the appeal, and should be sent to system manager. In any disclosure containing information about which the individual has filed a statement of disagreement which occurs after the filing of the statement, TVA will clearly note any portion of the record which is disputed and provide copies of the statement with the disclosure. Copies of the statement will also be furnished to persons or other agencies to whom the record has been disclosed to the extent that an accounting of disclosures was made. TVA may attach to the statement of disagreement a brief summary of TVA's reasons for refusing to amend the record. Such summaries will be disclosed to the individual, but are not subject to amendment.

§ 301.20 Disclosure of record to persons other than individual to whom it pertains.

For purposes of § 301.11 to § 301.24, the parent of any minor or the legal guardian of any individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction may act on behalf of the individual. TVA may require proof of the relationship prior to allowing such action. The parent or legal guardian may not act where the individual concerned objects to the action of the parent or legal guardian, unless a court otherwise orders.

§ 301.21 Fees.

(a) Fees to be charged, if any, to any individual for making copies of his or her record exclude the cost of any search and review of the record. The following fees are applicable:

(1) For reproduction of material consisting of sheets no larger than 8½ by 14 inches, ten cents per page; and

(2) For reproduction of other materials, the direct cost of photostate or other means necessarily used for duplication.

§ 301.22 Penalties.

Section 552a(i), title 5, United States Code provides that:

(1) Criminal Penalties.—Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than $5,000.

(2) Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section shall be guilty of a misdemeanor and fined not more than $5,000.

(3) Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than $5,000.

§ 301.23 General exemptions.

(a) Individuals may not have access to records maintained by TVA but which were provided by another agency which has determined by regulation that such information is subject to general exemption under 5 U.S.C. 552a(j). If such exempt records are within a request for access, TVA will advise the individual of their existence and of the name and address of the source agency. For any further information concerning the record and the exemption, the individual must contact that source agency.

(b) The TVA system "Land Between The Lakes Register of Law Violations—TVA" is exempted from subsections (c)(3), (4); (d); e(1), (2), (3), (4)(G), (4)(H), (4)(I), (5); (f); (g); and (h) of the Act and corresponding sections of these rules pursuant to section 3(j)(2) of the Privacy Act (5 U.S.C. 552a(j)(2)). Application of these provisions of the Privacy Act to the criminal law enforcement records in this system might interfere with effective law enforcement at the Land Between The Lakes.

§ 301.24 Specific exemptions.

(a) The TVA system Employee Alleged Misconduct Investigatory Files—TVA is exempted from subsections (c)(3); (d); (e)(1), (4)(G), (4)(H), (4)(I); and (f) of the Act and corresponding sections of these rules pursuant to section 3(k)(2) of the Privacy Act (5 U.S.C. 552a(k)(2)). This TVA system is exempted because applications of these provisions to this system might impair investigations of employee misconduct.

(b)(1) The TVA Systems Apprentice Training Record System-TVA, Consultant and Personal Service Contractor Records-TVA, Cooperative Training Program for Construction Craftsmen-TVA, Employment Applicant File-TVA; Personnel Files-TVA, Quality Assurance Personnel Records-TVA are exempted from subsections (d); (e)(4)(H); (f)(2), (3) and (4) of the Act, and corresponding sections of these rules to the extent that disclosure of material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. These TVA systems are exempted pursuant to section 3(k)(5) of the Privacy Act of 1974 (5 U.S.C. 552a(k)(5)).

(2) Each of these TVA systems contain reference letters and information concerning employees and other individuals

who perform services for TVA. TVA has received this information in the past under both express and implied promises of confidentiality and consistent with the Privacy Act these promises will be honored. Pledges of confidentiality will be necessary in the future to ensure that unqualified or unsuitable individuals are not selected for TVA positions. Without the ability to make these promises, a potential source of information may be unwilling to provide needed information, or may not be sufficiently frank to be of value in personnel screening.

(c) The TVA systems Apprentice Training Record System-TVA, Consultant and Personal Service Contractor Records-TVA, Cooperative Training Program for Construction Craftsmen-TVA, Employment Applicant File-TVA, Personnel Files-TVA are exempted from subsections (d); e(4)(H); f (2), (3), and (4) and corresponding sections of these rules to the extent that disclosure of testing or examination material used solely to determine individual qualifications for appointment or promotion in the federal service would compromise the objectivity or fairness of the testing or examination process. These systems are exempted pursuant to section 3(k)(6) of the Privacy Act of 1974 (5 U.S.C § 552a(k)(6)).

(2) This material is exempted because its disclosure would reveal information about the testing process which would potentially give an individual an unfair competitive advantage in selection based on test performance.

(Sec. 3, Pub. L. 93-579, 88 Stat. 1897 (5 U.S.C. 552a))

Title 22—Foreign Relations

CHAPTER V—UNITED STATES INFORMATION AGENCY

PART 505—PRIVACY ACT POLICIES AND PROCEDURES

Sec.

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AUTHORITY: Public Law 93-579, 88 S'at 1897; 5 U.S.C. 552a.

§ 505.1 Purpose and scope.

The U.S. Information Agency will protect individual privacy from misuse of its records, and grant individuals access to records concerning them which are maintained by the Agency's domestic and overseas offices, consistent with the provisions of Pub. L. 93-579, the Privacy Act of 1974. The Agency has also established procedures to permit individuals to amend incorrect records, to limit the disclosure of personal information to third parties, and to limit the number of sources of personal information. The Agency has also established internal rules restricting requirements of individuals to disclose social security account numbers.

§ 505.2 Definitions.

As used in this section, the following definitions shall apply:

(a) Agency means the U.S. Information Agency, its offices, divisions, branches and its Foreign Service establishments.

(b) Individual means a citizen of the United States or an alien lawfully admitted for permanent residence.

(c) Maintain means collection, use, dissemination or any combination of these record keeping functions; control over and hence responsibility and accountability for systems of records.

(d) Record means any item, collection, or grouping of information about an individual that is maintained by the Agency, including, but not limited to, education, financial transactions, medical history, and criminal or employment history that contains the individual's name, or the identifying particular assigned to the individual, such as a finger or voice print or photograph.

(e) System of records means a group of any records under the control of the Agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to an individual.

(f) Statistical record means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided in 13 U.S.C. 8.

(g) Routine use means the common and ordinary purposes for which records are used, and all of the proper and necessary uses even if any such use occurs infrequently.

(h) Amend means to make any correction to any portion of the record which the individual believes is not accurate, relevant, timely or complete.

(i) Personnel record means any personal information maintained in a system of records that is needed for personnel management programs or processes such as staffing, employee development, retirement, and grievances and appeals.

(j) Committee on Public Information Policy means the body established by and responsible to the Director of USIA for reviewing appeals from individuals to amend records held by the Agency.

§ 505.3 Procedures for requests pertaining to individual records in a system of records.

(a) The Agency will consider all requests received from an individual for records pertaining to himself or herself as a request made under the Privacy Act of 1974 (5 U.S.C. 552a), whether or not the individual specifically cites the Privacy Act of 1974 when making the request.

(b) All requests under the Privacy Act should be directed to the Assistant Director (USIA), Public Information, Room 719, 1750 Pennsylvania Ave., N.W., Washington, D.C. 20547, who will coordinate the search of all systems of records specified in the request. Guidelines for preparation of a request are published in the Agency's Annual Public Notice.

(c) Requests directed to the Agency's overseas posts which involve routine, unclassified, administrative and personnel records available only at those posts may be released to the individual if the post determines that such release is authorized by the Privacy Act. All other requests shall be submitted by the post to the Assistant Director (USIA), Public Information, as noted in paragraph (b) of this section, and the individual so notified of this action in writing.

(d) Information, documents and forms which have previously been provided to the public as part of the normal services of the Agency will continue to be made available on the same basis.

(e) In those instances where an individual requests records pertaining to himself or herself, as well as records pertaining to another individual, group, or some other category of the Agency's records, only that portion of the request which pertains to records concerning the individual will be treated as a Privacy Act request. The remaining portions of such a request will be processed by the Agency's Office of Public Information as a Freedom of Information request.

§ 505.4 Times, places, and requirements for identification of individuals making requests.

(a) *In person*—(1) *Times and places.* Individuals seeking access to Agency records may present themselves in person at USIA's Office of Public Information, Room 719, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547, between the hours of 9 a.m. and 4 p.m., Monday through Friday, except on legal holidays.

(2) *Identification procedures.* Some form of identification will be required of individuals requesting access to records in person. Acceptable forms of identification are: driver's license, employee identification card, passport or Medicare card, or supplying of data which presumably would be known only to the person making the request. An individual will also be required to sign a statement asserting his or her identity, which stipulates that knowingly and willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to $5,000.

(b) *By mail.* The Agency will require a signed statement from an individual requesting access to records by mail, confirming identity and stipulating that the individual understands that knowingly and willfully seeking or obtaining access to records about another individual under false pretenses is punishable by a fine of up to $5,000.

§ 505.5 Disclosure of requested information to individuals.

(a) *Information necessary to identify a record.* Whenever possible, an individual should furnish all the identifying information requested for the particular record system(s) as published in the Public Notice appearing in the FEDERAL REGISTER. This information will facilitate the search of the record system(s) and assist the Agency in locating those records which actually pertain to the individual. As a minimum, any request should include the individual's full name, present mailing address and zip code, and the date and place of birth, and any other information or statements required under the access procedures in paragraph (b) of this section. In certain instances, it may be necessary for the Agency to request additional information from the individual to ensure that the retrieved record does, in fact, pertain to him or her.

(b) *Access to records*—(1) *Acknowledgment of requests.* All requests for information on whether or not the Agency's system or systems of records contain information about the individual will be acknowledged within ten working days after receipt of the request by the Assistant Director (USIA), Public Information.

(2) *Time limits.* Whenever possible the Agency will furnish the requested records within ten working days of receipt of the request. The Agency's ability to re-

spond to requests within ten working days will be affected by the volume of pending requests on hand, and the need, whenever necessary, to

(i) Search for and collect the requested records from overseas posts or other establishments that are separate from the office processing the request,

(ii) Search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request;

(iii) Consult, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the Agency having a subject matter interest therein;

(iv) Request additional identifying information to assist the Agency in locating the requested records.

(c) *Access instructions*—(1) *In person.* Access to a record will be granted in person if desired by the individual, at a time and place which is mutually agreeable. In person access to records will require the same identification procedure outlined in § 505.4(a)(2) of this Part.

(2) *By mail.* If it is determined that access to records can be granted only by mail because the Agency cannot provide reasonable means for individuals to have access to records in person, copies of requested records may be sent to the home address provided by the requester, contingent upon verification of identification as described in §§ 505.4(a)(2) and/or 505.4(b).

(d) *Verification of personal identity.* In certain cases where the Agency determines that the substance of the requested record is of sufficient sensitivity, it may require the individual to furnish a signed, notarized statement that he or she is in fact the person he or she represents himself or herself to be before granting access to records. The Agency will so inform the individual at the time the record is retrieved whether or not such a statement is necessary.

(e) *Original records.* Originals, or record copies thereof, will not be released from the custody of the records system manager. Copies will be furnished in accordance with established fees contained in § 505.11 of this Part.

(f) *Denial of access to records.* (1) The requirements of this section do not entitle an individual the right to access to any information compiled in reasonable anticipation of a civil action or proceeding.

(2) The Agency is not required to permit access to records by an individual if the information is not retrievable by the individual's name or other identifying particular.

(3) Access shall not be granted to an individual who requests information about himself or herself which might be contained in the file of another individual.

(4) The Agency reserves the right to deny an individual access to a record or portion thereof, which, following a review, is determined to fall within the categories of exemptions authorized in 5 U.S.C 552a(j) and 522a(k). See §§ 505.13 and 505.14 for a listing of general and specific exemptions.

(5) The decision to deny access shall be made by an Agency official of the rank equivalent to Deputy Assistant Director or higher who is responsive for the system of records. When an authorized official denies access to a record or portion thereof under this Part, he will so advise the Chairman of the Committee on Public Information Policy, who will inform the individual in writing of the denial and the specific reasons therefore. The denial letter will also advise the individual of his or her right to seek judicial review of the Agency's decision.

§ 505.6 Special procedures: medical records.

If, in the judgment of the Agency, the release of medical information directly to the requester could have an adverse effect on the requester, the Agency will attempt to arrange an acceptable alternative in granting access of such records to the requester. This will normally involve the release of such information to a doctor named by the requester.

§ 505.7 Request for correction or amendment of records.

(a) *Requests for amending records.* (1) An individual has the right to request that the Agency amend a record pertaining to him or her which the individual believes is not accurate, relevant, timely, or complete. At the time the Agency grants access to a record, it will furnish guidelines for requesting amendments to the record. These guidelines will also be available in the USIA Office of Public Information, Room 719, 1750 Pennsylvania Avenue, NW, Washington, D.C., 20547, or may be obtained by writing the Assistant Director (USIA), Public Information, at the above address.

(2) Requests for amendments to records must be in writing and mailed or delivered to the Assistant Director (USIA), Public Information, Room 719, 1750 Pennsylvania Avenue, NW, Washington, D.C., 20547, who will coordinate the review of the request to amend a record with the appropriate office(s). Such requests should contain, as a minimum, identifying information needed to locate the record, a brief description of the item or items of information to be amended, and the reason for the requested change. The requester should submit as much documentation, arguments or other data as seems warranted to support the request for amendment.

(b) *Acknowledging receipt of requests to amend records.* Whenever possible the Agency will review all requests for amendments to records within ten working days of receipt of the request by the Assistant Director, Public Information, and advise the requester of the results of the review. In those cases where the review cannot be completed within ten working days, the Agency will so advise the requester and inform him or her when the review will be completed. Except in very unusual circumstances, this review will be completed no later than thirty working days after receipt of the request to amend a record.

§ 505.8 Agency review of requests for correction or amendment of records.

(a) In reviewing a record in response to a request to amend, the Agency shall incorporate the criteria of accuracy, relevance, timeliness, or completeness of the record in the review.

(b) If the Agency agrees with an individual's request to amend a record, it shall:

(1) So advise the individual in writing,

(2) Correct the record accordingly, and

(3) If an accounting of disclosure has been made, advise all previous recipients of the record which was corrected of the correction and its substance.

(c) If the Agency, after an initial review of a request to amend a record, disagrees with all or any portion of it, the Agency shall:

(1) Advise the individual of its refusal and the reasons for the determination, and

(2) Inform the individual that he or she may request a further review in accordance with § 505.9.

§ 505.9 Appeal of initial adverse Agency determination on correction or amendment.

(a) If an individual disagrees with the Agency's initial refusal to amend a record, he or she may appeal that determination. The appeal must be in writing and should be sent by certified mail to the Chairman, Committee on Public Information Policy, U.S. Information Agency, Room 719, 1750 Pennsylvania Avenue, NW, Washington, D.C., 20547. The appeal should include any documentation, information or statements advanced to substantiate the request for amendment.

(b) A review of the appeal will be conducted by the Director of USIA or an Agency official whom he designates in writing who is senior to the official who made the initial determination.

(c) Appeals or that portion of an appeal involving the personnel records of active Foreign Service employees of the Agency will be referred to the Foreign Service Grievance Board for review and final determination at such times as the Board's procedures are in full compliance with the Privacy Act.

(d) The time for decision on the appeal begins on the date the appeal is actually received by the Chairman of the Committee on Public Information Policy. The final Agency determination will be made within thirty working days, unless the Agency official has determined that a fair and equitable review cannot be completed in that time. If additional time is required, the individual will be informed in writing of the reasons for the delay and the approximate date on which the review is expected to be completed.

(e) The Agency official will make the final determination on the appeal, ex-

cept as provided in paragraph (c) of this section, whether or not, and to what extent, to amend the records as requested by the individual. A written record of the reasons for the decision will be maintained by the Agency official, who will communicate his final determination to the Chairman of the Committee on Public Information Policy. The Chairman will advise the individual in writing of the Agency's decision on his or her appeal.

(f) If the Agency official determines to deny the individual's appeal to amend records, the Chairman shall advise the individual:

(1) Of the Agency's refusal and the reasons for it;

(2) Of his or her right to file a concise statement of the reasons for disagreeing with the decision of the Agency;

(3) Of the procedures for filing the statement of disagreement;

(4) That the statement which is filed will be made available to anyone to whom the record is subsequently disclosed together with, at the discretion of the Agency, a brief statement by the Agency summarizing its reasons for refusing to amend the record;

(5) That prior recipients of the disputed record will be provided a copy of any statement of dispute to the extent that an accounting of disclosures was maintained; and

(6) His or her right to seek judicial review of the Agency's refusal to amend.

(g) When an individual files a statement disagreeing with the Agency's refusal to amend a record, the Agency will clearly annotate the record so that the fact that the record is disputed is apparent to anyone who may subsequently have acess to, use, or disclose it. When information that it is the subject of a statement of dispute filed by an individual is subsequently disclosed, the Agency will note that the information is disputed and provide a copy of the individual's statement. The Agency may also include a brief summary of the reasons for not making a correction when disclosing disputed information. Such statements will be limited to the reasons given to the individual for not amending the record. Copies of the Agency's statement shall be treated as part of the individual's record for granting access; however, it will not be subject to amendment by the individual under these regulations.

§ 505.10 Disclosure of record to persons other than the individual to whom it pertains.

The Agency will not disclose any information about an individual to any person or another agency without the prior consent of the individual about whom the information is maintained, except as provided for in the following paragraphs.

(a) Medical records means such records will be disclosed to a doctor or other medical practitioner, with the consent of the individual, as prescribed in paragraph 505.6 of this Part.

(b) Accompanying individual means if, when exercising a right of access to records, the requester is accompanied by any other person, the Agency will require that the requester sign a statement granting consent to the disclosure of the contents of the record to the person accompanying him or her.

(c) Designees means individuals, other than the original requester, who request access to records pertaining to the original requester, must present, in writing, a signed statement from the original requester authorizing and consenting to the release of his or her records to the designated individual.

(d) Guardians means the parent(s) of any dependent minor, or the legal guardian of an individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act for and on behalf of the individual on whom the Agency maintains records.

(e) Other disclosures permitted by the Privacy Act means a record may be disclosed without either the request or written consent of the individual to whom a record pertains if such disclosure is authorized under the conditions of disclosure in 5 U.S.C. 552a(b). These conditions are:

(1) *Disclosure within the Agency.* This provision is based on a "need-to-know" concept. The Privacy Act recognizes that Agency personnel require access to records to discharge their duties.

(2) *Disclosure to the public.* The Agency is not required to obtain the consent of an individual before disclosing a record about him or her to a member of the public to whom the Agency is required to disclose such information under the Freedom of Information Act. The Agency may, however, withhold records from a member of the public if such records are exempted from disclosure under the Freedom of Information Act, such as for an unwarranted invasion of personal privacy.

(3) *Disclosure for a routine use.* Records may be disclosed without the prior consent of an individual for a "routine use", as defined in § 505.2(g) of this part, and as described in the required annual public notice about the system published in the FEDERAL REGISTER.

(4) *Disclosure to the Bureau of the Census.* The Agency may disclose records to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity. Title 13 U.S.C. section 8 limits the uses which may be made of these records and also makes them immune from compulsory disclosure.

(5) *Disclosure for statistical research and reporting.* Records may be disclosed for statistical research or reporting purposes only after the Agency has received and evaluated a written statement which explains the purpose for requesting the records, and certifies that the records will be used only as statistical records.

(6) *Disclosure to the National Archives.* The Agency may disclose records to the National Archives of the United States pursuant to 44 U.S.C. 2103, which provides for the preservation of records of historical or other value.

(7) *Disclosure for law enforcement purposes.* The Agency may disclose a record to another agency or unit of state or local government upon receipt of a written request describing the law enforcement purpose for which the record is required, and specifying the particular record required. Blanket requests for all records pertaining to an individual are not permitted by the Privacy Act.

(8) *Disclosure under emergency circumstances.* The Agency may disclose records when the time required to obtain the consent of the individual to whom the record pertains might result in a delay which could impair the health or safety of an individual, e.g., release of medical records on a patient undergoing emergency treatment.

(9) *Disclosure to the Congress.* Records on individuals may be furnished to either House of Congress, or with regard to matters within their jurisdiction, any committee or subcommittee thereof, any joint committee of Congress of subcommittee of any such joint committee.

(10) *Disclosure to the General Accounting Office.* Records on individuals may be disclosed to the Comptroller General or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office.

(11) *Disclosure pursuant to court order.* Agency records may be disclosed as required pursuant to the order of a court of competent jurisdiction.

§ 505.11 Fees.

(a) The Agency will charge a fee of $0.20 per page for copies of documents which are identified by an individual and reproduced at the individual's request for retention. There will be no charge for requests involving costs of $1.00 or less.

(b) The first copy of an individual's personnel record will be furnished free of charge.

(c) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the United States, a postal money order, or cash. Remittances shall be made payable to the order of the Treasurer of the United States and mailed to the Assistant Director (USIA), Public Information, Room 719, 1750 Pennsylvania Avenue, NW, Washington, D.C. 20547. The Agency will assume no responsibility for cash sent by mail.

(d) A receipt for fees paid will be given only upon request.

§ 505.12 Civil remedies and criminal penalties.

(a) *Grounds for court action.* An individual will have a remedy in the Federal District Courts under the following circumstances:

(1) *Denial of access.* Individuals may challenge an Agency decision to deny them access to records to which they consider themselves entitled.

(2) *Refusal to amend a record.* Under conditions prescribed in 5 U.S.C. 552a(g), an individual may seek judicial review of the Agency's refusal to amend a record.

(3) *Failure to maintain a record accurately.* An individual may bring suit against the Agency for any alleged intentional and willful failure to maintain a record accurately, if it can be shown that the individual was subjected to an adverse action resulting in the denial of a right, benefit, entitlement or employment the individual could reasonably have expected to be granted if the record had not been deficient.

(4) *Other failures to comply with the Act.* An individual may bring an action for any alleged failure by the Agency to comply with the requirements of the Act or failure to comply with any rule published by the Agency to implement the Act provided it can be shown that:

(i) The action was "intentional or willful";

(ii) The Agency's action had an adverse effect upon the individual;

(iii) The adverse action was caused by the Agency's actions.

(b) *Jurisdiction and time limits.* (1) Action may be brought in the district court for the jurisdiction in which the individual resides or has a place of residence or has a place of business, or in which the Agency records are situated, or in the District of Columbia.

(2) The statute of limitations is two years from the date upon which the cause of action arises, except for cases in which the Agency has materially or willfully misrepresented any information required to be disclosed and when such misrepresentation is material to the liability of the Agency. In such cases the statute of limitations is two years from the date of discovery by the individual of the misrepresentation.

(3) A suit may not be brought on the basis of injury which may have occurred as a result of the Agency's disclosure of a record prior to September 27, 1975.

(c) *Criminal penalties.* (1) *Unauthorized disclosure.* It is a criminal violation of the provisions of the Act for any officer or employee of the Agency knowingly and willfully to disclose a record in any manner to any person or agency not entitled to receive it, for failure to meet the conditions of disclosure enumerated in 5 U.S.C. 552a(b), or without the written consent or at the request of the individual to whom the record pertains. Any officer or employee of the Agency found guilty of such misconduct shall be fined not more than $5,000.

(2) *Failure to publish a public notice.* It is a criminal violation of the Act willfully to maintain a system of records and not to publish the prescribed public notice. Any officer or employee of the Agency found guilty of such misconduct shall be fined not more than $5,000.

(3) *Obtaining records under false pretenses.* The Act makes it a criminal offense knowingly and willfully to request or gain access to a record about an individual under false pretenses. Any person found guilty of such an offense may be fined not more than $5,000.

505.13 General exemptions.

(a) General exemption for the Central Intelligence Agency files of the Central Intelligence Agency are exempted from certain provisions of the Act.

(b) General exemption for criminal law enforcement records. Records of any agency or component thereof engaged in criminal law enforcement activities are exempted from disclosure under the Act. Specifically exempted under this provision of the Act are records which are:

(1) Compiled for the purposes of identifying information on an individual regarding arrests, nature and disposition of criminal charges, sentencing, confinement, release and parole or probation status;

(2) Compiled for the purpose of criminal investigation, including reports of informants and investigators, and associated with an identifiable individual;

(3) Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

§ 505.14 Specific exemptions.

The following categories of records maintained by the Agency may be exempted from disclosure:

(a) *Exemption for classified material.* The Act exempts from disclosure those records which are specifically authorized under criteria established under an Executive Order to be kept secret in the interest of national defense or foreign policy, and which are in fact properly classified pursuant to such Executive Order.

(b) *Exemption for investigatory material compiled for law enforcement purposes.* To the extent that an investigatory record is used as a basis for denying an individual any right, privilege or benefit, including employment, to which the individual would be entitled in the absence of that record, the individual must be granted access to that record except to the extent that access would reveal the identity of a confidential source.

(c) *Exemption for records maintained to provide protective services.* This exemption covers records which are not within the scope of law enforcement records covered under paragraph (b) of this section, but which are necessary to assure the safety of the President of the United States and other individuals protected pursuant to 18 U.S.C. 3056.

(d) *Exemption for statistical records.* The Agency may exempt a system of records which is used solely for the purpose of generating aggregate data or for other similarly evaluative or analytical purposes, and which are not used to make decisions on the rights, benefits or entitlements of individuals except for the disclosure of a census record to an individual permitted by 13 U.S.C. 8.

(e) *Exemption for investigatory material compiled for determining suitability for federal employment or military service.* A system of records may be exempted from certain provisions of the Act if disclosure of records would cause the identity of a confidential source to be revealed. This exemption may be invoked only if the following conditions are met;

(1) The record is maintained only for purposes of determining an individual's qualifications, eligibility or suitability for military service, employment in the civilian service or on a federal contract, or need for access to classified material.

(2) The information considered relevant and necessary to making a judicious determination as to qualifications, eligibility or suitability could only be obtained by providing assurance to the source that his or her identity would not be revealed to the subject of the record, e.g., for "critical sensitive positions."

(3) Disclosure of the record with the identity of the source removed would likely reveal the identity of the source, e.g., the record contains information which could only have been furnished by one of several individuals known to the subject.

(f) *Exemption for testing or examination material.* The Agency may exempt testing or examination material used to assess the qualifications of an individual for appointment or promotion in the military service only if disclosure of the record to the individual would reveal information about the testing process which would give an individual an unfair competitive advantage.

(g) *Exemption for material used to evaluate potential for promotion in the armed services.* Application of an exemption for material used in evaluating the potential for promotion of members of the armed services must meet the same tests and conditions that are applied under paragraphs (b) and (e) of this section, i.e. revealing a confidential source.

(h) *Records of other agencies.* Any Agency record system which contains information originated by another agency whose record system are exempt from certain provisions of the Act will not be disclosed by USIA. (See § 505.13, *General exemptions*).

§ 505.15 Exemptions of systems of records.

Portions of the following systems of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4), (G), (H) and (I), and (f).

(a) Exempt under 5 U.S.C. 552a(k)(1). The reason for invoking this exemption is to protect material required to be kept secret in the interest of national defense and foreign policy.

USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IOS

(b) Exempt under 5 U.S.C. 552a(k)(2). The reasons for invoking this exemption are to prevent individuals who are subjects of an investigation from frustrating the investigatory process; to insure the integrity of law enforcement activities; to prevent the disclosure of investigative techniques; and to protect the confidentiality of sources of information.

USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IOS

(c) Exempt under 5 U.S.C. 552a(k)(5). The reasons for invoking this exemption are to insure the proper functioning of the investigatory process, to insure effective determination of suitability, eligibility and qualifications for employment, and to protect the confidentiality of sources of information:

USIA-13—Employee Relations File—IPT
USIA-16—Equal Employment Opportunity Complaint File—IEO
USIA-17—Equal Employment Opportunity General Files—IEO
USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IOS
USIA-31—Recruitment Records—IPT

(d) Exempt under 5 U.S.C. 552a(k)(6). The reasons for invoking this exemption are to prevent the compromise of testing or evaluation material used solely to determine individual qualifications for employment or promotion, and to avoid giving unfair advantage to individuals by virtue of their having access to such material:

USIA-13—Employee Relations File—IPT
USIA-14—Employee Training File—IPT
USIA-22—Master Employee Records—IPT
USIA-31—Recruitment Records—IPT

APPENDIX I

U.S. INFORMATION AGENCY OFFICE LOCATIONS IN WASHINGTON, D.C. AREA

(1) Agency Elements located at 1750 Pennsylvania Ave., NW, Washington, D.C. 20547.

Office of the Director
Office of Public Information
U.S. Advisory Commission on Information
Office of the General Counsel
Office of Equal Employment Opportunity
Office of Administration and Management
Office of Policy and Plans
Office of Research
Office of Security
Office of the Assistant Director, Europe
Office of the Assistant Director, North Africa, Near East and South Asia
Office of the Assistant Director, Latin America
Office of the Assistant Director, East Asia and Pacific
Office of the Assistant Director, Africa

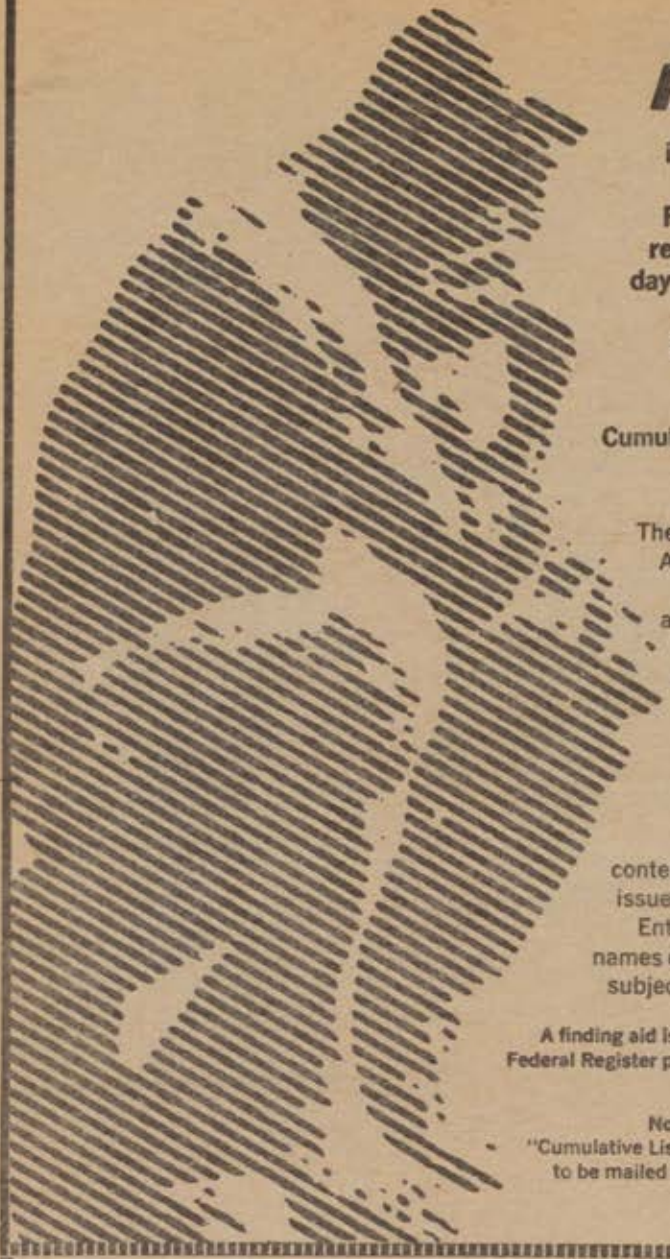
(2) Other Agency elements and addresses:

U.S. Information Agency, Press and Publications Service, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.
U.S. Information Agency, Broadcasting Service (VOA), Health, Education, and Welfare Bldg., 330 Independence Ave., SW, Washington, D.C. 20547.
U.S. Information Agency, Motion Picture and Television Service, Patrick Henry Bldg., 601 "D" Street, NW, Washington, D.C. 20547.
U.S. Information Agency, Office of Personnel and Training, 1776 Pennsylvania Ave., NW, Washington, D.C. 20547.
U.S. Information Agency, Information Center Service, 1717 "H" Street, NW, Washington, D.C. 20547.
U.S. Information Agency, Foreign Press Center, National Press Building, 529 14th Street, NW Washington, D.C. 20547.

APPENDIX II

U.S. INFORMATION AGENCY OFFICE LOCATIONS OUTSIDE THE WASHINGTON, D.C. AREA

U.S. Information Agency, Motion Picture and Television Service, New York Office, 1657 Broadway, New York, New York 10019.
U.S. Information Agency, Foreign Press Center, 866 Second Avenue, New York, New York 10017.
U.S. Information Agency, Information Center Service, New York Services Staff, 252 Seventh Avenue, New York, New York 10001.
U.S. Information Agency, Delano Relay Station, Rte. 1 Box 1350, Delano, California 93215.
U.S. Information Agency, Edward R. Murrow Transmitting Station, P.O. Box 1626, Greenville, North Carolina 27834.
U.S. Information Agency, Southeast Correspondent Staff, Room 518, Federal Bldg., 51 SW. First Avenue, Miami, Florida 33130.
U.S. Information Agency, Midwest Correspondent Staff, Room 1459, Federal Bldg., 219 South Dearborn Street, Chicago, Illinois 60604.
U.S. Information Agency, Administrative Services Division, New York Services Branch, 1657 Broadway, New York, New York 10019.
U.S. Information Agency, Senior Adviser for Public Affairs, U.S. Mission to the United Nations, 799 United Nations Plaza, New York, New York 10017.
U.S. Information Agency, Broadcasting Service, New York Program Center, 250 West 57th Street, New York, New York 10019.
U.S. Information Agency, Bethany Relay Station, P.O. Box 227, Mason, Ohio 45040.
U.S. Information Agency, Dixon Relay Station, Rte. 2, Box 739, Dixon, California 95620.
U.S. Information Agency, Marathon Relay Station, P.O. Box 726, Marathon, Florida 33050.
U.S. Information Agency, West Coast Correspondent Staff, Room 12220, Federal Bldg., 11000 Wilshire Blvd., Los Angeles, California 90059.



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