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Federal Register

Thursday
November 4, 1982

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Agricultural Marketing Service

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Presidential Documents

Title 3—

The President

Proclamation 4994 of November 2, 1982

National Diabetes Month, 1982

By the President of the United States of America

A Proclamation

Diabetes is a complex disorder in which the body is unable to convert sugars and starches properly into the energy necessary for daily activity. As a major public health problem, diabetes can result in certain long-term complications that may involve virtually every tissue of the body, particularly the blood vessels, nervous system, kidneys and eyes. At present, there is no cure for this chronic disorder that now affects an estimated 11 million Americans.

In recent years, research has yielded promising new information on the possible causes and improved management of diabetes and its complications. This research has provided significant advances ranging from a better understanding of factors that cause or contribute to the disease to the development of laser therapy for eyes damaged by diabetes. There still exists a great opportunity for medical science to reduce human suffering and improve the lives of diabetic patients.

In cooperation with private voluntary organizations, the Federal government is actively participating in this ongoing scientific challenge. Through the combined efforts of government, university, and private researchers, it is hoped that steady progress will continue to be made toward more effective methods of diabetic control. The goal of this work is to improve the lives of patients and reduce the impact of this disease on our nation.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, in accordance with Senate Joint Resolution 257, do hereby proclaim the month of November, 1982, as National Diabetes Month, and I call upon government agencies and the people of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of Nov., in the year of our Lord nineteen hundred and eighty-two, and of the Independence of the United States of America the two hundred and seventh.

Ronald Reagan

[FR Doc. 82-30492
Filed 11-2-82; 3:58 pm]
Billing code 3195-01-M

Rules and Regulations

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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.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 354

[Docket No. 82-345]

Commuted Traveltime Allowances

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends administrative instructions prescribing commuted traveltime. These amendments establish commuted traveltime periods as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which an employee of Plant Protection and Quarantine performs overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Inspection Service.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: Thomas J. Lanier, Assistant Director, Regulatory Services Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 643, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8247.

SUPPLEMENTARY INFORMATION:

Executive Order 12291

This final action has been reviewed under Executive Order 12291, and has been determined to be exempt from those requirements. Nicholas E. Bedessem, Special Assistant to the Administrator, made this determination because commuted traveltime allowances are strictly a function of where the APHIS employee lives in relation to the place overtime or holiday duty is performed. As employees are transferred or change their residence or as the place of inspection changes, the number of hours of commuted traveltime allowed may change. These amendments merely reflect such changes and serve to notify the public of the new allowed hours.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

List of Subjects in 7 CFR Part 354

Agricultural commodities, Exports, Government employees, Imports, Plants (agriculture), Quarantine, Transportation.

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Therefore, pursuant to the authority conferred upon the Deputy Administrator, Plant Protection and Quarantine, by 7 CFR 354.1 of the regulations concerning overtime services relating to imports and exports, the administrative instructions appearing at 7 CFR 354.2, are amended by adding or removing (in appropriate alphabetical sequence) the information as shown below:

§ 354.2 Administrative instructions prescribing commuted traveltime.

* * * * *

COMMUTED TRAVELTIME ALLOWANCES

[In Hours]

Location covered	Served from	Metropolitan area: Within	Metropolitan area: Outside
REMOVE:			
Alabama:			
Birmingham (including Birmingham Municipal Airport).	Tuscaloosa		3
Port Osborne	Pelham or Tuscaloosa.		3
Undesignated ports	Mobile		3

COMMUTED TRAVELTIME ALLOWANCES—Continued

[In Hours]

Location covered	Served from	Metropolitan area: Within	Metropolitan area: Outside
ADD:			
Alabama:			
Birmingham (including Birmingham Municipal Airport).	Alabaster		2
Huntsville		1	
Montgomery		1	
Undesignated ports	Alabaster, Huntsville, Mobile, and Montgomery.		3
California:			
Port Hueneme	San Pedro		4

(64 Stat. 561; (7 U.S.C. 2260))

Therefore, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this final rule are impracticable and contrary to the public interest and good cause is found for making this final rule effective less than 30 days after publication of this document in the **Federal Register.**

Done at Washington, D.C., this 1st day of November 1982.

William F. Helms,

Acting Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service.

[FR Doc. 82-30415 Filed 11-3-82; 8:45 am]

BILLING CODE 3410-34-M

Agricultural Marketing Service

7 CFR Part 905

[Orange, Grapefruit, Tangerine and Tangelo Regulation 6, Amdt. 14]

[Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Amendment of Tangerine Size Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Amendment to final rule.

SUMMARY: This amendment lowers the minimum size requirement applicable to fresh domestic shipments of Dancy tangerines from 2–6/16 inches to 2–4/16 inches in diameter during the period November 1 to November 14, 1982. This action allows an increase in the supply of tangerines in recognition of demand conditions and the size composition of available supply in the interest of growers and consumers.

EFFECTIVE DATES: November 1, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, Acting Chief, Fruit Branch, F&V, AMS, USDA, Washington, D.C. 20250, telephone (202) 447–5975.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA procedures and Executive Order 12291 and has been designated a "non-major" rule. The Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the Florida Dancy tangerine crop for the benefit of producers, and will not substantially affect costs for the directly regulated handlers.

This amendment is issued under the marketing agreement and Order No. 905 (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon recommendations and information submitted by the Citrus Administrative Committee, and upon other available information. It is hereby found that the regulation of Florida Dancy tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

This amendment would relax limitations on the handling of Dancy tangerines by permitting each handler, during the period November 1–November 14, 1982 to ship 210 size (2–4/16 inches) Dancy tangerines.

The committee reports that Dancy tangerines are just beginning to pass Florida maturity tests and the total supply is limited. Also, the committee reports that demand for such tangerines is likely to increase due to advance Thanksgiving purchases. Thus, relaxation of the regulation is necessary to allow a greater proportion of the available supply to reach the market.

It is anticipated that during subsequent weeks larger supplies of Dancy tangerines will be available for market and such fruit, left on the trees, will likely attain larger sizes. Hence, this action provides for the resumption of the 2–6/16 inch minimum size for Dancy tangerines on and after November 15, 1982, to assure availability of the sizes preferred by consumers.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this amendment is based and the effective date necessary to effectuate the declared purposes of the act. Interested persons were given an opportunity to submit information and views on the amendment at an open meeting. This amendment relieves restrictions on the handling of Florida Dancy tangerines. Handlers have been apprised of such provisions and the effective dates.

List of Subjects in 7 CFR Part 905

Marketing agreements and orders, Florida, Grapefruit, Oranges, Tangelos, Tangerines.

PART 905— [AMENDED]

Accordingly, the provisions of § 905.306 (Orange, Grapefruit, Tangerine and Tangelo Regulation 6 (46 FR 60170; 60411; 61441; 47 FR 589, 5912; 5699; 6248; 7203; 10065; 21755; 25935; 34351; 44538; 44704)) are amended by revising Table I, paragraph (a) to read as follows:

§ 905.306 Orange, grapefruit, tangerine and tangelo regulation 6.

(a) * * *

TABLE 1

(1) Variety	(2) Regulation period	(3) Minimum grade	(4) Minimum diameter (inches)
*	* * *	*	*
Tangerines...	11/1/82 to 11/14/82...	U.S. No. 1....	2–4/16
Dancy.....	On and after 11/15/82.	U.S. No. 1....	2–6/16
*	* * *	*	*

* * * * *

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

Dated: October 29, 1982.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82-30368 Filed 11-3-82; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 907

[Navel Orange Reg. 550]

Navel 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 fresh California-Arizona navel oranges that may be shipped to market during the period November 5–11, 1982. Such action is needed to provide for orderly marketing of fresh navel oranges for this period due to the marketing situation confronting the orange industry.

EFFECTIVE DATE: November 5, 1982.

FOR FURTHER INFORMATION CONTACT: William J. Doyle, 202–447–5975.

SUPPLEMENTARY INFORMATION:

Findings

This rule has been reviewed under Secretary's Memorandum 1512–1 and Executive Order 12291 and has been designated a "non-major" rule. The Deputy Administrator, Agricultural Marketing Service, has determined that this action will not have a significant economic impact on a substantial number of small entities. This action is designed to promote orderly marketing of the California-Arizona navel orange crop for the benefit of producers and will not substantially affect costs for the directly regulated handlers.

This regulation is issued under the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendations and information submitted by the Navel Orange Administrative Committee and upon other available information. It is hereby found that this action will tend to effectuate the declared policy of the Act.

This action is consistent with the marketing policy for 1982–83. The marketing policy was recommended by the committee following discussion at a public meeting on September 21, 1982. The committee met again publicly on November 2, 1982, at Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended a quantity of navels deemed advisable to be handled

during the specified week. The committee reports the demand for navel oranges is improving.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared policy of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectuate the declared policy of the Act to make this regulatory provision effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 907

Marketing agreements and orders, California, Arizona, Oranges (navel).

PART 907—[AMENDED]

1. Section 907.850 is added as follows:

§ 907.850 Navel orange regulation 550.

The quantities of navel oranges grown in Arizona and California which may be handled during the period November 5, 1982, through November 11, 1982, are established as follows:

(a) District 1: 605,115 cartons;
(b) District 2: Unlimited cartons;
(c) District 3: 153,205 cartons;
(d) District 4: Unlimited cartons.

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

Dated: November 3, 1982.

D. S. Kuryloski,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 82-30607 Filed 11-3-82; 12:17 pm]

BILLING CODE 3410-02-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 235

Inspection of Persons Applying for Admission; Mexican Border Visitors Permit

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule amends the regulations of the Immigration and Naturalization Service to expand the use of the Mexican Border Visitors Permit in lieu of the Arrival-Departure Record as an entry document. The amendment is necessary for administrative purposes to reduce Service inspection time and to facilitate the entry of persons in the expanded group who are eligible for admission using the Mexican Border Visitor Permit.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT:

For General Information: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D.C. 20536, Telephone: (202) 633–3048.

For Specific Information: Lawrence J. Weinig, Immigration Inspector, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D.C. 20536, Telephone: (202) 633–2680.

SUPPLEMENTARY INFORMATION: In order to facilitate the entry of bona-fide Mexican nationals who seek admission to the United States at land border ports of entry, the Immigration and Naturalization Service has determined that it is necessary to expand its use of the Mexican Border Visitor Permit, Form I–444, to include a larger class of border entrants. This will allow the Service to concentrate its inspectional resources on more productive aspects of the Inspections program.

The rule expands use of the Form I–444 in lieu of the Arrival-Departure Record Form I–94 in three ways: (1) The new rule eliminates the present requirement for using Form I–94 for the initial entry of Mexican nationals who hold valid multiple entry nonimmigrant visitors visas; (2) the validity period of the Form I–444 is extended from 15 to 30 days: and (3) the State of Nevada is added to the geographical area in which the Form I–444 may be used. Previously, use of the Form I–444 was limited to four states: Arizona, California, New Mexico, and Texas.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because the rule is limited to agency practice and procedure which is of benefit to the public.

In accordance with 5 U.S.C. 605(b), the Commissioner of Immigration and Naturalization certifies that the rule will not have a significant economic impact on a substantial number of small entities.

This rule is not a major rule within the meaning of section 1(b) of E.O. 12291.

List of Subjects in 8 CFR Part 235

Administrative practice and procedure, Aliens, Inspections, Port of entry, Travel restriction.

Accordingly, Chapter I of Title 8 of the Code of Federal Regulations is amended as follows:

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

In § 235.1 paragraphs (f) and (g) are revised to read as follows:

§ 235.1 Scope of examination.

* * * * *

(f) *Arrival/Departure Record, Form I–94*—(1) *Nonimmigrants.* Each nonimmigrant alien except as indicated below, who is admitted to the United States shall be issued a completely executed Form I–94 which must be endorsed to show: date and place of admission, period of admission, and nonimmigrant classification. A nonimmigrant alien who will be making frequent entries into the United States over its land borders may be issued a Form I–94 which is valid for any number of entries during a specified six-month period. A Form I–94 is not required by:

(i) Any nonimmigrant alien described in § 212.1(a) of this chapter and 22 CFR 41.129(a) who is admitted as a visitor for business or pleasure or admitted to proceed in direct transit through the United States;

(ii) Any nonimmigrant alien residing in the British Virgin Islands who was admitted only to the U.S. Virgin Islands as a visitor for business or pleasure under § 212.1(b) of this chapter;

(iii) Any Mexican national in possession of a valid nonresident alien Mexican border crossing card who is admitted as a border crosser or nonimmigrant visitor at a Mexican border port of entry for a period not to exceed 72 hours to visit within 25 miles of the border;

(iv) Any Mexican national in possession of a valid Mexican passport and a multiple-entry nonimmigrant visa issued under section 101(a)(15)(B) of the Act who is admitted at a Mexican border port of entry as a nonimmigrant visitor for a period not to exceed 72 hours to visit within 25 miles of the border; or

(v) Any Mexican national eligible for a Mexican Border Visitors Permit, Form I–444, under paragraph (g) of this section.

(2) *Paroled aliens.* Any alien paroled into the United States under section 212(d)(5) of the Act, including any alien crewmember, shall be issued a completely executed Form I–94 which

must include (i) date and place of parole, (ii) period of parole, and (iii) conditions under which the alien is paroled into the United States.

(g) *Mexican Border Visitors Permit, Form I–444.* (1) Any Mexican national exempt from issuance of a Form I–94 under paragraphs (f) (iii) or (iv) of this section shall be issued a Mexican Border Visitors Permit, Form I–444, whenever (i) the period of admission sought is more than 72 hours but not more than 30 days or (ii) the applicant desires to travel more than 25 miles from the Mexican border but within the five-state area of Arizona, California, Nevada, New Mexico, or Texas.

(2) If, after entry and issuance of the Form I–444, the alien seeks to remain for longer than 30 days or to proceed outside of the five-state area, the alien must apply for permission at a Service office located within the five-state area.

* * * * *

(Secs. 103, 235 of the Immigration and Nationality Act, as amended; 8 U.S.C. 1103, 1225)

Dated October 26, 1982.

Alan C. Nelson,

Commissioner of Immigration and Naturalization.

[FR Doc. 82-30418 Filed 11-3-82; 8:45 am]

BILLING CODE 4410-10-M

8 CFR Part 242

Miscellaneous Technical Amendments

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: This rule makes a technical correction to 8 CFR 242.5 (Voluntary departure prior to commencement of hearing) by updating the citation to 22 CFR 514.23, removes extraneous material from 8 CFR 242.7 (Cancellation of proceedings), and rearranges the section to improve readability.

EFFECTIVE DATE: November 3, 1982.

FOR FURTHER INFORMATION CONTACT: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 Eye Street, NW., Washington, D.C. 20536, Telephone: (202) 633–3048.

SUPPLEMENTARY INFORMATION: In § 242.5(a)(3) of 8 CFR, the reference to "22 CFR 63.23" is corrected to read "22 CFR 514.23". This State Department regulation relating to the Exchange Visitor Program was transferred from Part 63 to Part 514 of 22 CFR.

In § 242.7 of 8 CFR, paragraph (a) contained the authority citation which belongs at the beginning of Part 242 and not as part of the paragraph, i.e., "(sec. 103, 66 Stat. 173 (8 U.S.C. 1103))". The former paragraphs (b) and (c) of this section were actually explanatory material which belonged in the Supplementary Information section of the order (39 FR 20959, June 17, 1974) and should not have been included as text of § 242.7.

This order revises the entire § 242.7 to remove extraneous material and rearranges the section to improve readability.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because the amendments in this order are technical in nature to correct a reference to a citation, remove extraneous material and rearrange text to improve readability.

In accordance with 5 U.S.C. 605(b) the Commissioner of Immigration and Naturalization certifies that this rule will not have a significant economic impact on a substantial number of small entities.

This in not a major rule within the meaning of section 1(b) of E.O. 12291.

List of Subjects in 8 CFR Part 242

Administrative practice and procedure, Aliens, Authority delegations, Jurisdiction.

Accordingly, Title 8 of the Code of Federal Regulations is amended as follows:

PART 242—PROCEEDINGS TO DETERMINE DEPORTABILITY OF ALIENS IN THE UNITED STATES: APPREHENSION, CUSTODY, HEARING, AND APPEAL

§ 242.5 [Amended]

1. In § 242.5, paragraph (a)(3) is amended to change the citation "22 CFR 63.23" to read "22 CFR 514.23".

(Secs. 103, 242 of the Immigration and Nationality Act; 8 U.S.C. 1103, 1252)

2. Section 242.7 is revised to read as follows:

§ 242.7 Cancellation proceedings.

(a) *Cancellation of order to show cause.* Any district director, acting district director, deputy district director, assistant district director for investigations, or officer in charge of an office enumerated in § 242.1(a) of this part may cancel an order to show cause or terminate proceedings prior to the actual commencement of the hearing under a served order to show cause provided the officer is satified that:

(1) The respondent is a national of the United States;

(2) The respondent is not deportable under immigration laws;

(3) The respondent is deceased;

(4) The respondent is not in the United States; or

(5) The proceedings were improvidently begun.

(b) *Motion to dismiss.* After commencement of the hearing, any officer enumerated in paragraph (a) of this section may move for dismissal of the matter on the grounds set out under paragraph (a) of this section. Dismissal of the matter shall be without prejudice to the alien or the Service.

(c) *Motion for remand.* After commencement of the hearing, any officer enumerated in paragraph (a) of this section may move for remand of the matter to district jurisdiction on the ground that the foreign relations of the United States are involved and require further consideration. Remand of the matter shall be without prejudice to the alien or the Service.

(d) *Warrant of arrest.* When an order to show cause is cancelled or proceedings are terminated under this section may outstanding warrant of arrest is cancelled.

(e) *Termination of deportation proceedings by immigration judge.* An immigration judge may terminate deportation proceedings to permit the respondent to proceed to a final hearing on a pending application or petition for naturalization when the respondent has established prima facie eligibility for naturalization and the matter involves exceptionally appealing or humanitarian factors; in every other case, the deportation hearing shall be completed as promptly as possible notwithstanding the pendency of an application for naturalization during any state of the proceedings.

* * * * *

(Secs. 103, 242 of the Immigration and Nationality Act; 8 U.S.C. 1103, 1252)

Dated: October 25, 1982.

Perry A. Rivkind,

Associate Commissioner, Management, Immigration and Naturalization Service.

[FR Doc. 82-30277 Filed 11-3-82; 8:45 am]

BILLING CODE 4410-10-M

FEDERAL RESERVE SYSTEM

12 CFR Part 203

[Reg. C; Docket No. R-0406]

Home Mortgage Disclosure; Order Approving Continuation of Exemption; Connecticut, Massachusetts, New Jersey, and New York

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Order.

SUMMARY: The Board is approving applications for renewal of the exemptions of Connecticut, Massachusetts, New Jersey, and New York from the disclosure requirements of the Federal Home Mortgage Disclosure Act, as amended in 1980, and the Board's Regulation C implementing the act. The exemptions are based upon the determination that state law provides for substantially similar disclosures and that there is adequate provision for enforcement of the state law. The approval is subject to certain conditions.

EFFECTIVE DATE: November 5, 1982.

FOR FURTHER INFORMATION CONTACT: John C. Wood, Senior Attorney, or Claudia Yarus or Clarence B. Cain, Staff Attorneys, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202–452–2412).

SUPPLEMENTARY INFORMATION: (1) *Introduction.* The Home Mortgage Disclosure Act (12 U.S.C. 2801 *et seq.*), as implemented by Regulation C (12 CFR Part 203), requires depository institutions that have more than $10 million in assets and that are located in standard metropolitan statistical areas (SMSAs) to compile and disclose information on the geographic distribution of their mortgage and home improvement loans.

The act and regulation permit the Board to grant exemptions to state-chartered depository institutions subject to state mortgage disclosure laws that impose requirements substantially similar to those of the federal law and that contain adequate provision for enforcement. The exemptions are subject to revocation if the Board at any time determines that state law does not impose requirements substantially similar to federal law or does not adequately ensure enforcement.

Because of changes in the requirements of the federal act and regulation in 1980 and 1981, respectively, the Board requested a reapplication from each of the currently exempt states as a condition of continuation of the exemptions. Four of the presently exempt states (or financial institutions in those states) reapplied, pursuant to section 306(b) of the act (12 U.S.C. 2805(b)) and § 203.3(b) of the regulation. The Board published a notice, inviting public comment on the applications, on May 24, 1982 (47 FR 22370). A number of comments were received, all of them favoring renewal of the exemptions either unconditionally or with certain conditions.

After analysis of the applications, the state law provisions, and the comments, the Board has determined that the standards for exemption have been met and, accordingly, that all four exemptions should be renewed, subject to certain conditions.

(2) *Order of exemption.* The following order sets forth the terms of the Connecticut, Massachusetts, New Jersey, and New York exemptions.

Order

The states of Connecticut, Massachusetts, New Jersey, and New York (or financial institutions in those four states) have applied to the Board, pursuant to section 306(b) of the Home Mortgage Disclosure Act, for renewal of their exemptions from the act and the Board's Regulation C.

On the basis of the record, the Board finds that the mortgage disclosure laws and regulations of those four states impose requirements substantially similar to those of the Home Mortgage Disclosure Act and Regulation C, and that the state laws and regulations contain adequate provision for enforcement. Based on that finding, the Board approves the applications for continuation of the exemptions, subject to the conditions set forth in the following paragraphs applicable to all four states, and, in the case of Connecticut and Massachusetts, subject to the further conditions set forth in the separate discussion of each state's exemption below.

Continuation of each exemption is granted on the condition that the state banking department will submit to the Federal Financial Institutions Examination Council (FFIEC), no later than the date specified by the FFIEC each year, the data collected from the institutions subject to the state mortgage disclosure law pertaining to lending activity during the preceding calendar year.

Each exemption is also conditioned upon the state banking department's following the procedures established by the FFIEC for transmittal of disclosure statements of those institutions to the central repository for each standard metropolitan statistical area (SMSA) in the state, as required by section 304(f) of the act.

These exemptions remain subject to revocation by the Board, pursuant to paragraph (e) of Appendix B to the regulation, if at any time the Board determines that applicable state law does not in fact impose requirements that are substantially similar to those of the Home Mortgage Disclosure Act, or that the state is not adequately enforcing the state law. As required by paragraph (b)(3) of Appendix B, each applicant undertakes to inform the Board of any change in applicable state law or regulations within 30 days of such change.

Connecticut. The Board granted the original Connecticut exemption by an order effective September 11, 1978. The Connecticut Banking Department has applied to the Board, on behalf of state-chartered depository institutions in Connecticut, for continuation of that exemption. The application is based upon the requirements of the Connecticut Home Mortgage Disclosure Act (Pub. Act No. 77–153), as amended by Pub. Act No. 81–128, and implementing regulations.

In addition to the matters stated above, the continuation of the Connecticut exemption is conditioned upon the adoption by the banking department, without substantial change, of certain proposed revisions (as submitted to the Board on August 5, 1982) to regulations promulgated under the Connecticut Home Mortgage Disclosure Act (§§ 36–445–1, 36–455–2, and 36–455–4 to 36–455–6 of the Regulations of Connecticut State Agencies). The final revisions must be effective with respect to loans made during calendar year 1982.

The exemption will continue to apply to all Connecticut-chartered depository institutions that are subject to the Connecticut law.

Massachusetts. The Board granted the original Massachusetts exemption by an order effective December 8, 1976. The Commonwealth of Massachusetts, through its Division of Banks, has applied for a continuation of the exemption on behalf of banks and credit unions in the Boston and Springfield-Chicopee-Holyoke SMSAs. The application is based upon the requirements of the mortgage disclosure directives in the Massachusetts Banking Division's Administrative Bulletin 18–2C, dated February 5, 1982.

In addition to the matters stated above, the continuation of the Massachusetts exemption is subject to the condition that any subsequent Massachusetts disclosure directives contain requirements substantially identical to those set forth in the directive referred to above.

The exemption will continue to apply to all Massachusetts-chartered depository institutions that are subject to the Massachusetts mortgage disclosure directives, but applies only in part if the institution has a branch office (as defined in Regulation C) located in any SMSA that is not covered by the state directives. In these circumstances, the institution is exempt from the federal law with respect to loans relating to

property located in SMSAs covered by the Massachusetts directive, but remains subject to the federal laws with respect to loans on property in other SMSAs in which it has branch offices. The latter category of loans shall be disclosed in accordance with Regulation C.

New Jersey. The Board granted the original New Jersey exemption by an order effective April 1, 1978. United Jersey Banks (Princeton), Heritage Bancorporation (Cherry Hill), and Princeton Bank (Princeton) have applied to the Board for continuation of the exemption. The applications are based upon the requirements of the New Jersey Home Mortgage Disclosure Act (N.J.S.A. 17:16F–1 *et seq.*) and the implementing regulations of the New Jersey Department of Banking.

The exemption will continue to apply to all New Jersey-chartered institutions subject to the New Jersey law.

New York. The Board granted the original New York exemption by an order effective December 8, 1976, as supplemented by an order dated May 9, 1977. The New York Banking Department has applied to the Board for continuation of the exemption. The application is based upon the requirements of New York Banking Law sections 10, 36, and 125, as implemented by Supervisory Procedure G107 of the New York Banking Department.

Supervisory Procedure G107 currently requires that loan data for any area not census tracted be reported by ZIP code. The Home Mortgage Disclosure Act and Regulation C, on the other hand, require that loan data for such areas be reported by county. The Board has been informed that all portions of all SMSAs in New York State are currently census tracted; therefore, this discrepancy between G107 and the federal law is not of concern at present. The Board notes, however, that if SMSAs in New York should change in the future so that some loan data become reportable under G107 by ZIP code, the discrepancy could affect the uniformity of the data to be aggregated by the FFIEC. In these circumstances, New York might be required to revise G107 to eliminate this problem as a condition of further continuation of its exemption.

The exemption will continue to apply to all New York-chartered depository institutions subject to the New York Law.

By order of the Board of Governors of the Federal Reserve System, October 29, 1982.

William W. Wiles,

Secretary of the Board.

[FR Doc. 82-30389 Filed 11-3-82; 8:45 am]

BILLING CODE 6210-01-M

12 CFR Part 203

[Reg. C; Docket No. R-0434]

Home Mortgage Disclosure; Order Terminating California Exemption

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Order.

SUMMARY: State-licensed savings and loan associations in California were granted an exemption from the federal Home Mortgage Disclosure Act in 1976, based upon the Board's determination that state law provides for substantially similar disclosures and that there is adequate provision for enforcement of the state law. The California Department of Savings and Loan has informed the Board that, due to financial considerations, the state is no longer able to ensure adequate enforcement of the state home mortgage disclosure requirements for state-licensed savings and loan associations, and that it has decided not to seek an extension of the exemption. The Board is therefore terminating the exemption. State-licensed savings and loans must comply with the federal act and Regulation C beginning with the reporting of data on loans made in calendar year 1982.

EFFECTIVE DATE: November 5, 1982.

FOR FURTHER INFORMATION CONTACT: John C. Wood, Senior Attorney, or Clarence B. Cain, Staff Attorney, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 (202–452–2412).

SUPPLEMENTARY INFORMATION: (1) *Introduction.* The Home Mortgage Disclosure Act (12 U.S.C. 2801 *et seq.*), as implemented by Regulation C (12 CFR Part 203), requires depository institutions that have more than $10 million in assets and that are located in standard metropolitan statistical areas (SMSAs) to compile and disclose information on the geographic distribution of their mortgage and home improvement loans.

The act and regulation permit the Board to grant exemptions to state-chartered depository institutions subject to state mortgage disclosure laws that impose requirements substantially similar to those of the federal law and that contain adequate provision for enforcement. The exemptions are subject to revocation if the Board at any time determines that state law does not impose requirements substantially similar to federal law or does not adequately ensure enforcement.

On December 8, 1976, the Board granted an exemption from the disclosure requirements of the act and Regulation C to state-licensed savings and loan associations subject to the California Administrative Code (Subchapter 20). The exemption was based on the requirements of that code and the implementing directives of the California Department of Savings and Loan, which the Board determined to be substantially similar to the requirements imposed under the federal Home Mortgage Disclosure Act. The Board also determined that there was adequate provision for enforcement of the state law.

The federal act was amended in 1980 (Pub. L. 96–399, October 8, 1980), and the Board implemented the statutory amendments by revising Regulation C. Because of these changes in the federal law, the Board requested a reapplication from California and from the other exempt states.

The California Department of Savings and Loan submitted but later withdrew an application for continuation of the exemption for state-licensed savings and loan assocations. The Department has informed the Board that, because of financial considerations, it can no longer ensure compliance with the state law or produce mortgage disclosure statements for these associations. Accordingly, the Board has determined that revocation of the California exemption is mandated by the statute.

Notice of this action has not been published for comment. Under paragraph (e) of Appendix B to Regulation C, the Board may omit procedures it finds unnecessary. Publication for comment is unnecessary in this case because, given discontinuation of California's mortgage loan disclosure program, there is no longer any basis for the exemption.

(2) *Order of termination.* The following order sets forth the termination of the California exemption.

Order

The Board granted an exemption to California state-licensed savings and loan associations from the federal Home Mortgage Disclosure Act in 1976, based on the existence of substantially similar requirements imposed by state law, and on the existence of adequate provision for enforcement of that law by state authorities.

Following amendment of the federal act and Regulation C, the California Department of Savings and Loan submitted an application for continued exemption. That application has been withdrawn. The Department has informed the Board that, due to financial considerations, it can no longer ensure

adequate enforcement of the state law and regulation or produce mortgage disclosure statements for state-licensed savings and loan associations, and that it has decided not to seek an extension of the exemption. The Board is therefore terminating the California exemption. State-licensed savings and loan associations that were previously exempted from the federal law on the basis of the California act henceforth shall comply with the federal act and regulation, beginning with the data required by the act and Regulation C for loans originated or purchased in calendar year 1982.

By order of the Board of Governors of the Federal Reserve System, October 29, 1982.

William W. Wiles,

Secretary of the Board.

[FR Doc. 82-30379 Filed 11-3-82; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 82-NM-86-AD; Amdt. 39-4486]

Airworthiness Directives: Boeing Model 707-300, 400, 300B, 300C, and 720/720B Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This document amends an existing Airworthiness Directive (AD) 79-19-01 which requires inspection and repair, if necessary, of the lower wing skin splice stringers on certain Boeing Model 707/720 airplanes. This amendment adds visual inspections for evidence of splice stringer cracking in the area of the lower wing skin normally covered by the inboard nacelle strut diagonal brace fairing. This action is necessary because recent service experience has revealed cracking splice stringers in this area which could seriously reduce the structural capability of the wing lower surface.

DATE: Effective November 15, 1982.

ADDRESSES: The applicable service bulletin may be obtained from the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124, or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. James W. Hart, Jr., Airframe Branch ANM-120S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 767-2516. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: AD 79-19-01 (Amdt. 39-3556, 44 FR 52676, as amended by Amdt. 39-4087, 46 FR 24158) requires low frequency eddy current inspection of the wing lower surface splice stringers. The area under the inboard nacelle cannot be inspected using low frequency eddy current techniques and inspections are not being done on the splice stringers in that area. Recent service experience has shown that cracks do occur in the splice stringers in this area and if allowed to propagate, the structural capability of the wing could be seriously compromised. Inspections under the inboard nacelle are required during the next scheduled inspection of the splice stringers.

Since this condition is likely to exist or develop on other airplanes of the same type design, AD 79-19-01 is being further amended to expand the area of inspections to include the area under the inboard nacelle.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended by further amending AD 79-19-01 (Amdt. 39-3556, 44 FR 52676, as amended by 39-4087, 46 FR 24158) as follows:

Revise paragraph A, with the exception of the table, to read as follows:

"A. After the effective date of this Amendment, perform a low frequency eddy current inspection for cracks in the wing lower surface splice stringers in accordance with Boeing Service Bulletin 3226, Rev. 5, dated November 15, 1981, or later FAA approved revisions, or in a manner approved by the Manager, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region. Inspections are to be made at the threshold times, within the prescribed intitial interval and repetitive intervals shown below:

At the inboard nacelle strut drag brace, the affected lower skin area covered by the fairing may be visually inspected for cracks and evidence of fuel leakage. If crack indications are noted in stringers, or skin cracks or fuel leakage are found at the diagonal brace fairing area, tank entry and inspection by high frequency eddy current of the wing splice stringers is required."

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to the Boeing Commerical Airplane Company, P.O. Box 3707, Seattle, Washington 98124. These documents may also be examined at the FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective November 15, 1982.

(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 FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not requred). A copy of it, when filed, may be obtained by contacting the person identified under the caption "For Further Information Contact."

Issued in Seattle, Washington, on October 26, 1982.

Charles R. Foster,

Director, Northwest Mountain Region.

[FR Doc. 82-30376 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 82-NM-54-AD; Amdt. 39-4485]

Airworthiness Directives: Boeing Model 747 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends an existing Airworthiness Directive (AD) 81-13-03 to increase the scope of the visual inspections of the floor beams. Cracking has been reported on floor beams other than those required to be inspected by the existing AD. Since the new found cracking could also lead to rapid decompression, the AD is amended to include additional areas for inspection.

DATES: Effective date is November 15, 1982. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from the Boeing Commercial Airplane Company, P.O. Box 3707, Seattle, Washington 98124, or may be examined at the address shown below.

FOR FURTHER INFORMATION CONTACT: Mr. Owen Schrader, Airframe Branch, ANM-120S, Seattle Aircraft Certification Office, FAA, Northwest Mountain Region, 9010 East Marginal Way South, Seattle, Washington, telephone (206) 767-2516. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Washington, 98168.

SUPPLEMENTARY INFORMATION: AD 81-13-03 (Amdt. No. 39-4138; 46 FR 31873) superseded AD 78-04-04 and AD 78-09-08 to combine inspections of floor beams into one AD and to properly account for earlier cracking. Since issuance of AD 81-13-03 cracking has been found in other floor beams. For example, a 16 inch chord crack and a 30 inch chord crack with the crack extending 12 inches further into the beam web were found. Since cracking of these floor beams could lead to rapid decompression, additional inspections are required and the AD is, thereby, being amended.

The cracks described above were found prior to an airplane reaching the 5,000 landing threshold for the inspections required by this AD. Because of the complexity of restating this AD as amended by this action, to also include an earlier threshold, a new AD will be issued to require inspection of added floor beams for the time between 3000 and 5000 landings.

Since this condition is likely to exist or develop on other 747 airplanes of the same type design, this amendment is being issued to require inspection of certain additional floor beams. Further, since a situation exists for the 747 that requires immediate adoption of this regulation, it is found that notice and public procedure are impracticable and good cause exists for making this amendment effective in less than 30 days.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending AD 81-13-03 (Amdt. No. 39-4138; 46 FR 31873) as follows:

1. Replace subparagraphs (1) and (2) of Paragraph A. as follows:

(1) Within 175 landings after the effective date of this AD, unless accomplished within the last 175 landings, inspect in accordance with subparagraph (a), (b), and (g) or (c), (d), and (g) of Table I.

(2) Within 1,000 landings after the effective date of this AD, unless accomplished within the last 1,000 landings or in accordance with AD 78-09-08, paragraph B, inspect the floor beams in accordance with subparagraph (f) of Table I.

2. Add a new subparagraph (4) to paragraph A. to require new inspections as follows:

(4) Within 500 landings after the effective date of this amendment unless accomplished within the last 500 landings, inspect in accordance with subparagraph (e) of Table I.

3. Replace Table I as follows:

TABLE I

Floor beams	Area	Method	Landings	Reference S/B
(a) 33, 57, 75	B.S. 1265-1300, Web Only	Visual Means	175	747-53-2183 Rev. 2.
(b) 33, 57, 75	B.S. 1420-1460, Web Only	Visual Means	175	747-53-2176 Rev. 4.
(c) 33, 57, 75	B.S. 1265-1300, Web Only	Eddy Current	350	747-53-2183 Rev. 2.
(d) 33, 57, 75	B.S. 1420-1460, Web Only	Eddy Current	350	747-53-2176 Rev. 4.
(e) 33, 57, 75	B.S. 1300-1350, Lower Chord Only.	Visual	1,000	747-53-2224 Rev. 2.
(f) All	B.W. 1265-1480, Web and Chord	Eddy Current	2,000	747-53-2183 Rev. 2.

(g) Thoroughly clean the exposed portion of the main deck pressure web inside the main landing gear wheel wells from fuselage station 1265 to 1480 and visually inspect the pressure web for cracks as described in Boeing Service Bulletin 747-53-2183 Rev. 2 or later FAA approved revisions at intervals not to exceed 350 landings. If cracks are found in the pressure web, before further flight visually inspect all floor beams for cracks in accordance with Boeing Service Bulletin 747-53-2183, Revision 2, or later FAA approved revisions from fuselage station 1265 to 1480.

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to The Boeing Company, P.O. Box 3707, Seattle, Washington, 98124. These documents also may be examined at FAA Northwest Region, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective November 15, 1982.

(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 FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption **"FOR FURTHER INFORMATION CONTACT."**

Issued in Seattle, Washington, on October 26, 1982.

Charles R. Foster,

Director, Northwest Mountain Region.

[FR Doc. 82-30374 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 39

[Docket No. 82-NM-97-AD; Amdt. 39-4487]

Airworthiness Directives: General Dynamics Model 240 Series Airplane

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action publishes in the **Federal Register** and makes effective to all persons an amendment superseding an Airworthiness Directive (AD) which was previously made effective on all General Dynamics Model 240 series aircraft. All known United States registered owners were notified by priority mail of Emergency AD No. 81-18-05, dated August 26, 1981, which superseded AD 81-11-08. The new AD requires inspection and repair, if necessary, of the wing spar structure on General Dynamics Model 240 series aircraft. The AD is needed because cracks and corrosion have been

reported on the center-wing to wing-outer-panel attach fittings which could result in failure of the wing.

DATES: Effective Date: November 15, 1982.

This AD was effective earlier to all recipients of Emergency Airworthiness Directive letter dated August 26, 1981. Compliance schedule as prescribed in the body of the AD, unless already accomplished.

ADDRESSES: The applicable service information may be obtained from: General Dynamics, Convair Division, P.O. Box 80877, San Diego, California 92138, Attention: Larry Hayes, Manager, Product Support. This information also may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168, or 15000 Aviation Boulevard, Hawthorne, California 90261.

FOR FURTHER INFORMATION CONTACT: William F. Daley, Aerospace Engineer, ANM–172W, Federal Aviation Administration, Northwest Mountain Region, Western Aircraft Certification Field Office, 15000 Aviation Boulevard, Hawthorne, California 90261, telephone (213) 536–6378.

SUPPLEMENTARY INFORMATION: An Emergency AD was issued as priority mail AD 81–18–05 dated August 26, 1981, and made effective immediately upon receipt to all known United States registered owners of General Dynamics Model 240 series aircraft. This amendment does not differ from the Emergency AD except that the responsible FAA aircraft engineering office is changed from Western to Northwest Mountain Region because of FAA reorganization and in addition, William F. Daley is named in the section "FOR FURTHER INFORMATION CONTACT." It was necessary to issue Emergency AD 81–18–05 to supersede AD 81–11–08, Amendment 39–4117 (46 FR 28149). Compliance with AD 81–11–08 required, in part, an internal visual and dye penetrant inspection of the wing integral fuel tank structure inboard of station 15 and outboard of station 17 for those aircraft with an outer wing integral fuel tank installed. Subsequent to issuance of AD 81–11–08, it has been determined that the dye penetrant inspection of the chordwise tee rails could not be adequately accomplished in the required areas due to interference with several fittings. It is not the intent of the new AD to remove any structural fittings to accomplish the inspection. This AD requires the dye penetrant inspection of the tee rails to be accomplished externally to the integral fuel tanks. NOTE: The internal visual inspections of the integral fuel tank wet areas are still required.

Additionally, a relative high cyclic repetitive external and internal visual inspection has been added which is intended to provide an interim equivalent level of safety prior to mandatory compliance with the complete internal visual and dye penetrant inspection which has been adjusted from a 500 hours to a 1000 hours time in service and from 90 days to 180 days from the effective date of the issuance of the original AD on June 1, 1981.

Since this condition is likely to exist or develop on other airplanes of the same type design, an airworthiness directive is being adopted which requires inspection of the wing outer panel/wing center section joint for evidence of internal structural corrosion and cracking.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and good cause existed to make the AD effective immediately. These conditions still exist and the AD is hereby published in the **Federal Register** to make it effective as to all persons.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended, by adding the following new Airworthiness Directive:

General Dynamics: Applies to Model 240 and military models eligible or to be made eligible for civil use under Type Certificate A–793, and all such model airplanes converted to turbopropeller power, certificated in all categories.

Compliance required as indicated, unless previously accomplished.

To prevent structural failure of the wing structure, which could result from corrosion and cracking at the wing outer panel/wing center section joint, accomplish the following:

(A) On or before September 15, 1981, and thereafter at intervals not to exceed 100 hours of additional time in service until compliance with the complete internal inspection required by paragraph (B) of this AD has been completed:

(1) Conduct an external visual inspection of the wing in the area of the spar rails, both upper and lower, front and rear, from ten (10) inches inboard of bulkhead 15(WS323) to ten (10) inches outboard of bulkhead 17(WS346) in accordance with Figure 3 of General Dynamics 600 (240D) Service Bulletin No. 57–4A dated February 13, 1973, hereinafter referred to as S.B. No. 57–4A, for evidence of internal structural corrosion which may be indicated by some out-of-alignment or bulging of the external surface.

If any indication of surface out-of-alignment, bulging, corrosion, cracks, or failed rivets is found, before further flight, conduct a complete internal inspection in accordance with paragraph (B) of this AD.

(2) Conduct an internal visual inspection of the center wing to outer panel attach fittings upper and lower, front and rear, upper and lower bulkhead rails, and associated structure for corrosion and/or cracks as identified in S.B. No. 57–4A, Figures 1 through 3. This includes the structure at and between bulkheads 15(WS323) and 17(WS346). Remove all dirt from the corners, front and rear, and clear drain holes to allow for drainage of moisture. Access to this dry area is via the outer panel access door indicated on S.B. No. 57–4A, Figure 2.

If any indication of surface out-of-alignment, bulging, failed rivets, corrosion, or cracks is found, before further flight, conduct the complete internal inspection in accordance with paragraph (B) of this AD.

(B) On or before December 1, 1981, and thereafter at intervals not to exceed 3,000 hours of additional time in service or one year since the last such inspection, whichever occurs earlier:

Conduct an internal visual inspection of the wing in accordance with S.B. 57–4A, paragraph 2, including spar rails (upper and lower, front and rear), center wing to outer panel attach fittings, upper and lower bulkhead rails, and associated structure for corrosion and/or cracks from bulkhead 14(WS300) to bulkhead 18(WS361), after cleaning all surfaces in accordance with the procedures shown in S.B. 57–4A, Figures 1 through 4. In addition to the visual inspection required above, using a dye penetrant method, inspect for cracks in spar rails and chordwise bulkhead tee rails, after removal of all dirt, paint, and integral fuel tank sealant, in the following areas at the specified stations.

Upper and lower spar rails

Six (6) inches spanwise inboard and outboard of bulkhead 15(WS323) and bulkhead 17(WS346) on the forward facing surface of the front spar rails and the aft facing surface of the rear spar rails.

Upper and lower chordwise tee rails

On the outboard facing surfaces at bulkhead 15(WS323) and the inboard facing surfaces at bulkhhead 17(WS346) a minimum total of two (2) inches extending fore and aft chordwise from each of the forward and aft ends of the tee rails in the radius (or where the radius would exist prior to cut-out of a tee leg) in exposed areas accessible without fitting interference. Access to this "dry" wing area between bulkhead 15 and 17 is possible by removal of the outer panel access door indicated in S.B. 57–4A, Figure 2, page 5.

The above dye penetrant inspections at bulkhead 17(WS346) are required only for those aircraft with integral fuel tanks installed in the wing outer panels outboard of bulkhead 17.

(C) If corrosion or cracking is detected, repair in a manner approved by the Manager, Western Aircraft Certification Field Office.

FAA, Northwest Mountain Region, Hawthorne, California.

(D) Military aircraft being converted for civil airworthiness certification and those civil aircraft which have been out of service for one year, shall, prior to further flight after the effective date of this AD, be inspected in accordance with paragraph (B) of this AD.

(E) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections required by this AD.

(F) Alternate inspections, modifications, or other actions which provide an equivalent level of safety may be used when approved by the Chief, Western Aircraft Certification Field Office, FAA, Northwest Mountain Region, Hawthorne, California.

(G) Reports of the discrepancies found are requested. The reports would provide surveillance of the propagation of fatigue cracking and corrosion in these aircraft. The reports should cite: airplane "N" number and serial number, nature of defect and part identification, total airplane operating hours, time since last inspection, and AD compliance paragraph.

Forward reports to Manager, Western Aircraft Certification Field Office, FAA Northwest Mountain Region, 15000 Aviation Boulevard, Hawthorne, California 90261, by mail.

This supersedes Amendment 39-4117, AD 81-11-08 (46 FR 28149).

This amendment becomes effective November 15, 1982 an ' was effective earlier to those recipients of priority mail AD 81-18-05 dated August 26, 1981.

(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 FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation or analysis is not required). A copy of it, when filed, may be obtained by contacting the person identified under the caption "For Further Information Contact."

Issued in Seattle, Washington on October 26, 1982.

Charles R. Foster,

Director, Northwest Mountain Region.

[FR Doc. 82-30377 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ASO-44]

Alteration of Control Zone, Pensacola, Fla.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the Pensacola, Florida, Control Zone by adding an extension north of the airport. This will provide additional controlled airspace for containment of aircraft operating within the Pensacola Terminal Radar Service Area. (TRSA).

EFFECTIVE DATE: 0901 G.m.t., December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Donald Ross, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone: (404) 763-7646.

SUPPLEMENTARY INFORMATION:

History

On Thursday, September 2, 1982, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by altering the description of the Pensacola, Florida, Control Zone by adding an extension north of the airport. This extension is required to provide controlled airspace for aircraft flying diverse radar vectors while operating at low altitude within the Pensacola Terminal Radar Service Area (47 FR 38706). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. All comments received in response to publication were favorable. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations alters the Pensacola, Florida, Control Zone by providing additional controlled airspace north of the Pensacola Regional Airport.

List of Subjects in 14 CFR Part 71

Aviation safety, Airspace, Control zone.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) (as amended) is further amended, effective 0901 G.m.t., December 23, 1982, as follows:

Pensacola, FL—Amended

By deleting the words, "* * * within 3 miles each side of the ILS localizer south course, extending from the 5-mile radius zone to 8.5 miles south of Pickens RBN and * * *", substituting for them the words, "* * * within 3 miles each side of Runway 16/34 extended centerlines, extending from the runway thresholds to 6 miles north and 10 miles south of the airport; * * *".

(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 regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in East Point, Georgia, on October 25, 1982.

George R. LaCaille,

Acting Director, Southern Region.

[FR Doc. 82-30373 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 82-ANE-25]

Amendment to Description of Meriden, Conn.; Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends the Meriden, Connecticut 700-foot transition area to provide additional controlled airspace to protect aircraft executing the Very High Frequency Omni Directional (VOR) Runway 36 original Standard Instrument Approach Procedure (SIAP) at Meriden-Markham Municipal Airport, Meriden, Connecticut.

EFFECTIVE DATE: December 3, 1982.

FOR FURTHER INFORMATION CONTACT: David Hurley, Manager, Operations, Procedures and Airspace Branch, ANE-530, New England Region, Federal Aviation Administration, 12 New

England Executive Park, Burlington, Massachusetts 01803. (617–273–7384).

SUPPLEMENTARY INFORMATION:

History

On Monday, August 9, 1982, a Notice of Proposed Rulemaking was published in the **Federal Register** (47 FR 34431) stating that the FAA proposed to amend the 700-foot Transition Area so as to provide airspace protection for aircraft executing the VOR Runway 36 original SIAP at Meriden-Markham Municipal Airport, Meriden, Connecticut. Interested persons were invited to participate in this rulemaking process by submitting written comments on the proposal to the FAA. No objections were received.

List of Subjects in 14 CFR Part 71:

Aviation safety, Transition area.

Adoption of the proposal

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends § 71.181 of the Federal Aviation Regulations by revising the 700-foot transition area at Meriden-Markham Municipal Airport, Meriden, Connecticut, as follows:

Meriden, Connecticut

After "Meriden, Conn.;" line two insert: "Within 4.5 miles each side of the Madison VORTAC 332° radial extending from the five mile radius area to 1 mile northwest of the VORTAC;" (remainder of description unchanged "and within 2 miles each side of the Runway, etc.")

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)); § 11.61 of the Federal Aviation Regulations (14 CFR 11.61))

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, it is certified that this (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal and (4) the rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Burlington, Massachusetts, on October 26, 1982.

Robert E. Wittington,

Director, New England Region.

[FR Doc. 82–30355 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 82–AGL–17]

Alteration of Transition Area; Boulder Junction, Wis.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to revoke the Boulder Junction, Wisconsin, designated transition area and to return the associated airspace to a non-controlled status. This action is necessary because the non-directional beacon has been removed and all instrument procedures predicated on the NDB have been cancelled.

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL–530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694–7360.

SUPPLEMENTARY INFORMATION: Tufts-Edgcumbe, Inc., has physically removed the Boulder Junction non-directional beacon (NDB–BDJ). All instrument procedures predicated on the NDB have been cancelled. This action will raise the floor of controlled airspace from 700 feet above the surface to 1,200 feet above the surface in the area of concern. Aeronautical charts and maps will reflect the change in the airspace designation.

History

On page 36655 of the **Federal Register** dated August 23, 1982, the FAA proposed to amend § 71.181 of the Federal Aviation Regulations (14 CFR Part 71) so as to alter the transition area airspace near Boulder Junction, Wisconsin. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was published in Advisory Circular AC 70–3 dated January 29, 1982.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t. December 23, 1982, as follows:

Boulder Junction, Wisconsin [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 regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on October 19, 1982.

Monte R. Belger,

Acting Director, Great Lakes Region.

[FR Doc. 82–30152 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 82–ACE–16]

Alteration of Transition Area; Grain Valley, Mo.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this federal action is to alter the 700-foot transition area at Grain Valley, Missouri, to provide additional controlled airspace for aircraft executing a new instrument approach procedure to the East Kansas City Airport, Grain Valley, Missouri, utilizing the Napoleon VORTAC as a navigational aid. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Dwaine E. Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE–532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, telephone (816) 374–3408.

SUPPLEMENTARY INFORMATION: To enhance airport usage, a new instrument approach procedure to the East Kansas

City Airport, Grain Valley, Missouri, is being established utilizing the Napoleon VORTAC as a navigational aid. The establishment of an instrument approach procedure based on this approach aid entails alteration of a transition area at Grain Valley, Missouri, at and above 700 feet above the ground (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft using the new approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

Discussion of Comments

On pages 36656 and 36657 of the **Federal Register** dated August 23, 1982, the Federal Aviation Administration published a Notice of Proposed Rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Grain Valley, Missouri. Interested persons were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No objections were received as a result of the Notice of Proposed Rulemaking.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t., December 23, 1982, by altering the following transition area:

East Kansas City Airport, Grain Valley, Missouri

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of the East Kansas City Airport (latitude 39°00'56"N; longitude 94°12'47"W); within 3 miles each side of the 217° radial of the Napoleon, Missouri VORTAC extending from the 5.5-mile radius area to 8 miles northeast of the airport and within 4 miles each side of the 272° track from the RABOD waypoint extending from the 5.5-mile radius to 8.5 miles east of the airport.

(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 § 11.69 of the Federal Aviation Regulations (14 CFR 11.69)

Note.—The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Kansas City, Missouri, on October 19, 1982.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 82-30139 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AGL-18]

Designation of Transition Area; Lowell, Ind.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The nature of this Federal action is to designate a new controlled airspace area near Lowell, Indiana, to accommodate a new instrument approach into Lowell Airport which was established on the basis of a request from the Lowell Airport officials to provide that facility with an instrument approach capability based upon the Peotone (EON) VORTAC.

The intended effect of this action is to insure segregation of the aircraft using approach procedures in instrument weather conditions from other aircraft operating under visual weather conditions.

EFFECTIVE DATE: December 23, 1982.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The floor of the controlled airspace in this area will be lowered from 1200' above ground to 700' above ground. The development of the proposed instrument procedures requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace.

Aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

History

On page 36217 of the **Federal Register** dated August 19, 1982, the FAA proposed to amend § 71.181 of the Federal Aviation Regulations (14 CFR Part 71) so as to designate a new 700-foot transition area near Lowell, Indiana. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

Except for editorial changes, and except as specifically discussed below, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was published in Advisory Circular AC 70-3 dated January 29, 1982.

Discussion of Comments

No letters of objection were received as a result of the Notice of Proposed Rulemaking. However, one letter was received as a result of circularization informing the FAA that the Lowell Airport is allegedly a subject of litigation over the commercial use of the airport. The intended result of this Federal action is to designate controlled airspace from 1200 feet above the surface down to 700 feet above the surface. The intended effect of this action is to ensure segregation of aircraft from aircraft regardless of the commercial nature of the airport. As such, zoning matters are not considered to be factors for consideration in the establishment of a transition area since they would be beyond the scope of the proposed action.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended, effective 0901 G.m.t., December 23, 1982, as follows:

Lowell, Indiana

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Lowell Airport (latitude 41°13'48"N., longitude 87°30'28"W.).

(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 regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034;

February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on October 18, 1982.

Monte R. Belger,

Acting Director, Great Lakes Region.

[FR Doc. 82-30138 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

CIVIL AERONAUTICS BOARD

14 CFR Part 399

[Policy Statements Amdt. No. 84 to Part 399; Docket 40673; Reg. PS-108]

Statements of General Policy, Regulatory Flexibility Act; Definition of "Small Business"

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: The CAB has established guidelines for determining which airlines are "small businesses" for the purposes of the Regulatory Flexibility Act. This action is taken at the CAB's initiative in order to provide a definition of "small business" tailored to the structure of the air transportation industry.

DATES:

Adopted: September 23, 1982.

Effective: November 13, 1982.

FOR FURTHER INFORMATION CONTACT: Joanne Petrie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428; 202-673-5442.

SUPPLEMENTARY INFORMATION: In PSDR-76, 47 FR 23474, May 28, 1982, the Board requested public comment on a proposed definition of "small businesses" for the purposes of the Regulatory Flexibility Act. The Act requires agencies to consider the effects of their rules on small businesses and other small entities. Unless an agency establishes its own definition of "small business," the term is defined by reference to Small Business Administration (SBA) standards. Under those standards, a direct air carrier is small if it has not more than 1000 employees. The statute allows an agency to establish its own definition that is more appropriate in its particular regulatory programs, after consultation with SBA's Office of Advocacy and an opportunity for public comment.

In PSDR-76, the Board proposed the following definition: direct air carriers or foreign air carriers will be considered "small businesses" for the purpose of the Board's implementation of the Regulatory Flexibility Act if they provide air transportation only with small aircraft (up to 60 seats and/or 18,000 pound payload capacity) as defined in 14 CFR 298.3. This distinction is consistent with the Board's long-established special treatment of air taxi operators, and the more recent extension of that special treatment to small aircraft operations of all airlines. Distinctions based on aircraft size have already been made in the dual authority rules, the denied boarding compensation rules, the smoking rules and in the proposed amendments to the domestic baggage liability requirements. The SBA distinction based on the number of employees is not as well suited to accomplish the purposes of the Regulatory Flexibility Act in the context of the Board's regulatory functions. An airline's employment level is dependent on the extent to which it uses its own employees or contracts out for services as well as the size and scope of the carrier's operation. An employment-based standard might induce airlines to make otherwise uneconomic choices between hiring their own personnel and contracting out. In addition, it may give an unfair competitive advantage to certain carriers contrary to the procompetitive goals of the Airline Deregulation Act.

Comments supporting the proposed definition were filed by the Small Business Administration (SBA) and the Regional Airline Association (RAA). The SBA noted that board's experience with its own "tiering" policy and its general familiarity with industry operations makes the Board's definition more useful than the general SBA definition, which was designed for specific SBA program purposes. The RAA agreed with the Board that a definition based on aircraft size is a sensible, commonly used distinction. Because there were no objections raised, this final rule adopts the proposed definition of "small business" without change.

List of Subjects in 14 CFR Part 399

Air carriers, Small business.

PART 399—[AMENDED]

Accordingly, the Civil Aeronautics Board amends 14 CFR Part 399, *Statements of General Policy*, as follows:

1. The authority for Part 399 is:

Authority. Secs. 101, 102, 105, 204, 401, 402, 403, 404, 405, 406, 407, 408, 409, 411, 412, 414, 416, 801, 1001, 1002, 1102, 1104, Pub. L. 85-726, as amended, 72 Stat. 737, 740, 92 Stat. 1708, 72 Stat. 743, 754, 757, 758, 760, 763, 766, 767, 768, 769, 770, 771, 782, 788, 797, 49 U.S.C. 1301, 1302, 1305, 1324, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1381, 1382, 1384, 1386, 1461, 1481, 1482, 1502, 1504; Pub. L. 96-354, 5 U.S.C. 601.

2. A new § 399.73 is added to read:

§ 399.73 Definition of "small business" for Regulatory Flexibility Act.

For the purposes of the Board's implementation of Chapter 6 of Title 5, U.S. Code (Regulatory Flexibility Act), a direct air carrier or foreign air carrier is a "small business" if it provides air transportation only with "small aircraft" as defined in § 298.3 of this chapter (up to 60 seats/18,000 pound payload capacity).

3. The Table of Contents is amended to add the new section.

By the Civil Aeronautics Board:

Phyllis T. Kaylor,

Secretary.

[FR Doc. 82-30402 Filed 11-3-82; 8:45 am]

BILLING CODE 6320-01-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-19188; File S7-931]

Beneficial Ownership Disclosure Requirements

AGENCY: Securities and Exchange Commission.

ACTION: Final amendment.

SUMMARY: The Commission announces the adoption of an amendment to its beneficial ownership disclosure rules which eliminates the requirement to file an annual amendment to a Schedule 13G (17 CFR 240.13d-102) when no changes have occurred in the information contained thereon.

EFFECTIVE DATE: December 6, 1982.

FOR FURTHER INFORMATION CONTACT: Prior to the effective date, questions should be directed to Arthur H. Miller, (202) 272-2589, Office of Disclosure Policy, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. After the effective date, questions should be directed to Joseph G. Connolly, Jr. or Robert E. Burns, (202) 272-3097, Office of Tender Offers, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: The Commission announces the adoption of an amendment to Rule 13d–2(b) (17 CFR 240.13d–2(b)), which currently requires that any person who has filed a Schedule 13G beneficial ownership disclosure statement must amend such statement within forty-five days after the end of each calendar year to reflect, as of the end of the calendar year, any changes in the information reported in the previous filing on that Schedule, or if there are no changes from the previous filing, file a signed statement to that effect under cover of Schedule 13G. The amendment deletes that part of Rule 13d–2(b) that requires a person to file a statement when no changes have occurred in the information contained in the previously filed Schedule 13G.

Discussion

In its Report to Congress on Beneficial Ownership Reporting Requirements,[1] the Commission noted that it was in the process of reviewing the amendment procedures with respect to reports filed on Schedule 13G.[2] As a result of that review, on June 10, 1982, the Commission published for comment a proposed amendment to Rule 13d–2(b) under the Securities Exchange Act of 1934 (the "Exchange Act").[3] The proposed amendment would eliminate the requirement to file an annual amendment to a Schedule 13G when no changes have occurred in the beneficial ownership information contained therein. After consideration of the comments received in response to the Proposing Release, the Commission has determined to adopt the proposed amendment with minor modification. The amendment is based on the Commission's assessment that the current requirement to file an annual amendment when there are no changes in information imposes an unnecessary burden on persons required to file a Schedule 13G.

Seven of the nine commentators responding to the Commission's request for comments in the Proposing Release supported the amendment.[4] Some of these commentators, however, suggested modifications to the proposal. These modifications would have provided that a filing person would not have to file an annual amendment to a Schedule 13G if: (1) the only change in information previously reported is a change in the percentage of outstanding shares beneficially owned and such change results solely from a change in the aggregate number of the issuer's shares outstanding, or (2) only immaterial changes in a filing person's holdings had occurred over the course of the year.

The Commission has considered the suggested modifications and has determined to incorporate the first of the suggested modifications into the final amendment. The Commission believes that adoption of this modification is necessary to eliminate the undue burden on reporting persons to file an amendment when their percentage of outstanding shares previously reported has changed solely as a result of a change in the aggregate number of the issuer's shares outstanding—an occurrence which is beyond the control of the reporting person and which does not involve a change in the reporting person's holdings. On the other hand, the Commission does not believe that the second suggested modification should be adopted, since it might add an element of uncertainty as to the continuing accuracy of information in the beneficial ownership disclosure system while not resulting in any appreciable cost savings or reduction in compliance burdens as compared to the amendment as proposed.

As required by Section 23(a)(2) of the Exchange Act, the Commission has specifically considered the impact that the amendment will have on competition. The Commission finds that compliance with the amendment will not impose a burden on competition.

List of Subjects in 17 CFR Part 240

Reporting requirements, Securities.

Text of Amendment

In accordance with the foregoing, Part 240 of Chapter II, Title 17 of the Code of Federal Regulations is amended as follows:

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

1. Section 240.13d–2 is amended by revising paragraph (b) to read as follows:

§ 240.13d–2 Filing of amendments to Schedules 13D or 13G.

* * * * *

(b) Schedule 13G—Notwithstanding paragraph (a) of this rule, and provided that the person or persons filing a statement pursuant to Rule 13d–1(b) continues to meet the requirements set forth therein, any person who has filed a short form statement on Schedule 13G shall amend such statement within forty-five days after the end of each calendar year if, as of the end of such calendar year, there are any changes in the information reported in the previous filing on that Schedule; *Provided, however,* That such amendment need not be filed with respect to a change in the percent of class outstanding previously reported if such change results solely from a change in the aggregate number of securities outstanding. Six copies of such amendment, including all exhibits, shall be filed with the Commission and one each sent, by registered or certified mail, to the issuer of the security at its principal executive office and to the principal national securities exchange where the security is traded. Once an amendment has been filed reflecting beneficial ownership of five percent or less of the class of securities, no additional filings are required unless the person thereafter becomes the beneficial owner of more than five percent of the class and is required to file pursuant to Rule 13d–1 (§ 240.13d–1).

Note.—For persons filing a short form statement pursuant to Rule 13d–1(b). See also Rule 13d–1(b) (2), (3) and (4).

Authority

This amendment is adopted pursuant to Sections 13(g) and 23(a) of the Securities Exchange Act of 1934.

(Sec. 23, 48 Stat. 901; sec. 203(a), 49 Stat. 704; sec. 8, 49 Stat. 1379; sec. 10, 78 Stat. 580; sec. 18, 89 Stat. 155; secs. 102, 202, 203, 91 Stat. 1494, 1498, 1499; 15 U.S.C. 78m(g), 78w(a))

By the Commission.

George A. Fitzsimmons,

Secretary.

October 28, 1982.

[FR Doc. 82–30414 Filed 11–3–82; 8:45 am]

BILLING CODE 8010–01–M

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[1] Report of the Securities and Exchange Commission on Beneficial Ownership Reporting Requirements Pursuant to Section 13(h) of the Securities Exchange Act of 1934. 96th Cong., 2d Sess. 53 (Comm. Print 1980).

[2] Reports on Schedule 13G are filed by two classes of persons. First, a Schedule 13G may be filed by a person who would otherwise be required to file a Schedule 13D [17 CFR 240.13d–101], because such person acquired more than five percent of a class of certain equity securities, if certain specified conditions are met. Second, a Schedule 13G is required to be filed by certain beneficial owners of more than five percent of a class of securities who are not subject to Section 13(d) of the Exchange Act.

[3] Release No. 34–18801 (June 10, 1982) [47 FR 26161] (the "Proposing Release").

[4] These comment letters are available for public inspection in the Commission's Public Reference Room. *See* File No. S7–931.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Parts 420 and 511

Highway Planning and Research Program; Policy Statement

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of policy statement; rule related notice.

SUMMARY: This notice clarifies the FHWA policy on the use of Highway Planning and Research (HP&R) funds for planning, research, and development activities (23 U.S.C. 307(c)) in connection with the Federal-aid highway program. The FHWA policy is to allow States maximum possible flexibility in their use of HP&R funds.

FOR FURTHER INFORMATION CONTACT: Mr. Robert B. Puckett, Emergency Preparedness and Program Review Branch, Office of Highway Planning (202) 426–0175, or Mr. Jerry Boone, Office of the Chief Counsel (202) 426–0761, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: This notice clarifies the FHWA policy for the Highway Planning and Research Program. The HP&R Program is provided for by 23 U.S.C. 307(c) and consists of a planning component and a research and development component. Pursuant to section 307(c), the FHWA provides financial assistance to the States for certain planning activities in connection with highway programs and local public transportation systems and for research and development activities in connection with highway design, construction and operation.

The FHWA regulations governing the HP&R program are at 23 CFR Part 420 and Part 511. The FHWA policy for highway planning is not enunciated in regulation while its policy for highway research and development is enunciated in 23 CFR Part 511. The FHWA written policy for highway planning is embodied in highway program manuals and indicates a Federal preference for the use of HP&R funds by States in their planning activities. While it has been FHWA practice to administer the HP&R program to afford States flexibility in their use of HP&R funds, this notice expressly announces the FHWA intention to allow States maximum possible flexibility in their use of HP&R funds for planning activities as well as research and development activities. To emphasize the flexibility allowed States for research and development activities as part of the overall HP&R program, this notice incorporates the research and development policy as it appears in 23 CFR Part 511 into this general policy statement. The policy is consistent with the philosophy of promoting increased State responsibility in the formulation and execution of federally-aided programs.

The Office of Management and Budget (OMB) pursuant to the Federal Program Information Act, Pub. L. 95–220 (December 28, 1977), requires all documents published in the **Federal Register** which pertain to ongoing Federal assistance programs to contain a statement as to the applicability of OMB Circular No. A–95 (Evaluation, Review and Coordination of Federal and Federally Assisted Programs and Projects). The provisions of Circular A–95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to the HP&R Program and a statement to this effect is provided at the end of this document.

However, it should be noted that the HP&R Program may soon no longer be subject to State and local clearinghouse review. Executive Order 12372, issued by President Reagan on July 14, 1982, substantially revises the current system under Circular A–95 of intergovernmental consultation over Federal grant and development programs. The new Executive Order directs the revocation of Circular A–95 and requires implementation of the new Federal policy no later than April 30, 1983. The Executive Order covers, among other things, all categorical grant-in-aid programs identified in the Catalog of Federal Domestic Assistance. Under the Executive Order, a State's review process may cover all or only some categorical grant-in-aid programs, based on the priorities of State and local officials. Thus, the HP&R Program may or may not continue to be covered, dependent upon each State's review process.

The FHWA Policy is as follows:

FHWA Highway Planning and Research Program Policy

I. It is the general policy of FHWA to allow the States maximum possible flexibility in their use of HP&R funds. The basic statute governing the HP&R program is 23 U.S.C. 307(c). Section 307(c)(1) provides: "Not to exceed 1½ per centum of the sums apportioned for each fiscal year beginning with fiscal year 1974 to any State under section 104 of this title shall be available for expenditure upon request of the State highway department, with the approval of the Secretary, with or without State funds, for engineering and economic surveys and investigations; for the planning of future highway programs and local public transportation systems and for planning for the financing thereof; for studies of the economy, safety, and convenience of highway usage and the desirable regulation and equitable taxation thereof; and for research and development, necessary in connection with the planning, design, construction, and maintenance of highways and highway systems, and the regulation and taxation of their use." Section 307(c)(3) augments the 1½ HP&R funds by providing an additional ½ of 1 percent of Federal-aid highway funds, if the State so requests.

II. Consistent with 23 U.S.C. 307(c), FHWA will administer the HP&R Program:

(1) To allow the States maximum possible flexibility in their planning and research activities while ensuring legal use of HP&R funds and avoiding duplication of efforts.

(2) To allow the States to utilize available planning and research resources to meet the highway and transportation needs at the national, State, and local levels.

(3) To allow for the cooperation of the States in providing necessary planning and research resources to meet national transportation needs.

A. Planning—The FHWA policy on the use of HP&R funds for planning activities is as follows:

(1) Any expenditure shall be for a purpose pursuant to section 307 of title 23, United States Code, and the activity shall be eligible for Federal reimbursement under OMB Circular A–102, "Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments," and OMB Circular A–87, "Cost Principles Applicable to Grants and Contracts with State and Local Governments" as implemented by FHWA regulations.

(2) To encourage the States to continue to provide data that support FHWA responsibilities to Congress and to the public. Data collected pursuant to the Highway Performance Monitoring System (HPMS) (OMB approval number 2125–0028) and "A Guide to Reporting Highway Statistics" (OMB approval number 2125–0032) are of national significance and can be utilized to: Provide information required for the preparation of reports to Congress, for proposed legislation, and for apportionment factors; allow evaluation of the extent, performance condition, and use of the Nation's various highway

systems; provide the bases for analyzing Federal-aid funding methods and levels and the assignment of user cost responsibility; and contribute to the critical information base on fuel availability, use, and revenues generated.

(3) Within the limitations of available funding, and with the understanding that planning activities of national significance are being adequately addressed, the States shall determine which eligible activities they desire to support with HP&R funds and at what funding level. The FHWA will accept the State determinations with respect to those uses of HP&R funds which are consistent with title 23, U.S.C., OMB Circulars A–102 and A–87, and FHWA implementing regulations.

B. Research and Development - The FHWA policy on the use of HP&R funds for research and development (R&D) activities is as follows:

(1) Each State highway agency (SHA) is encouraged to maintain a viable and adequately funded research and development program to address its most urgent short and long-range needs. In order to promote effective utilization of available resources and to avoid duplication of effort, SHAs are encouraged to cooperate with the FHWA and other SHAs to achieve R&D objectives established at the national level in the Federally coordinated Program of Research and Development. A SHA R&D program, although primarily a problem-solving service to transportation design and operating elements, should seek to exploit new technology to improve highway program effectiveness, to reduce costs, and to minimize future transportation problems. The program can best be justified as a continuing activity when it can be demonstrated that R&D results and end-products are in fact utilized and contribute to the highway program as a whole.

(2) For transportation needs that have a national or regional impact, the FHWA shall encourage joint efforts whereby a research and development study may be cooperatively sponsored and funded by two or more SHAs through Regional pooled fund studies, national pooled fund studies, or the National Cooperative Highway Research Program administered by the Transportation Research Board.

III. The FHWA, primarily through its field offices, will maintain its continuing responsibility of fostering and promoting efficient and effective highway planning and programming procedures and planning and research work programs which contribute to the development of projects to meet the States' needs. The FHWA will advise and consult with States in these areas and provide appropriate technical assistance and training. Nothing in this policy shall be construed as authorizing any reduction in the quality or timeliness of State compliance with data requirements for congressional reports and other national purposes as required by Federal laws. The FHWA field offices shall be responsible for insuring the timeliness and quality of submissions of nationally required data, and additionally, shall periodically review elements of the HP&R Work Program.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The provisions of OMB Circular No. A–95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued: October 28, 1982.

R. A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

[FR Doc. 82–30078 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–22–M

Federal Highway Administration

National Highway Traffic Safety Administration

23 CFR Part 659

Certification of Speed Limit Enforcement; Interpretation of Requirement for Annual Adjustments to Sampling Locations

AGENCIES: Federal Highway Administration (FHWA) and National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of interpretation.

SUMMARY: This notice announces an interpretation concerning the requirements for the speed monitoring program in effect in each State under 23 CFR Part 659. The existing requirement to annually adjust the number of sampling locations in a State had previously been interpreted in a manner which experience has shown to be unreasonable and costly. It is not anticipated that this action will adversely affect compliance with the National Maximum Speed Limit.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: William F. Bauch, FHWA, Office of Traffic Operations, (202) 426–1993, David C. Oliver, FHWA, Office of the Chief Counsel, (202) 426–0825, or John G. Womack, NHTSA, Office of the Chief Counsel, (202) 426–1834; 400 Seventh Street SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 205 of the Surface Transportation Assistance Act of 1978 (STAA), Pub. L. 95–599, 92 Stat. 2689, requires States to meet a certain minimum level of compliance with the 55 MPH speed limit or risk losing a part of their Federal-aid highway fund apportionments. To ensure that the States collect enough data on which to establish compliance levels, the Federal Highway Administration (FHWA) and the National Highway Traffic Safety Administration (NHTSA) require States to submit speed sampling plans which, among other things, specify the number of speed monitoring locations that they utilize to determine the percent of vehicles exceeding the 55 MPH speed limit. That number must currently be adjusted annually to achieve a reasonable level of precision. (23 CFR Part 659, 45 FR 64488 (1980).)

The speed sampling plan must be based on statistical criteria established in the Speed Monitoring Program Procedural Manual issued in May 1980 to achieve a reasonable level of precision. The Manual sets forth the guidelines that must be followed in preparing the plan and specifies that the data collected should be sufficient to estimate a 95 percent onesided confidence interval with a target precision of 2.0 percentage points of the estimate.

Target precision is a common statistical term whose value must be established prior to the design of a sampling plan. The 2.0 target precision specified in the Manual was established by FHWA and NHTSA prior to the submission of any speed sampling plans by the States and was selected to provide an absolute value of precisions small enough to produce the desired degree of accuracy. However, the 2.0 target precision was derived from superficial and incomplete data, which for all its shortcomings was the best available at that time. With the completion of implementation of the adjustment requirement, we now have a sufficient amount of data to analyze the implications of the 2.0 target precision. The most recent figures for actual sampling precision achieved indicate that despite the significant outlays made by the States in implementing their plans, most States fall between 3.0 and 7.0 target precision. This level of precision requires the addition of sampling locations under current requirements for fiscal year 1983 if the precision level of 2.0 is maintained as an absolute. Most States would find it

necessary to add between 25 and 40 locations.

Nothwithstanding the failure to achieve the target precision level thus far, the experience gained in operating under the guidelines set forth in the Manual indicates that the level of sampling currently achieved by all States is reasonably precise. Because individual vehicle speeds are so volatile and susceptible to many subjective influences, even a doubled effort would provide no guarantee that a target precision of 2.0 could be achieved, with the prospect of even larger programs required in future years. At a cost of 5 to 20 thousand dollars per location, the addition of even 2 or 3 locations may be hard to justify given the current shortage of funds available for highway safety and construction work.

When the agencies established the 2.0 target precision, FHWA and NHTSA did not intend for the States to incur substantial expenditures to achieve only a minimal increase in the accuracy of the data collected. The precision level will only be an issue in the event a State fails to achieve the required compliance level, and seeks to rebut the accuracy of its submitted number on the basis of target precision. In such cases, submittal of a plan utilizing only the minumum number of sampling locations will not place the State in an advantageous position. Consequently, FHWA and NHTSA are issuing this interpretation to clarify their intent with respect to the 2.0 precision level. It is the interpretation of FHWA and NHTSA that the 2.0 target precision is a desirable goal and the agencies intend to maintain that level as a goal. However, at present the agencies have determined that each State has reached the closest approximization to the target that it can with a reasonable allocation of resources. The benefit to be achieved from increased precision at this time will be exceeded by the costs necessary to achieve that precision. Therefore, even though a State does not meet that goal it will not be required to increase the number of sampling locations above the number it proposed for use in the fiscal year 1982 sampling plan.

(23 U.S.C. 141, 154, 315; 49 CFR 1.48(b), 1.50)

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning, and Construction. The provisions of OMB Circular No. A-95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

List of Subjects in 23 CFR Part 659

Grant programs—transportation, Highways and roads, Motor vehicles, Speed limit, Traffic regulations.

Issued: October 26, 1982.

L. P. Lamm,

Deputy Federal Highway Administrator, Federal Highway Administration.

Diane K. Steed,

Deputy National Highway Traffic Safety Administrator, National Highway Traffic Safety Administration.

[FR Doc. 82-30099 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) to reflect that the Secretary of the Navy has determined that USS TICONDEROGA (CG 47) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, Section 3(a) pertaining to the location of the forward masthead light in the forward quarter of the ship; 72 COLREGS, Annex I, Section 3(a) pertaining to the horizontal distance between the forward and aft masthead lights. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: October 19, 1982.

FOR FURTHER INFORMATION CONTACT: Captain Richard J. McCarthy, JAGC, USN, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332, Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605 and Executive Order 11964, the Department of the Navy amends 32 CFR Part 706. This amendment to Part 706 provides notice that the Secretary of the Navy has certified that USS TICONDEROGA (CG-47) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Annex I, Section 3(a) pertaining to the location of the forward masthead light in the forward quarter of the ship; 72 COLREGS, Annex I, Section 3(a) pertaining to the horizontal distance between the forward and aft masthead lights. Full compliance with the above-mentioned 72 COLREGS provisions would interfere with the special functions and purposes of the ship. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary and contrary to public interest since it is based on technical findings that the placement of lights on this ship in a manner differently from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—[AMENDED]

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by adding the following naval ship to the list of vessels therein in vessel number order to indicate the certifications issued by the Secretary of the Navy.

. . . . . .

TABLE 5

Vessel	Number	Forward masthead light not required; height above hull. Annex I Section 2 (a)(i), (ii), (c), (d)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, Section 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, Section 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, Section 2(a)(i)	Aft masthead lights not visible over forward light 1000 meters ahead of ship in all normal degrees of trim. Annex I, Section 2(b)	Forward masthead light not in forward quarter of ship. Annex I, section 3(a)	After masthead light not less than ½ ship's length aft of forward masthead light, Annex I, Section 3(a)	Percentage horizontal separation attained
USS *TICONDEROGA.*	CG 47						X	X	38.3

(Executive Order 11964; 33 U.S.C. 1605)

Dated: October 19, 1982.

Approved:

James F. Goodrich,

Acting Secretary of the Navy.

[FR Doc. 82-30364 Filed 11-3-82; 8:45 am]

BILLING CODE 3810-AE-M

32 CFR Part 706

Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) to reflect that the Secretary of the Navy has determined that USS LEAHY (CG 16) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS, Annex I, Section 2(a)(i), pertaining to the distance in meters of the forward masthead light above the hull; 72 COLREGS, Annex I, Section 3 (a) pertaining to the location of the forward masthead light in the forward quarter of the ship; 72 COLREGS, Annex I, Section 3(a) pertaining to the horizontal distance between the forward and aft masthead lights; 72 COLREGS, Annex I, Section 2 (f) pertaining to the placement of the masthead lights over all other lights and obstructions. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

EFFECTIVE DATE: October 19, 1982.

FOR FURTHER INFORMATION CONTACT: Captain Richard J. McCarthy, JAGC, USN, Admiralty Counsel, Office of the Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332, Telephone number: (202) 325-9744.

SUPPLEMENTARY INFORMATION: Pursuant to the authority granted in 33 U.S.C. 1605 and Executive Order 11964, the Department of the Navy amends 32 CFR Part 706. This amendment to Part 706 provides notice that the Secretary of the Navy has certified that USS LEAHY (CG 16) is a vessel of the Navy which, due to its special construction and purpose, cannot comply fully with 72 COLREGS: Annex I, Section 2(a)(i) pertaining to the distance in meters of the forward masthead light above the hull; 72 COLREGS, Annex I, Section 3(a) pertaining to the location of the forward masthead light in the forward quarter of the ship; 72 COLREGS, Annex I, Section 3(a) pertaining to the horizontal distance between the forward and aft masthead lights; 72 COLREGS, Annex I, Section 2 (f) pertaining to the placement of the masthead lights over all other lights and obstructions. Full compliance with the above-mentioned 72 COLREGS provisions would interfere with the special functions and purposes of the ship. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements. Notice is also provided to the effect that USS LEAHY (CG 16) is a member of the CG 16 class of ships for which certain exemptions, pursuant to 72 COLREGS, Rule 38, have been previously authorized by the Secretary of the Navy. The exemptions pertaining to that class, found in the existing tables of § 706.3, are equally applicable to USS LEAHY (CG 16). Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary and contrary to public interest since it is based on technical findings that the placement of lights on this ship in a manner differently from that prescribed herein will adversely affect the ship's ability to perform its military functions.

List of Subjects in 32 CFR Part 706.

Marine safety, Navigation (water), Vessels.

Accordingly, 32 CFR Part 706 is amended as follows:

PART 706—[AMENDED]

§ 706.2 [Amended]

1. Table Five of § 706.2 is amended by revising the heading for the third column to read "Forward masthead light not required; height above hull. Annex I Section 2 (a) (i), (ii), (c), (d).", and by adding the following entry for the USS *Leahy* to read as follows:

TABLE 5

Vessel	Number	Forward masthead light not required; height above hull. Annex I, section 2(a)(i), (ii), (c), (d)	Aft masthead light less than 4.5 meters above forward masthead light. Annex I, section 2(a)(ii)	Masthead lights not over all other lights and obstructions. Annex I, section 2(f)	Vertical separation of masthead lights used when towing less than required by Annex I, section 2(a)(i)	Aft masthead lights not visible over forward light 1000 meters ahead of ship in all normal degrees of trim. Annex I, section 2(b)	Forward masthead light not in forward quarter of ship. Annex I, section 3(a)	After masthead light not less than ½ ship's length aft of forward masthead light. Annex I, section 3(a)	Percentage horizontal separation attained
USS *Leahy*	CG 16	X		X			X	X	23

2. Table Four of § 706.2 is amended by revising note 14 to correctly reflect the certification issued by the Secretary of the Navy:

* * * * *

14. On USS BIDDLE (CG 34) the arc of visibility of the forward masthead light may be obscured through 1.4 degree of arcs of visibility at 017 and 343 degrees relative to the ship's head.

(E. O. 11964; 33 U.S.C. 1605)

Dated: October 19, 1982.

Approved:

James F. Goodrich,

Acting Secretary of the Navy.

[FR Doc. 82-30365 Filed 11-3-82; 8:45 am]

BILLING CODE 3810-AE-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[A-6-FRL 2238-4]

Delegation of Authority to the State of New Mexico for New Source Performance Standards (NSPS)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA, Region 6, has delegated the authority for implementation of the administrative and technical review portions of the New Source Performance Standards (NSPS) program to the New Mexico Environmental Improvement Division (NMEID). Except as specifically limited, all of the authority and responsibilities of the Administrator or the Regional Administrator which are found in 40 CFR Part 60 are delegated to the NMEID. Any of such authority and responsibilities may be redelegated by the Division to its Director or staff.

EFFECTIVE DATE: August 17, 1982.

ADDRESS: Copies of the State request and State-EPA agreement for delegation of authority are available for public inspection at the Air Branch, Environmental Protection Agency (EPA), Region 6, First International Building, 28th Floor, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: William H. Taylor, Air Branch, EPA, address above, Telephone: (214) 767-9873.

SUPPLEMENTARY INFORMATION: On December 20, 1980, the State of New Mexico requested EPA, Region 6, to delegate authority to the NMEID for the implementation of the NSPS program. After a thorough review of the request and information submitted, the Regional Administrator determined that the State's pertinent laws and the rules and regulations of the NMEID were found to provide an adequate and effective procedure for the implementation of the administrative and technical review portions of the NSPS program. EPA, Region 6, retains enforcement authority, as requested by the State, over NSPS subject sources constructed or modified in the State of New Mexico.

The Office of Management and Budget has exempted this information notice from the requirements of Section 3 of Executive Order 12291.

Effective immediately, sources locating in the State of New Mexico should submit all information pursuant to 40 CFR Part 60 directly to the State agency at the following address: New Mexico Environmental Improvement Division, Health and Environment Department, P.O. Box 968, Crown Building, Santa Fe, New Mexico 87504

This delegation is issued under the authority of Section 111 of the Clean Air Act, as amended (42 U.S.C. 7411).

Dated: October 19, 1982.

Dick Whittington, P.E.,

Acting Regional Administrator.

PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

Part 60 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Section 60.4 paragraph (b) is amended by adding subparagraph (GG) to read as follows:

§ 60.4 Address.

* * * * *

(b) * * *

(GG) Director, New Mexico Environmental Improvement Division, Health and Environment Department, P.O. Box 968, Crown Building, Santa Fe, New Mexico 87504.

[FR Doc. 82-30222 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

[A-6-FRL 2238-5]

40 CFR Part 61

Delegation of Authority to the State of New Mexico for National Emission Standards for Hazardous Air Pollutants (NESHAP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA, Region 6, has delegated the authority for implementation of the administrative and technical review portions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) program to the New Mexico

Environmental Improvement Division (NMEID). Except as specifically limited, all of the authority and responsibilities of the Administrator or the Regional Administrator which are found in 40 CFR Part 61 are delegated to the NMEID. Any of such authority and responsibilities may be redelegated by the Department to its staff.

EFFECTIVE DATE: August 30, 1982.

ADDRESS: Copies of the State request and State-EPA agreement for delegation of authority are available for public inspection at the Air Branch, Environmental Protection Agency (EPA), Region 6, First International Building, 28th Floor, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: William H.Taylor, Air Branch, EPA, address above, Telephone: (214) 767–9873.

SUPPLEMENTARY INFORMATION: On December 20, 1980, the State of New Mexico requested EPA, Region 6, to delegate authority to the NMEID for the implementation of the NESHAP program. After a thorough review of the request and information submitted, the Regional Administrator determined that the State's pertinent laws, rules, and regulations of the NMEID were found to provide an adequate and effective procedure for the implementation of the administrative and technical review portions of the NESHAP program. EPA, Region 6, retains enforcement authority, as requested by the State, over NESHAP subject sources constructed or modified in the State of New Mexico.

The Office of Management and Budget has exempted this information notice from the requirements of Section 3 of Executive Order 12291.

Effective immediately, sources locating in the State of New Mexico should submit all information pursuant to 40 CFR Part 61 directly to the State agency at the following address: New Mexico Environmental Improvement Division, Health and Environment Department, P.O. Box 968, Crown Building, Santa Fe, New Mexico 87504 and EPA Region 6.

This delegation is issued under the authority of Section 112 of the Clean Air Act, as amended (42 U.S.C. 7412).

Dated: October 19, 1982.

Frances E. Phillips,

Acting Regional Administrator.

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

§ 61.4 paragraph (b) is amended by adding subparagraph (GG) to read as follows:

§ 61.4 Address.

* * * * *

(b) * * *

(GG) Director, New Mexico Environmental Improvement Division, Health and Environment Department, P.O. Box 968, Crown Building, Santa Fe, New Mexico 87504.

[FR Doc. 82-30223 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 61

[A-6-FRL 2238-3]

Delegation of Authority to the State of Louisiana for National Emission Standards for Hazardous Air Pollutants (NESHAP)

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA, Region 6, has delegated the authority for implementation of the administrative and technical review portions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) program to the Louisiana Department of Natural Resources (LDNR). Except as specifically limited, all of the authority and responsibilities of the Administrator or the Regional Administrator which are found in 40 CFR Part 61 are delegated to the LDNR. Any of such authority and responsibilities may be redelegated by the Department to its Program Administrator or staff.

EFFECTIVE DATE: August 30, 1982.

ADDRESS: A copy of the State-EPA agreement for delegation of authority is available for public inspection at the Air Branch, Environmental Protection Agency (EPA), Region 6, First International Building, 28th Floor, 1201 Elm Street, Dallas, Texas 75270.

FOR FURTHER INFORMATION CONTACT: William H. Taylor, Air Branch, EPA, address above, Telephone: (214) 767–9873.

SUPPLEMENTARY INFORMATION:

On July 20, 1982, the State of Louisiana requested EPA, Region 6, to delegate authority to the LDNR for the implementation of the NESHAP program. After a thorough review of the request and information submitted, the Regional Administrator determined that the State's pertinent laws and the rules and regulations of the LDNR were found to provide an adequate and effective procedure for the implementation of the administrative and technical review portions of the NESHAP program. EPA, Region 6, retains enforcement authority, as requested by the State, over NESHAP subject sources constructed or modified in the State of Louisiana.

The Office of Management and Budget has exempted this information notice from the requirements of Section 3 of Executive Order 12291.

Effective immediately, sources locating in the State of Louisiana should submit all information pursuant to 40 CFR Part 61 directly to the State agency at the following address; Louisiana Department of Natural Resources, Air Quality Division, P.O. Box 44066, Baton Rouge, Louisiana 70804 and EPA Region 6.

This delegation is issued under the authority of Section 112 of the Clean Air Act, as amended (42 U.S.C. 7412).

Dated: October 19, 1982.

Frances E. Phillips,

Acting Regional Administrator.

PART 61—NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Part 61 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

§ 61.4 paragraph (b) is amended by adding subparagraph (T) to read as follows:

§ 61.4 Address.

* * * * *

(b) * * *

(T) Secretary, Louisiana Department of Natural Resources, P.O. Box 44066, Baton Rouge, Louisiana 70804.

[FR Doc. 82-30224 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 65

[A-7-FRL-2219-8]

Delayed Compliance Orders; Approval of a Delayed Compliance Order Issued by Iowa Department of Environmental Quality to Clinton Corn Processing Company, Clinton, Iowa

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: The Administrator of EPA hereby approves a delayed compliance Order issued by Iowa Department of Environmental Quality to the Clinton Corn Processing Company (Clinton

Corn). The Order requires the company to bring air emissions from its coal-fired steam generators Nos. 4 and 5 at Clinton, Iowa, into compliance with certain regulations contained in the federally-approved Iowa State Implementation Plan (SIP) by December 31, 1982. Because of the Administrator's approval, Clinton Corn's compliance with the Order will preclude suits under the Federal enforcement and citizen suit provisions of the Clean Air Act for violation(s) of the SIP regulations covered by the Order during the period the Order is in effect.

DATE: This rule takes effect on November 4, 1982.

FOR FURTHER INFORMATION CONTACT: JoAnn Heiman or Henry F. Rompage, Environmental Protection Agency, Region VII, 324 East 11th Street, Kansas City, Missouri 64106, 816/374–2186.

ADDRESS: A copy of the delayed compliance Order, any supporting material, and any comments received in response to a prior **Federal Register** notice proposing approval of the Order are available for public inspection and copying during normal business hours at: Environmental Protection Agency, Region VII, Office of Regional Counsel, 324 East 11th Street, Kansas City, Missouri 64106.

SUPPLEMENTARY INFORMATION: On August 4, 1982, the Regional Administrator of EPA's Region VII Office, published in the **Federal Register**, 47 FR 33715, a notice proposing approval of a delayed compliance Order issued by Iowa Department of Environmental Quality to Clinton Corn. The notice asked for public comments by September 3, 1982, on EPA's proposed approval of the Order. No public comments were received in response to the proposal notice.

Therefore, the delayed compliance Order issued to Clinton Corn is approved by the Administrator of EPA pursuant to the authority of section 113(d)(2) of the Clean Air Act, 42 U.S.C. 7413(d)(2). The Order places Clinton Corn on a schedule to bring its coal-fired steam generators Nos. 4 and 5 at Clinton into compliance as expeditiously as practicable with subrule 400—4.3(2)b(5) Iowa Administrative Code, Combustion for indirect heating, a part of the federally-approved Iowa State Implementation Plan. The Order also imposes emission reporting requirements, and interim requirements for emission reduction prior to final compliance. It has been determined that interim monitoring requirements prior to final compliance as specified in subparagraph A–5, are not feasible. If the conditions of the Order are met, it will permit Clinton Corn to delay compliance with the SIP regulations covered by the Order until December 31, 1982. The company is unable to immediately comply with these regulations.

Because the Order has been approved by EPA, compliance with its terms will preclude Federal enforcement action under Section 113 of the Act for violations of the SIP regulations covered by the Order during the period the Order is in effect. Citizen suits under Section 304 of the Act are similarly precluded. If the Administrator determines that Clinton Corn is in violation of a requirement contained in the Order, one or more of the actions required by Section 113(d)(9) of the Act will be initiated. Publication of this notice of final rulemaking constitutes final Agency action for the purposes of judicial review under Section 307(b) of the Act.

EPA has determined that its approval of the Order shall be effective upon publication of this notice because of the need to immediately place Clinton Corn on a schedule which is effective under the Clean Air Act for compliance with the applicable requirement(s) of the Iowa State Implementation Plan.

List of Subjects in 40 CFR Part 65

Air pollution control.

(42 U.S.C. 7413(d), 7601)

Dated: October 25, 1982.

Anne M. Gorsuch,

Administrator.

PART 65—DELAYED COMPLIANCE ORDERS

In consideration of the foregoing, Chapter I of Title 40 of the Code of Federal Regulations is amended as follows:

1. Section 65.201 is amended by adding the following entry to the table immediately after the second entry for the Clinton Corn Processing Co.

§ 65.201 EPA approval of State delayed compliance orders issued to major stationary sources.

* * * * *

Source	Location	Docket No.	SIP regulation(s) involved	Date of FR proposal	Final compliance
•	•	•	•	•	•
Clinton Corn Processing Company.	Clinton, Iowa	81–A–007	Subrule less 400—4.3(2)(b)(5) I.A.C.	Aug. 4, 1982	Dec. 31, 1982.
•	•	•	•	•	•

[FR Doc. 82–30265 Filed 11–3–82; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 82–413; RM 4097]

Radio Broadcast Services, FM Broadcast Station in Cambria, Calif.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein assigns Channel 232A to Cambria, California, as that community's first FM assignment, in response to a petition filed by E. G. Wallenbrock.

DATE: Effective: December 29, 1982.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau (202) 632–7792.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio broadcasting.

In the matter of amendment of §73.202(b), Table of Assignments, FM Broadcast Stations. (Cambria, California); BC Docket No. 82–413, RM–4097.

Report and Order; Proceeding Terminated

Adopted: October 26, 1982

Released: October 29, 1982.

1. The Commission herein considers the Notice of Proposed Rule Making, 47 FR 31015, published July 16, 1982, proposing the assignment of Channel 232A to Cambria, California, as that community's first FM assignment in response to a petition filed by E. G. Wallenbrock ("petitioner"). Petitioner filed comments in support of the

proposal and reaffirmed his interest in applying to construct a station, if the channel is assigned. The channel can be assigned in compliance with the minimum distance separation requirements. No oppositions to the proposal were received.

2. The Commission has determined that the public interest would be served by assigning Channel 232A to Cambria, California, since it could provide that community with its first local FM service.

3. Accordingly, pursuant to the authority contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and §§0.204(b) and 0.281 of the Commission's Rules, it is ordered, that effective December 29, 1982, § 73.202(b) of the Commission's Rules is amended with respect to the following community.

City	Channel No.
Cambria, Calif.	232A

4. It is further ordered That this proceeding is terminated.

5. For further information contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-30382 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 97

[FCC 82-454]

Amendment To Provide for Full Morse Code Examination Credit for Commercial Radio-Telegraph Operators Applying for Amateur Radio Operator Licenses

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends Part 97 of the Commission's Rules to provide for telegraphy examination credit for Amateur Radio Service applicants who hold, or within the last five years have held, a commercial radiotelegraph operator license issued by the Federal Communications Commission in order to eliminate redundant testing. This telegraphy examination credit will reduce burdens both on the Commission and on commercial radiotelegraph operators (or former operators) applying for amateur radio operator licenses.

EFFECTIVE DATE: October 27, 1982.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: John J. Borkowski, Private Radio Bureau, Special Services Division, (202) 632-7197.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 97

Radio.

Order

Adopted: October 21, 1982.

Released: October 27, 1982.

1. Under our present rules, Morse code credit is given to an applicant for an Amateur Radio Service operator license who holds or has held a commercial radiotelegraph operator license. Section 97.25(c) of the Amateur Radio Service Rules currently provides that an applicant who holds or has held a commercial radiotelegraph operator license within five years of application for an amateur radio license is given credit for either telegraphy examination element 1(A) or 1(B). However, credit for telegraphy element 1(C) is given only if the applicant holds (or has held in the last five years) either: (1) A valid first class commercial radiotelegraph operator license or permit, or (2) any commercial radiotelegraph operator license or permit containing an aircraft radiotelegraph endorsement.

2. Both amateur and commercial radiotelegraph operators are tested for various degrees of expertise in Morse code. The commercial radiotelegraph examination requirements exceed even the most rigorous telegraphy examination requirements of the Amateur Radio Service. It is our view that the constraints we place on present or former commercial radiotelegraph operators to get Morse code credit for telegraphy element 1(C) are unnecessary and inappropriate.

3. In order to eliminate the redundant testing which results, we are amending § 97.25(c), to give an applicant for an amateur radio operator license credit for any amateur telegraphy element if the applicant holds a commercial radiotelegraph operator license or permit, or has held one within five years of our receipt of that person's application for an amateur radio operator license.

4. Because the rule amendment adopted herein is a minor amendment to the rules, doing away with duplicative testing of certain skills, we find that for good cause shown pursuant to 5 U.S.C. 553(b)(3)(B) the notice and comment provisions of 5 U.S.C. 553(b) are unnecessary. *See Texaco, Inc.* v. *Federal Power Commission*, 412 F.2d 740 (3rd Cir. 1969).

5. Because the rule amendment adopted herein relieves a restriction, publication or service of the rule need not be made thirty days or more before its effective date. *See* 5 U.S.C. 553(d)(1). Therefore, this rule amendment will take effect on the date of release of this Order.

6. Accordingly, it is ordered, effective October 27, 1982, that part 97 of the Commission's rules is amended as shown in the Appendix attached hereto. Authority for this action is found in Sections 4(i) and 303 of the Communications Act of 1934, as amended (47 U.S.C. 154(i) and 303).

7. For further information about this rule change contact John J. Borkowski, Private Radio Bureau, Special Services Division, Personal Radio Branch at (202) 632-7197.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

PART 97—[AMENDED]

Part 97 of Chapter I of Title 47 of the Code of Federal Regulations is amended, as follows:

1. Section 97.25(c) is revised to read, as follows:

§ 97.25 Examination credit.

* * * * *

(c) A person who applies for an amateur operator license will be given credit for any telegraphy element if that person holds a commercial radiotelegraph operator license or permit issued by the Federal Communications Commission, or has held one within 5 years of the Commission's receipt of that person's application for an amateur operator license.

* * * * *

[FR Doc. 82-30408 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 192

[Docket No. PS-54]

Transportation of Natural and Other Gas by Pipeline

AGENCY: Materials Transportation Bureau (MTB), DOT.

ACTION: Technical amendment; correction.

SUMMARY: This document corrects a technical amendment published in 47 FR 146 on Thursday, July 29, 1982, to amend units of measurement contained in safety standards on joining plastic pipe.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: Walt Dennis, 202–426–2392.

SUPPLEMENTARY INFORMATION: In FR Doc. 82–20446, on pages 32720, Vol. 47, No. 146, of the July 29, 1982, issue, the MTB published technical amendments to units of measurements appearing in 49 CFR Parts 192 and 193. The amendments set forth proper conversions of units, rounded in accordance with the rules of conversion under the International System of Units.

An amendment to § 192.283(b)(5) regarding joining procedures for plastic pipe incorrectly stated the conversion of 100°F temperature change as 38°C temperature change. The proper conversion of 100°F change is 55.6°C, rounded to 55°C.

List of Subjects in 49 CFR Part 192:

Pipeline safety.

§ 192.283 [Corrected]

Accordingly, § 192.283(b)(5) is corrected by removing "38°C" and adding in its place "55°C".

(49 U.S.C. 1672; 49 U.S.C. 1804; 49 CFR 1.53 and Appendix A of Part 1.)

Issued in Washington, DC, on October 29, 1982.

L. D. Santman,

Director, Materials Transportation Bureau.

[FR Doc. 82-30419 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-60-M

Proposed Rules

Federal Register
Vol. 47, No. 214
Thursday, November 4, 1982

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 1290

Floral Research and Consumer Information Act; Hearing on Proposed Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Notice of hearing on proposed order.

SUMMARY: Notice is hereby given of an additional hearing session to be held to consider a proposed Floral Research and Consumer Information Order. This session is in addition to the notice of four hearing sessions which was published in the October 12, 1982, **Federal Register** (47 FR 44735). The proposed order was submitted by the Floraboard Development Committee, representing flower and plant producers and importers. The proposal would provide for a nationally coordinated research and promotion program financed by an assessment on certain flowers and plants.

DATES: Hearing session scheduled to begin:

October 27, 1982, at 1:30 p.m.
November 1, 1982, at 1:30 p.m.
November 4, 1982, at 10:00 a.m.
November 5, 1982, at 9:00 a.m.
November 9, 1982, at 9:30 a.m.
November 18, 1982, at 9:00 a.m.
November 19, 1982, at 9:00 a.m.

ADDRESSES: The hearing sessions are scheduled as follows:

1. October 27, 1:30 p.m., Washington, D.C., USDA Administration Building, Room 104–A, 14th and Independence Avenue, SW.

2. November 1, 1:30 p.m., Orlando, Florida, Florida Fruit and Vegetable Association Auditorium, 4401 E. Colonial Drive.

3. November 4, 10:00 a.m., and November 5, 9:00 a.m., San Francisco, California, Federal Building, Room 13029, 450 Golden Gate Avenue.

4. November 9, 9:30 a.m., Fort Worth, Texas, Food Safety and Inspection Service Training Center, 2401 Scott Avenue (I–30 & Beach Street exit).

5. November 18 and 19, 9:00 a.m., Washington, D.C., USDA Administration Building, Room 104–A, 14th and Independence Avenue, SW. Any session may be continued beyond one day if necessary.

FOR FURTHER INFORMATION CONTACT: Charles W. Porter, Chief, Vegetable Branch, Fruit and Vegetable Division, AMS, USDA, Washington, D.C. 20250, (202) 447–2615.

SUPPLEMENTARY INFORMATION: This action is exempt from the requirements set forth in E.O. 12291 because it is governed by the provisions of Sections 556 and 557 of 5 U.S.C. The action has also been reviewed and classified as nonmajor.

The hearing is called pursuant to the provisions of the Floral Research and Consumer Information Act (Title 17 of Pub. L. 97–98, 97th Congress, approved December 22, 1981, 7 U.S.C. 4301–4319), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate an order.

Notice of hearing has been given of sessions beginning October 27, November 1, November 4, and November 9 in the **Federal Register** on October 12, 1982 (47 FR 44735). The additional hearing session on November 18 and 19, was announced by Administrative Law Judge William J. Weber at the October 27, 1982, hearing in Washington, D.C., to provide interested persons additional time to prepare testimony for the hearing.

Please refer to the October 12, 1982, **Federal Register** (47 FR 44735) for details on the proposed Floral Research and Consumer Information Order.

List of Subjects in 7 CFR Part 1290

Administrative practice and procedure, Advertising, Agricultural research, Floral products.

(Title XVII of Pub. L. 97–98; 95 Stat; 7 U.S.C. 4301–4319).

Signed at Washington, D.C., on November 2, 1982.

William T. Manley,

Deputy Administrator, Marketing Program Operations.

[FR Doc. 82–30547 Filed 11–3–82; 9:07 am]

BILLING CODE 3410–02–M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Part 235

Inspection of Persons Applying for Admission; U.S. Citizen Identification Card Discontinued

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Proposed rule.

SUMMARY: The Service proposes to discontinue issuing the U.S. Citizen Identification Card to eliminate the expenditure of resources used to process and issue an unnecessary document. The card, intended as a convenience to the Service for inspecting individuals applying for admission into the United States, is not required by law. This rule will not invalidate or call-back identification cards that have been issued or terminate the use of existing cards.

DATE: Comments must be received on or before December 6, 1982.

ADDRESSES: Please submit written comments, in duplicate, to the Commissioner of the Immigration and Naturalization Service, Room 7100, 425 Eye Street, NW., Washington, D.C. 20536.

FOR FURTHER INFORMATION CONTACT:

For General Information: Stanley J. Kieszkiel, Acting Instructions Officer, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D.C. 20536, Telephone: (202) 633–3048

For Specific Information: Dan Stephan, Immigration Inspector, Immigration and Naturalization Service, 425 Eye Street NW., Washington, D. C. 20536, Telephone: (202) 633–2725.

SUPPLEMENTARY INFORMATION: The Immigration and Naturalization Service proposes to discontinue the issuance of the U.S. Citizen Identification Card, Form I–197, and the relating application, Form I–196. The intended effect of this change is to eliminate the expenditure of funds and resources used by the Immigration and Naturalization Service to process and issue an unnecessary document. The U.S. Citizen Identification Card, intended as a convenience for the immigration inspection of individuals applying for admission into the United States, is not

required for any purpose. This proposal does not intend to invalidate or call back identification cards that have been issued, or to terminate the use of genuine existing cards. This proposal is consistent with the general requirements of Executive Order 12291 of February 17, 1981.

The primary reason for the proposed discontinuance of the U.S. Citizen Identification Card is more efficient resource management, i.e., the maximum use of resources where they are needed most. Executive Order 12291 of February 17, 1981, requires that, when reviewing existing regulations, "regulatory objectives shall be chosen to maximize the net benefits to society" and "agencies shall set regulatory priorities with the aim of maximizing the aggregate net benefits to society." Time and money are presently devoted to issuing Form I–197, a document of convenience for the government. These resources can be put to better use to handle applications for essential documents and to provide necessary services to the public. The handling of unnecessary documents contributes to delays and backlogs. It is estimated that roughly 90% of all land border inspections of U.S. citizens end in a finding of U.S. citizenship without presentation of a document. Inspection without documents at land border ports is often sufficient in the great majority of cases. Although it is true that Form I–197 may facilitate entry from the perspective of the applicant for admission as well as the inspecting officer, alternative documents such as naturalization certificates, U.S. passports, and birth certificates serve the same purpose. There is no evidence that abolishing the card will create any hardship. Furthermore, since the existing U.S. Citizen Identification Card will continue to be in use, the number of persons applying for admission who may be affected by this change will be extremely limited. For those persons who claim U.S. citizenship but carry no documentary proof, there are existing procedures which are both effective and reliable for determining true as well as false claims to U.S. citizenship. Similar procedures are in effect and regularly used by U.S. Immigration enforcement personnel to determine the truth of claims to U.S. citizenship by individuals encountered within the United States. This proposed change is in line with Service objectives to improve resource allocations and to streamline operations within existing budgetary constraints.

In accordance with 5 U.S.C. 605(b), the Commissioner of the Immigration and Naturalization Service certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

This rule will not be a major rule as defined in Section 1(b) of E.O. 12291.

List of Subjects in 8 CFR Part 235

Aliens, Immigration, Inspections, U.S. citizens.

Accordingly, it is proposed to amend Chaper I of Title 8 of the Code of Federal Regulations as follows:

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

Section 235.10 would revised to read as follows:

§ 235.10 U.S. Citizen identification card.

(a) *General.* The U.S. Citizen Identification Card, Form I–197, is no longer issued by the Service but valid existing cards will continue to be acceptable documentation of U.S. citizenship. Possession of the identification card is not mandatory for any purpose. A U.S. Citizen Identification Card remains the property of the United States. Because the identification card is no longer issued, there are no provisions for replacement cards.

(b) *Surrender and voidance*—(1) *Institution of proceeding under section 236, 242 or 342 of the Act.* A U.S. citizen identification card must be surrendered provisionally to a Service office upon notification by the district director of such office that a proceeding under section 236, 242 or 342 of the Act is being instituted against the person to whom the card was issued. The card shall be returned to the person if the final order in the proceeding does not result in voiding the card under this paragraph. A U.S. Citizen Identification Card is void automatically if the person to whom it was issued is determined to be alien in a proceeding conducted under section 236 or 242 of the Act, or if a certificate, document, or record relating to that person is cancelled under section 342 of the Act.

(2) *Investigation of validity of identification card.* A U.S. Citizen Identification Card must be surrendered provisionally upon notification by a district director that the validity of the card is being investigated. The card shall be returned to the person who surrendered it if the investigation does not result in a determination adverse to his or her claim to be a United States citizen. When an investigation results in a tentative determination adverse to the applicant's claim to be a United States citizen, the applicant shall be so notified by certified mail directed to his or her last known address. The notification shall inform the applicant of the basis for the determination and of the intention of the district director to declare the card void unless within 30 days the applicant objects and demands an opportuntiy to see and rebut the adverse evidence. Any rebuttal, explanation or evidence presented by the applicant must be included in the record of proceeding. The determination whether the applicant is a United States citizen must be based on the entire record and the applicant shall be notified of such determination. If it is determined that the applicant is not a U.S. citizen, the applicant shall be notified of the reasons, and the card deemed void. There is no appeal from the district director's decision.

(3) *Admission of alienage.* A U.S. Citizen Identification Card is void if the person to whom it was issued admits in a statement signed before an immigration officer that he or she is an alien and consents to the voidance of the card. Upon the signing of the statement the card must be surrendered to the immigration officer.

(4) *Surrender of void card.* A void U.S. Citizen Identification Card which has not been returned to the Service must be surrendered without delay to an immigration officer or to the issuing office of the Service.

(c) *U.S. Citizen Identification Card previously issued on Form I–179.* A valid U.S. Citizen Identification Card issued on Form I–179 continues to be valid subject to the provisions of this section.

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103. Interpret or apply secs. 101, 212, 213, 221, 234, 235, 236, 237, 238, 242, 66 Stat. 166, as amended, 182, as amended, 188, 191, as amended, 198, 200, 201, 202, 208, as amended; 8 U.S.C. 1101, 1182, 1183, 1201, 1224, 1225, 1226, 1227, 1228, 1252)

Dated: October 26, 1982.

Alan C. Nelson,

Commissioner of Immigration and Naturalization.

[FR Doc. 82-30417 Filed 11-3-82; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 82-AGL-22]

Proposed Alteration of Transition Area; Savanna, Ill.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to revoke the transition area currently designated for Savanna, Illinois, due to the decommissioning of the Savanna, Illinois non-directional radio beacon. The intended effect of this action is to return the associated airspace to a non-controlled status.

DATES: Comments must be received on or before December 4, 1982.

ADDRESS: Send comments on the proposal in triplicate to FAA Office of Regional Counsel, AGL-7, Attention: Rules Docket Clerk, Docket No. 82-AGL-22, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

An informal docket will also be available for examination during normal business hours in the Airspace, Procedures, and Automation Branch, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The Tri-Township Municipal Airport Authority, Savanna, Illinois, has requested permission to decommission the Savanna, Illinois, non-directional radio beacon (SFY) due to economic and maintenance restraints. That decommissioning would operationally terminate all published instrument procedures for the Franklin U. Stransky Airport and, as such, negate the need for the designation of a transition area. Aeronautical maps and charts will reflect the change.

Aeronautical maps and charts will reflect the defined areas which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 82-AGL-22." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2, which describes the application procedures.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area airspace near Savanna, Illinois.

Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

List of Subjects in 14 CFR Part 71

Transition area, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Savanna, Illinois [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 11.65)

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on October 19, 1982.

Monte R. Belger,

Acting Director, Great Lakes Region.

[FR Doc. 82-30158 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AGL-20]

Proposed Alteration of Transition Area; Watersmeet, Mich.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to modify and correct the Watersmeet, Michigan, transition area description by eliminating all references to the Boulder junction transition area and Federal Airways V63, V91E and V430 while correcting a previous transposition of the directions east for west and west for east in that description.

The intended effect of this action is to delete published exclusions which are no longer necessary and to insure segregation of the aircraft using approach procedures in instrument weather conditions from other aircraft operating under visual weather conditions.

DATES: Comments must be received on or before December 4, 1982.

ADDRESS: Send comments on the proposal in triplecate to FAA Office of Regional Counsel, AGL-7, Attention: Rules Docket Clerk, Docket No. 82-AGL-20, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300

East Devon Avenue, Des Plaines, Illinois 60018.

An informal docket will also be available for examination during normal business hours in the Airspace, Procedures, and Automation Branch, Air Traffic Division, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: Due to the removal of the navigational aid serving Boulder Junction Airport and subsequent loss of instrument approach procedures, the Boulder Junction, Wisconsin, transition area is in the process of being cancelled. As such, the exclusion to same as published in the current Watersmeet, Michigan, transition area description is no longer appropriate. The exclusion references to V63, V91E and V430 have also been determined inappropriate and are to be deleted.

Aeronautical maps and charts will reflect the defined areas which will enable other aircraft to circumnavigate in order to comply with applicable visual flight rule requirements.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 82-AGL-20." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2, which describes the application procedures.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to alter the transition area airspace near Watersmeet, Michigan.

Section 71.181 of Part 71 of the Federal Aviation Regulations was published in Advisory Circular AC 70-3 dated January 29, 1982.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Watersmeet, Michigan

"That airspace extending upward from 700 feet above the surface within an 8.5-statute-mile radius of the NRC Airport, Watersmeet, Michigan, (lat. 46°17'15" N., long. 89°16'35" W.), excluding that portion which overlaps the Land-O-Lakes transition area; and that airspace extending upward from 1,200 feet above the surface within 9.5 miles north and 4.5 miles south of the 265° true bearing of the Watersmeet (RXW) NDB (lat. 46°17'18" N., long. 89°16'43" W.), extending 18.5 miles west of the NDB and 9.5 miles north and 4.5 miles south of the 100° true bearing of the RXW NDB extending 18.5 miles east, excluding that portion which overlaps the Land-O-Lakes transition area.

(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 11.65)

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on October 19, 1982.

Monte R. Belger,

Acting Director, Great Lakes Region.

[FR Doc. 82-30141 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-AGL-24]

Proposed Designation of Transition Area; Lafayette, Ind.

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to designate a new controlled airspace area near Lafayette, Indiana, to accommodate a new instrument approach into Aretz Airport, Lafayette, Indiana, established on the basis of a request from the Aretz Airport officials to provide that facility with the instrument approach capability utilizing the Boiler, Indiana, VORTAC facility.

The intended effect of this action is to insure segregation of the aircraft using approach procedures in instrument weather conditions from other aircraft operating under visual weather conditions.

DATE: Comments must be received on or before December 4, 1982.

ADDRESS: Send comments on the proposal in triplicate to FAA Office of Regional Counsel, AGL-7, Attention: Rules Docket Clerk, Docket No. 82-AGL-24, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

The official docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

An informal docket will also be available for examination during normal business hours in the Airspace, Procedures, and Automation Branch, Air Traffic Division, Federal Aviation

Administration, 2300 East Devon Avenue, Des Plaines, Illionis 60018.

FOR FURTHER INFORMATION CONTACT: Edward R. Heaps, Airspace, Procedures, and Automation Branch, Air Traffic Division, AGL-530, FAA, Great Lakes Region, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (312) 694-7360.

SUPPLEMENTARY INFORMATION: The floor of the controlled airspace in this area will be lowered from 1200' above ground to 700' above ground. The development of the proposed instrument procedures requires that the FAA lower the floor of the controlled airspace to insure that the procedure will be contained within controlled airspace. The minimum descent altitude for this procedure may be established below the floor of the 700-foot controlled airspace.

Aeronautical maps and charts will reflect the area of the instrument procedure, which will enable other aircraft to circumnavigate the area in order to comply with applicable visual flight rule requirements.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 82-AGL-24." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of proposed rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2, which describes the application procedures.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish a new 700-foot controlled airspace transition area near Lafayette, Indiana.

Section 71.181 of Part 71 of the Federal Aviation Regulations was published in Advisory Circular AC 70-3 dated January 29, 1982.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

Lafayette, Indiana (Aretz Airport)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Aretz Airport (latitude 40°27'37"N, longitude 86°50'05"W), excluding the airspace within the Lafayette, Indiana, transition area (Purdue University Airport).

(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 11.65)

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It is certified that this—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Des Plaines, Illinois, on October 19, 1982.

Monte R. Belger,

Acting Director, Great Lakes Region.

[FR Doc. 82-30137 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-ACE-22]

Transition Area, Russell, Kansas; Proposed Alteration

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This notice proposes to alter the 700-foot transition area at Russell, Kansas, to provide additional controlled airspace for aircraft executing instrument approach procedures to the Russell, Kansas, Municipal Airport which utilizes the Hays, Kansas, VORTAC as a navigational aid.

DATES: Comments must be received on or before December 8, 1982.

ADDRESSES: Send comments on the proposal to: Federal Aviation Administration, Chief, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-530, 601 East 12th Street, Kansas City, Missouri 64106, telephone (816) 374-3408.

The official docket may be examined at the Office of the Regional Counsel, Central Region, Federal Aviation Administration, Room 1558, 601 East 12th Street, Kansas City, Missouri.

An informal docket may be examined at the Office of the Chief, Operations, Procedures and Airspace Branch, Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Dwaine Hiland, Airspace Specialist, Operations, Procedures and Airspace Branch, Air Traffic Division, ACE-532, FAA, Central Region, 601 East 12th Street, Kansas City, Missouri 64106, telephone (816) 374-3408.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons may participate in the proposed rulemaking by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number, and be submitted in duplicate to the Operations, Procedures and Airspace Branch, Air Traffic Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. All communications received on or before the closing date for comments

will be considered before action is taken on the proposed amendment. The proposal contained in this Notice may be changed in light of the comments received. All comments received will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Availability of NPRM

Any person may obtain a copy of this NPRM by submitting a request to the Federal Aviation Administration, Operations, Procedures and Airspace Branch, 601 East 12th Street, Kansas City, Missouri 64106 or by calling (816) 374-3408.

Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for further NPRMs should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to Subpart G, § 71.181 of the Federal Aviation Regulations (14 CFR 71.181) by altering the 700-foot transition area at Russell, Kansas. To enhance safety, the existing instrument approach procedure to the Russell, Kansas, Municipal Airport is being modified by changing the 9 DME fix to a 13 DME fix, utilizing the Hays, Kansas, VORTAC as a navigational aid. The modification of this instrument approach procedure entails alteration of the transition area at Russell, Kansas, at and above 700 feet above ground level (AGL) within which aircraft are provided air traffic control service. The intended effect of this action is to ensure segregation of aircraft, using the approach procedure under Instrument Flight Rules (IFR) and other aircraft operating under Visual Flight Rules (VFR).

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71), by altering the following transition area:

Russell, Kansas

The airspace extending from 700 feet above the surface within a 5-mile radius of the Russell, Kansas Municipal Airport (Latitude 38°52'22"N; Longitude 98°48'48"W); and within 4.5 miles each side of the Hays, Kansas, VORTAC 086° radial, extending from the 5-mile radius area to 7.5 miles west of the airport.

(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 § 11.65 of the Federal Aviation Regulations (14 CFR 11.65))

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Kansas City, Missouri, on October 19, 1982.

John E. Shaw,

Acting Director, Central Region.

[FR Doc. 82-30140 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 71

[Airspace Docket No. 82-ASO-54]

Proposed Alteration of Miami, FL, Terminal Control Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the Miami, FL, Terminal Control Area (TCA) by raising the floor of the TCA from 1,500 feet MSL to 2,000 feet MSL in an area west of the Opa Locka Airport. This action would provide an additional amount of nonregulated airspace allowing greater flexibility to aircraft conducting Instrument Landing System (ILS) approaches to the Opa Locka ILS Airport Runway 9L to avoid TCA airspace. This action is separate and apart from Airspace Docket No. 18605/80-ASO-4.

DATE: Comments must be received on or before December 20, 1982.

ADDRESSES: Send Comments on the proposal in triplicate to: Director, FAA Southern Region, Attention: Manager, Air Traffic Division, Docket No. 82-ASO-54, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320.

The official docket may be examined in the Rules Docket, weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m. The FAA Rules Docket is located in the Office of the Chief Cousel, Room 916, 800 Independence Avenue, SW., Washington, D.C.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Rober Maxey, Airspace Regulations and Obstructions 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) 426-8783.

SUPPLEMENTARY INFORMATION: .

Background

The Miami, FL, TCA, which first became effective on August 17, 1982, designates TCA airspace west of the Opa Locka Airport at 1,500 to 7,000 feet MSL directly overlying the initial approach area for the Opa Locka ILS and the associated Outer Marker (OM). Aircraft conducting this approach procedure are required to maintain an initial approach altitude of 1,900 feet MSL which causes to aircraft to briefly penetrate TCA airspace. Approximately 45 aircraft per hour execute the Opa Locka ILS approach procedure. These operations in the Miami TCA are subject to the operating and equipment rules for operation in Group I TCA's specified in § 91.90(a) of Part 91 of the Federal Aviation Regulations (FAR). The rules include the requirements to have an ATC clearance to operate in the TCA airspace, an operable VOR or TACAN receiver, two-way radio, at least a private pilot certificate, and a mode 3/A 4096 transponder with automatic altitude reporting capability. This reduction in TCA airspace will allow aricraft to avoid TCA airspace while conducting the Opa Locka ILS Runway 9L approach procedure, and thus be relieved of FAR 91.90(a) requirements.

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped

postcard on which the following statement is made: "Comments to Airspace Docket No. 82-ASO-54." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Office of Public Affairs, Attention: Public Information Center, APA-430, 800 Independence Avenue, SW., Washington, D.C. 20591, or by calling (202) 426-8058. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

Economic Impact

There would be no change in operating procedures for aircraft operating at Miami International Airport or for aircraft executing an ILS approach to Runway 9L at Opa Locka Airport. Therefore, no adverse economic impact would occur as a result of this action. Raising the floor of the TCA from 1,500 to 2,000 feet MSL, as proposed, would provide an additional amount of nonregulated airspace, improve the efficient use of the available airspace, and accommodate the legitimate concerns of those aircraft who wish to avoid TCA airspace. Some economic advantage will be realized for these aircraft.

The Proposal

The FAA is considering an amendment to § 71.401(a) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to raise the floor of the Miami, FL, TCA from 1,500 to 2,000 feet MSL in an area west of the Opa Locka Airport. This action would provide an additional amount of nonregulated airspace and provide greater flexibility to aircraft who wish to avoid TCA airspace. Section 71.401(a) of Part 71 of the Federal Aviation Regulations was republished in Advisory Circular AC 70-3 dated January 29, 1982.

List of Subjects in 14 CFR Part 71

Terminal control areas, Aviation safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend § 71.401(a) of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

By amending the description of Areas A, B, and H of the Miami, FL, Terminal Control Area to read as follows:

Miami, FL, Terminal Control Area [amended]

Primary Ariport
Miami International Airport (lat. 25°47'34", long. 80°17'10" W.)

Boundaries

Area A. That airspace extending upward from the surface to and including 7,000 feet MSL within a 6-mile radius of the Miami International Airport, excluding that airspace that is north of lat. 25°52'02" N., (N.W. 103rd Street/49th Street in the City of Hialeah), and within and underlying Area F described hereinafter.

Area B. That airspace extending upward from 1,500 feet MSL to and including 7,000 feet MSL within a 10-mile radius of Miami International Airport, excluding that airspace that is north of lat. 25°52'02" N., that airspace south of Biscayne Bay VORTAC (lat. 25°40'17" N., long. 80°10'40" W.) 090° and 270° radials, Area A previously described, and within and underlying Areas C and F described hereinafter.

Area H. That airspace extending upward from 2,000 feet MSL to an including 7,000 feet MSL bounded on the northeast by the Miami VORTAC 130° radial, on the south by lat. 25°52'02" N., and on the northwest by a 10/ mile radius arc of the Miami International Airport.

(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 11.65)

Note.—The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

Issued in Washington, D.C., on October 25, 1982.

R. J. Vanvuren,

Director, Air Traffic Service.

[FR Doc. 82-30375 File 11-3-82; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

[Regs. Nos. 4, 16]

Federal Old-Age, Survivors, and Disability Insurance Benefits

Correction

In FR Doc. 82-28653, beginning on page 46535, on Tuesday, October 19, 1982, on page 46536, in the first column, in the fourth line from the top, "November 18, 1982" should read "December 20, 1982".

BILLING CODE 1505-01-M

DEPARTMENT OF STATE

22 CFR Part 171

[Document No. SD-181]

Privacy Act of 1974; Access to Information

AGENCY: State Department.

ACTION: Proposed rule.

SUMMARY: The Department of State proposes to amend Part 171 of Title 22 of the Code of Federal Regulations by exempting portions of a new record system from certain provisions of the Privacy Act of 1974 (5 U.S.C. 552a). It may be necessary, pursuant to 5 U.S.C. 552a(k)(1), to exempt certain portions of the Records of the Legal Adviser's Office of the Department of State (STATE-54) from the requirements of 5 U.S.C. 552a(c)(3), (d), (e)(1), (3)(4)(G), (H) and (I) and (f).

DATE: Comments must be received on or before January 3, 1983.

ADDRESS: Send comments to the Information and Privacy Coordinator, Foreign Affairs Information Management Center, Room 1239, Department of State, 2201 C Street, N.W., Washington, D.C. 20520.

FOR FURTHER INFORMATION CONTACT: Frank M. Machak (202) 632-3411.

SUPPLEMENTARY INFORMATION: The Department is proposing the creation of a new record system, U.S./Iran Claims

Records, under authority of 5 U.S.C. 301. The system will enable the Office of the Legal Adviser to organize information concerning, and facilitate the processing of, claims filed before the Iran-United States Claims Tribunal in The Hague, The Netherlands. Certain records contained within the system will be exempt from disclosure under subsection (k)(1) of the Act in order to enable the Department to protect properly classified information. The Department believes that the withholding of such information from release to the public is necessary in the interest of national security. The Department of State therefore proposes to amend the Privacy Provisions of its Access to Information regulations as set forth below.

List of Subjects in 22 CFR Part 171

Privacy.

§ 171.32 [Amended]

In § 171.32, paragraph (j)(1) will be amended by inserting "U.S./Iran Claims Records. STATE-54" after "Records of the Inspector General of the Department of State and the Foreign Service. STATE-53."

Dated: October 15, 1982.

Richard T. Kennedy,

Under Secretary for Management.

[FR Doc. 82-30407 Filed 11-3-82; 8:45 am]

BILLING CODE 4710-22-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

23 CFR Part 1209

[NHTSA Docket No. 82-18; Notice 1]

Incentive Grant Criteria for Alcohol Traffic Safety Programs

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of rulemaking and hearing schedule.

SUMMARY: Pub. L. 97-364 establishes a two tier grant system as an incentive for States to implement effective programs to reduce the drunk driving problem. The first tier is a "basic" grant in the amount of 30 percent of each States's fiscal year 1983 apportionment under section 402 of the Highway Safety Act. A State is eligible for this basic grant if it meets four minimum criteria specified in the Act. The second tier is a supplemental grant of up to an additional 20 percent of the amount apportioned to a State under the Highway Safety Act. A State is eligible for the supplemental grant if it both qualifies for the basic grant and implements additional alcohol traffic safety programs to be specified by the National Highway Traffic Safety Administration.

This notice announces the rulemaking and hearing schedule that the agency will follow to establish the criteria by which a State will be considered eligible for a supplemental grant. The rulemaking will also set procedures by which a State may submit necessary facts to establish that it meets the criteria for both the basic and the supplemental grant and procedures for awarding the grants.

DATES: An Advance Notice of Proposed Rulemaking will be issued by November 4, 1982. A public hearing will be held in Washington, D.C. during the week of December 13, 1982. The comment period on this ANPRM will close on December 17, 1982.

During the week of December 27, 1982, a Notice of Proposed Rulemaking will be issued. On January 10, 1983, a public hearing will be held at a place to be announced. The comment period on this NPRM will close on January 14, 1983. A final rule will be issued on February 1, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. George Reagle, Associate Administrator for Traffic Safety Programs, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-0837).

SUPPLEMENTARY INFORMATION: The statutory requirement to issue a final rule by February 1, 1983, compels a departure in this instance from normal agency practice to allow significantly longer time periods for review and comment, and to take even late filings into account. With the concurrence of the Congressional committees, who drafted the statute and share the agency's concern, every effort will still be made to accommodate comments at all times, within the statutory deadlines. Every effort is being made to coordinate the timing and location of public hearings with the primary interested parties, including the National Association of Governors' Highway Safety Representatives and private sector interest groups and the schedule and tentative action plans of the Presidential Commission on Drunk Driving.

Issued on November 1, 1982.

Raymond A. Peck, Jr.,

Administrator.

[FR Doc. 82-30335 Filed 11-1-82; 4:29 pm]

BILLING CODE 4910-59-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-34-80]

Effectively Connected Income of Foreign Corporations—Stock or Securities Attributable to U.S. Office

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains a proposed amendment to the Income Tax Regulations (26 CFR Part 1) under section 864 of the Internal Revenue Code of 1954. This amendment corrects an inconsistency between current regulations, describing income that is effectively connected with the conduct of a banking business in the United States, and the legislative history of section 864(c). This proposed change would also prevent foreign banks from avoiding all U.S. tax on interest income generated by their U.S. branches.

DATES: Written comments and requests for a public hearing must be delivered or mailed by January 3, 1983. This amendment is proposed to be effective for income includible in taxable years beginning 30 days or more after the publication of final regulations by a Treasury decision in the **Federal Register.**

ADDRESS: Send comments and requests for a public hearing to: Commissioner of Internal Revenue, Attention CC:LR:T (LR-34-80), Washington, D.C. 20224.

FOR FURTHER INFORMATION CONTACT: Martha E. Kadue 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, 202-566-3238, not a toll-free call.

SUPPLEMENTARY INFORMATION:

Background

This document contains a proposed amendment to the Income Tax Regulations (26 CFR Part 1) under section 864 of the Internal Revenue Code of 1954. This amendment corrects an inconsistency between current regulations, describing income that is effectively connected with the conduct of a banking business in the United

States, and the legislative history of section 864(c). This proposed change would also prevent foreign banks from avoiding all U.S. tax on interest income generated by their U.S. branches. The amendment is to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

Section 864(c) provides two tests for determining whether U.S. source periodical income is effectively connected with the conduct of a trade or business within the United States. The first test, the asset use test, is whether the income is derived from assets used or held for use in the U.S. trade or business. The second test, the business activities test, is whether the activities of the U.S. trade or business are a material factor in the realization of the income.

The legislative history of section 864 (c) indicates that the case of income of a banking, financing, or similar business, the business activities test will be of primary significance. H.R. Rep. No. 1450, 89th Cong., 2d Sess. 58 (1966). The connection between the income and the U.S. business activities of the foreign corporation is of particular importance under that test. H.R. Rep. No. 1450, *supra* at 15; S. Rep. No. 1707, 89th Cong., 2d Sess. 19 (1966).

Section 1.864–4(c)(5) of existing regulations sets forth special rules for applying the business activities test to a banking, financing, or similar business. Income, gain, or loss is effectively connected with such business if the stock or security giving rise to the income, gain, or loss is attributable to the U.S. office carrying on the banking, financing, or similar business and the stock or security meets the criteria set forth in § 1.864–4(c)(5)(ii)(*a*) or (*b*). Section 1.864–4(c)(5)(iii)(*a*) provides that a stock or security (including notes and other evidences of indebtedness) will be attributable to the U.S. office only if both (1) the U.S. office actively participates in the activities required to arrange the acquisition of the stock or security, and (2) the stock or security is recorded on the books and records of the U.S. office. The second prong of the test is referred to as the "booking" rule. Although the designation as effectively connected income subjects the amount to the regular corporate tax rates, this sometimes results in a lower tax liability than the section 881 rate of 30% (or lower treaty rate) on the gross income generated by the U.S. office. While this result is appropriate for the income and gain attributable to the business activities of the U.S. branch, the "booking" rule has the effect in some cases of allowing the foreign corporation to determine whether the income from stocks or securities acquired with substantial effort of the U.S. office is subject to any U.S. tax. This was not the intent of the statute.

This unintended tax avoidance occurs in connection with some recent tax treaties. Section 894(b) treats a taxpayer as having no U.S. permanent establishment for purposes of applying tax treaty provisions to non-effectively connected income. Thus, if income is not effectively connected with the U.S. office under § 1.864–4(c)(5)(iii)(*a*), the foreign corporation is treated as not having a permanent establishment in the United States when applying tax treaty provisions to that income. As some tax treaties provide an exemption from U.S. tax for U.S. source interest income that is not attributable to a U.S. permanent establishment, income from notes and other evidences of indebtedness negotiated and arranged by the U.S. office but "booked" elsewhere may totally escape U.S. Tax. The same result occurs under § 1.864–4(c)(5)(iii)(*a*) and tax treaties exempting from U.S. tax any U.S. source interest income that is not effectively connected with a U.S. trade or business. The intent of § 1.864–4(c)(5) was to allow foreign banks to be subject to tax on net basis on their U.S. business income, not to exempt that income from U.S. tax.

This use of the "booking rule" in § 1.864–4(c)(5)(iii)(*a*) to obtain benefits under a tax treaty allows the United States to be used as a tax haven by foreign banks resident in treaty countries and conflicts with the Congressional intent to ensure payment of U.S. tax on income generated by the U.S. office of a foreign corporation. H.R. No. 1450, *supra* at 15; S. Rep. No. 1707, *supra* at 18. The position that the mere "booking" of a security in an off-shore branch will not allow foreign source income derived from business activity in the United States to escape U.S. taxation is found in Revenue Ruling 75–253, 1975–1 C.B. 203. The proposed amendment mandates this result for U.S. source income as well.

The requirement that the security be "booked" in the U.S. office in order for the income, gain, or loss to be effectively connected with the U.S. banking, financing, or similar business is not mandated by section 864(c). The legislative history of that section describes "booking" as a factor to be considered but which is not determinative of the classification of the income. H.R. Rep. No. 1450, *supra* at 15; S. Rep. No. 1707, *supra* at 19. A close connection between the U.S. business activities and the income, gain, or loss is required by section 864(c)(2) and the legislative history of that section. The proposed amendment continues to require the U.S. office to be an active participant in soliciting and negotiating the acquisition of the security. Whether the security is recorded on the books of the U.S. office is one factor to consider in determining if the U.S. office actively participated in the security acquisition. A stock or security currently deemed to be attributable to the U.S. office of a foreign bank will be unaffected by the proposed amendment.

Regulatory Flexibility Act and Executive Order 12291

Although this document is a notice of proposed rulemaking that solicits public comment, the Internal Revenue Service has concluded that the regulations proposed herein are interpretative and that the notice and public comment procedure requirements of 5 U.S.C. 553 do not apply. Accordingly, these proposed regulations do not constitute regulations subject to the Regulatory Flexibility Act (5 U.S.C. chapter 6). The Commissioner of Internal Revenue has determined that this proposed rule is not subject to Executive Order 12291.

Drafting Information

The principal author of this regulation is Martha E. Kadue 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.

Comments and Requests for a Public Hearing

Before adopting these proposed regulations, consideration will be given to any written comments that are submitted (preferably six copies) to the Commissioner of Internal Revenue. All comments will be available for public inspection and coping. A public hearing will be held upon written request to the Commissioner by any person who has submitted written comments. If a public hearing is held, notice of the time and place will be published in the **Federal Register.**

List of Subjects In 26 CFR 1.861–1 Through 1.997–1

Income taxes, Aliens, Exports, DISC, Foreign investment in U.S., Foreign tax credit, Sources of income, United States investments abroad.

Adoption of Amendments to the Regulations

PART 1—[AMENDED]

The proposed amendment to 26 CFR Part 1 is as follows:

Paragraph (c)(5)(iii)(*a*) of § 1.864–4 is revised to read as follows:

§ 1.864–4 U.S. source income effectively connected with U.S. trade or business.

* * * * *

(c) *Fixed or determinable income and capital gains*—* * *

(5) *Special rules relating to banking, financing, or similar business activity*—* * *

(iii) *Stocks or securities attributable to U.S. office*—(*a*) *In general.* For purposes of paragraph (c)(5)(ii) of this section, a stock or security shall be deemed to be attributable to a U.S. office if such office actively participated in soliciting, negotiating, or performing other activities required to arrange the acquisition of the stock or security. It is not necessary that the U.S. office has been the only active participant in arranging the acquisition of the stock or security. Whether the stock or security is or was held in the United States by or for such office, and whether the stock or security is or was recorded on the books or records of the U.S. office as having been purchased or acquired by such office or for its account are among the factors to be considered in determining if the U.S. office was an active participant in the acquisition of the stock or security.

* * * * *

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

[FR Doc. 82–30278 Filed 11–3–82; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 183

[Dcket No. 81–092]

Electrical and Fuel Systems Standards; Miscellaneous Amendments

Correction

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule; correction.

SUMMARY: This document corrects a proposed rule on miscellaneous amendments to the electrical and fuel systems standards that appeared on page 41993 in the **Federal Register** of Thursday, September 23, 1982 (47 FR 41993). The action is necessary to correct typographical and clerical errors.

ADDRESSES: Comments should be submitted to Commandant (G–CMC/44), [CGD 81–092], U.S. Coast Guard, Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. Alston Colihan, Office of Boating, Public and Consumer Affairs (G–BBS/42), U.S. Coast Guard Headquarters, Washington, D.C. 20593, (202) 426–4027, between 8 a.m. and 4 p.m., Monday through Friday, except holidays.

The following corrections are made in FR Doc. 82–26253 appearing on page 41993 in the issue of September 23, 1982:

1. On page 41993, in the second column in the twenty-second line under **"SUMMARY",** "burden recreational boat manufacturers" should be corrected to read "burden upon recreational boat manufacturers".

2. On page 41994, in the first column, eight lines from the bottom of the page, "function box" should be corrected to read "junction box".

3. On page 41997, in the second column, the following material should be added after "connection to the engine":

"§ 183.582 Static pressure test for fuel systems [Removed]"

22. By removing § 183.582.

' 46 U.S.C. 1454; 49 CFR 1.46(n)(1))

Dated: September 20, 1982.

(46 U.S.C. 1454; 49 CFR 1.46(n)(1))

Dated: October 21, 1982.

H. W. Parker, RADM, USCG,

Chief, Office of Boating, Public and Consumer Affairs.

[FR Doc. 82–29656 Filed 10–27–82; 8:45 am]

BILLING CODE 4910–14–M

DEPARTMENT OF ENERGY

41 CFR Parts 9–3, 9–4, 9–7, 9–16, 9–30, 9–50, and 9–51

Proposed Amendments to the DOE Procurement Regulations

AGENCY: Department of Energy.

ACTION: Proposed rule.

SUMMARY: This proposed rule is to amend the DOE Procurement Regulations. A listing of revisions is given below under the section entitled "Supplementary Information." The revisions are intended to update the Regulations as a result of changes in the Government-wide Federal Procurement Regulations and to simplify operations by providing standard clauses and formats for types of contracts not covered elsewhere.

DATE: Written comments should be submitted not later than December 6, 1982, to be considered.

ADDRESS: Comments should be addressed to the Department of Energy, Procurement Policy Branch, MA931.1, Forrestal Building, Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT:

Richard Langston, Procurement Policy Branch, MA931.1, Procurement and Assistance Management, Department of Energy, (202) 252–8188;

Prentice Cook, Office of General Counsel, AGC for Procurement and Financial Incentives, GC44, Department of Energy (202) 252–6902.

SUPPLEMENTARY INFORMATION:

I. Background

II. Statutory and Regulatory Requirements

III. Public Comments

I. Background

Under Section 644 of the Department of Energy Organization Act (hereinafter referred to as "the Act") Pub. L. 95–91, 91 Stat. 565 (41 U.S.C. 7254), the Secretary of the Department is authorized to prescribe such procedural rules and regulations as may be deemed necessary or appropriate to accomplish the functions vested in him. Accordingly, the Department of Energy Procurement Regulations (DOE-PR) were promulgated with an effective date of June 30, 1979 (44 FR 34–434, June 14, 1979), 41 CFR Chapter 9.

The specific revisions being proposed are too numerous to discuss in detail in this preamble. The topics are as follows. Change 7.0 is a listing of changes to the Table of Contents. 7.1 supplements § 9–3.408, "Letter contracts." Change 7.2 revises Subpart 9–4.9, "Unsolicited Proposals." Change 7.3 revises Subpart 9–4.50, "Multiple Award-Phased Procurements." Change 7.4 revises 9–4.51, "Special Research Contracts with Educational Institutions," as a result of the changes at 7.2. Change 7.5 revises several clauses in Part 9–7, "Contract Clauses," and adds new clauses for letter contracts. Change 7.6 revises 9–16.50, "Contract Outlines," by correcting an incorrect citation at 9–16.5002–1 and adds a new § 9–16.5002–5, "Outline of a letter contract." Change 7.7 revises 9–30.703, "Assignment of Claims," to correct an outdated reference to a predecessor organization. Change 7.8 revises Part 9–50, "Operating and On-Site Contracts" regarding identical bids, consideration of security in the extend-compete review process and site development planning. Change 7.9 revises Part 9–51, "Contract Reviews" to

delete references to organizations which no longer exist.

II. Statutory and Regulatory Requirements

A. Review Under Executive Order 12291

Inasmuch as this proposed rule relates to agency management of the procurement function, the OMB clearance procedures set forth in Executive Order 12291 (February 17, 1981) are not applicable.

B. Review Under the Regulatory Flexibility Act

This proposed rule was reviewed under the Regulatory Flexibility Act of 1980, Pub. L. 96–354, which requires preparation of a regulatory flexibility analysis for any rule which is likely to have significant economic impact on a substantial number of small entities. DOE certifies that this proposed rule will not have a significant economic impact on a substantial number of small entities and, therefore, no regulatory flexibility analysis has been prepared.

C. Review Under the Paperwork Reduction Plan Act

DOE has determined that this rulemaking imposes no information collection and reporting requirements on organizations and individuals external to DOE that may be subject to this regulation in accordance with the Paperwork Reduction Plan Act (44 U.S.C. 3501 et seq.).

D. Review Under the National Environmental Policy Act

DOE has concluded that promulgation of this rule clearly would not represent a major Federal action having significant impact on the human environment under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 432 et seq. 1976), the Council on Environmental Quality Regulations (40 CFR Parts 1500–1508), and the DOE guidelines (10 CFR Part 1020, and therefore does not require an environmental impact statement pursuant to NEPA.

III. Public Comments

Interested persons are invited to participate by submitting data, views or arguments with respect to the proposed DOE–PR amendments set forth in this notice. All written comments received will be carefully assessed and fully considered prior to publication of the proposed amendment as a final regulation.

List of Subjects in 41 CFR Parts 9–3, 9–4, 9–7, 9–16, 9–30, 9–50, 9–51

Government procurement.

For the reasons set out in the preamble, Chapter 9 of Title 41 of the Code of Federal Regulations is proposed to be amended as set forth below.

Issued in Washington, D.C., October 15, 1982.

Berton J. Roth,

Acting Director, Procurement and Assistance Management Directorate

The regulations in 41 CFR Chapter 9 are proposed to be amended as set forth below.

Authority: Sec. 644 of the Department of Energy Organization Act, Pub. L. 95–91, 91 Stat. 599, (42 U.S.C. 7254).

Note.—As an aid in identifying specific proposed changes to the DOE Procurement Regulations, a two-digit identification number is assigned to each specific change. The first digit represents the numerical sequence of proposed changes; thus, this is Change 7 to indicate that this is the seventh time that DOE has issued a notice of proposed rulemaking for the purpose of amending 41 CFR Chapter 9. The second digit is the numerical sequence of specific changes proposed within a particular notice; thus, the first change within the seventh notice is identified as Change 7.0.

Change 7.0

The Table of Contents is amended as follows:

PART 9–4 SPECIAL TYPES AND METHODS OF PROCUREMENT

Sec.

* * * * *

9–4.955 Extensions.
9–4.955–1 Extension proposals.
9–4.955–2 Evaluation of requests for extension.
9–4.955–3 Approval.
9–4.955–4 Content of extension justification.
9–4.955–5 Rejection of extension request.
9–4.955–6 Continuation of effort.

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PART 9–7—CONTRACT CLAUSES

* * * * *

9–7.804–51 [Reserved].

* * * * *

PART 9–7 — CONTRACT CLAUSES

9–7.11 Letter contracts.
9–7.1101 Applicability.
9–7.1102 Required clauses.
9–7.1102–1 Definitization.
9–7.1102–2 Execution and commencement of work.
9–7.1102–3 Limitation of Government liability.
9–7.1102–4 Payment
9–7.1102–5 Termination.

* * * * *

PART 9–16 — PROCUREMENT FORMS

* * * * *

9–16.5002–5 Outline of a letter contract.

* * * * *

PART 9–50— OPERATING AND ON SITE SERVICE CONTRACTS

* * * * *

9–50.105 Reporting possible antitrust violations and identical bids.

* * * * *

Change 7.1

Section 9–3.408, "Letter contract" is amended by adding a new paragraph (d) directing attention to additional letter contract coverage at 9–7, "Contract Clauses" and 9–16, "Procurement Forms," and a new paragraph (e) regarding letter contract reporting requirements. Therefore, § 9–3.408 is amended by the addition of paragraphs (d) and (e) as follows:

§ 9–3.408 Letter contract.

* * * * *

(d) Additional guidance regarding letter contracts may be found at 9–7.11 which prescribes clauses to be used in letter contracts and 9–16.5002–5 which contains a format for letter contracts.

(e) Letter contract awards should be reported as soon after award as possible. Should it be necessary to modify a letter contract prior to its definitization, such actions should be reported as they occur. The actual definitization of the letter contract, in turn, should be reported as a contract modification.

Change 7.2

Subpart 9–4.9, "Unsolicited Proposals" is amended at § 9–4.904(a) by deleting the words "or extensions or renewals of ongoing projects" and adding the words "but does apply to extensions of such contracts" after "Institutions" and before the final period, is amended at § 9–4.908 to provide for an alternate receiving office if a Notice of Program Interest is the basis for submitting such a proposal, at § 9–4.909(e) to revise the review and approval procedures, at § 9–4.950, paragraph (b), to clarify the term "Expiration Date" and to allow use of the Alternate Late Proposals clause without the approval required by § 9–3.802–1 if a Notice of Program Interest is involved, at paragraphs (c) and (d) to assure that Notices of Program Interest are coordinated with the Procurement and Assistance Management Directorate and that a copy of any such Notice is furnished to that Office, and by adding a new section 9–4.955 regarding procedures to be used in considering the renewal of contracts resulting from unsolicited proposals. Therefore, § 9–4.904(a), 9–4.908(b), 9–4.909(e), 9–

4.905(b)(5), (c) and (d) are revised and § 9–4.955 through 9–4.955–6 are added to read as follows:

Subpart 9–4.9 Unsolicited Proposals

* * * * *

§ 9–4.904 Definitions.

(a) Unsolicited proposal—for purposes of this subpart, the definition of unsolicited proposal contained in FPR 1–4.9 does not include initial proposals which fall under the provisions of § 9–4.51, Special Research Contracts with Educational Institutions but does apply to extensions of such contracts.

* * * * *

§ 9–4.908 Agency point of contact.

* * * * *

(b) Unless otherwise specified in a Notice of Program Interest, all unsolicited proposals shall be submitted to the Procurement and Assistance Management Directorate, U.S. DOE, Attn: Unsolicited Proposals Management Officer, MA942, Washington, DC 20585. If the proposer has ascertained the cognizant program office through preliminary contacts with Program staff, the proposal may be submitted directly to that Office. In such instances, the proposer should separately send a copy of the proposal cover letter to the Unsolicited Proposal Management Officer to assist that Officer to assure that the proposal is logged in the Department's automated tracking system for unsolicited proposals.

§ 9–4.909 Receipt, review and evaluation.

* * * * *

(e) Review and approval. The justification shall contain a recommendation, concurrence (when needed), and approval as follows: (In the case of cost shared contracts, review levels shall be based on the sum of the contractor and Government shares.)

(1) The recommendation shall be prepared and reviewed within the initiating office at such levels as are deemed appropriate by the Senior Program Official for procurements initiated by Headquarters or the Head of the Procuring Activity for field initiated procurements. In establishing levels for the review of such recommendations, the Senior Program Official or Head of the Procuring Activity shall assure that the recommendation is reviewed at a senior organizational level in order to assure that competition is sought when appropriate.

(2) The more complex and costly transactions will benefit from early coordination with counsel. Justifications exceeding $1,000,000, or such lower level as counsel may determine, shall be submitted by the initiator to counsel, at the Headquarters or field location of the initiator, for concurrence prior to forwarding to the Contracting Officer.

(3) The justification, following review of the recommendation and concurrence of counsel (if required or considered appropriate), shall be forwarded to the cognizant Contracting Officer for approval. If the justification is acceptable to the cognizant Contracting Officer, review shall be sought at such level as the Head of the Procuring Activity may require. In specifying levels of review, the HPA shall assure that justifications of more than $10,000 are reviewed at a level above the cognizant Contracting Officer as required by Setion 1–3.101(d) of the FPR. The HPA shall further assure that the official designated as the reviewing official is a Contracting Officer.

§ 9–4.950 Notice of program interest.

* * * * *

(b) * * *

(5) An expiration date, as needed. An expiration date for a Notice of Program Interest is not to be considered a formal due date or common cut off date for the submission or receipt of unsolicited proposals as is associated with formal procurement solicitations. Rather the expiration date is an approximation of the time after which program interests or directions may be expected to change less the necessary administrative time that will be needed for the evaluation and possible award of contracts resulting from the notice. The Alternate Late Proposal clause of FPR 1–3.802–2 may be used for Notices of Program Interest without regard to the approval requirement of § 9–3.802–1. When used, the clause at FPR 1–3.802–2 should be appropriately modified at paragraph (a)(4) to substitute some other cut off milestone when a competitive range determination is not involved.

* * * * *

(c) The content of the notice should be consolidated at the responsible office level and should be in the format that best reflects the needs of that specific office; e.g., letter, booklet, bulletin, or related documents. Such notices shall be coordinated in advance with the Unsolicited Proposals Management Officer identified at § 9–4.908(b).

(d) The notice should be distributed widely. It may be distributed to industry, associations, including small business associations, schools, colleges and universities, appropriate professional and scientific journals, other DOE offices, as well as individuals and organizations that request copies on a one-time basis. Copies of the notice are to be sent to the Unsolicited Proposals Management Officer identified at § 9–4.908(b).

* * * * *

§ 9–4.955 Extensions.

§ 9–4.955–1 Extension proposals.

(a) When additional time beyond the current contract period is required to complete or continue the work approved in the acceptance of the initial unsolicited proposal, the Contractor should submit six copies of an extension proposal to the awarding office in sufficient itme to allow evaluation and possible processing before the date of expiration of the contract. These procedures do not apply to requests for no cost extensions as may sometimes be needed to complete all details such as final report of the project.

(b) The extension proposal should outline and justify a program and budget for the succeeding year(s), showing in detail the estimated cost for the additional period(s) requested. It should include the same type of information to the same extent as was contained in the initial proposal. Any contemplated change in program or scope for the ensuing period(s) should be justified and explained clearly, and must remain consistent with the original method, approach or idea which was accepted as the basis for award by DOE as a result of the initial unsolicited proposal. This is not, however, intended to preclude a redirection based upon a discovery or breakthrough occurring under the contract to date.

(c) The extension proposal should include a financial profile under the current contract including:

(1) Total project costs to date, indicating the amount chargeable to DOE;

(2) An estimate of the total costs to be incurred during the remainder of the current period, including a statement of unexpended balance.

§ 9–4.955–2 Evaluation of requests for extension.

(a) Requests for extensions are to be evaluated by the appropriate program office in light of:

(1) Progress reports submitted by the Contractor;

(2) Research results published in scientific media;

(3) Field visits by technical personnel;

(4) Contractor's progress and potential for achieving desired results;

(5) Continued relevance to DOE's mission;

(6) Scientific and technical merit of the research;

(7) Availability of funds;

(8) Likelihood that competition at this stage in the project would hasten achieving the desired results.

(b) Requests for extensions generally follow the same process of review and evaluation of technical aspects and funding, preparation and execution of contract, and administration as does a new project.

§ 9-4.955-3 Approval.

(a) When the extension request has received a favorable technical evaluation and when a determination has been made that similar conditions exist relative to those that justified acceptance of the initial unsolicited proposal, a justification for extension of the award resulting from an unsolicited proposal shall be processed for review and approval as indicated in § 9-4.909(e).

§ 9-4.955-4 Content of extension justification.

(a) As a minimum, the extension justification should contain:

(1) A statement of result of the technical evaluation (§ 9-4.955-2)

(2) An evaluation of any contemplated change in the contract scope of work for the renewal period and a justification explaining why this change is consistent with the original method, approach or idea which was accepted as the basis for award by DOE as a result of the initial unsolicited proposal.

(3) An assessment of the current status of the original circumstances and conditions which justified acceptance of the initial unsolicited proposal identifying any changes that may have developed and providing rationale as to why such change(s) should not preclude renewal.

§ 9-4.955-5 Rejection of extension request.

(a) If, after evaluation, it is decided that the extension period should not be supported on the basis of technical merit or other reasons, such as lack of funding, or changed mission relevance, the project officer shall:

(1) Prepare a written statement setting forth the basis for rejection, submit one copy to the responsible program official, for approval and transmittal to the proposer and retain one copy in the permanent file.

(2) Promptly notify the Contracting Officer in order that the current contract may be closed out.

§ 9-4.955-6 Continuation of effort.

(a) Under certain circumstances it may be in the Government's best interests to continue or complete the work begun under a contract awarded as a result of an unsolicited proposal but which is not appropriate for extension. Continuation or completion of the work shall be accomplished by means of competition, unless non-competitive procurement can be justified in accordance with § 9-3.805-51.

Change 7.3

Subpart 9-4.50, "Multiple Awards—Phased Procurements," is amended to by deleting the final sentence of § 9-4.5002(a) and substituting a new sentence to provide that counsel will be a non-voting advisory member of any subsequent phase evaluation team unless counsel concurs in a waiver of such participation. Therefore, § 9-4.5002(a) is amended by revising the last sentence as follows:

Subpart 9-4.50 Multiple Awards—Phased Procurements

* * * * *

§ 9-4.5002 [Amended]

(a) * * *

Counsel will be included as a non-voting advisory member of the evaluation team unless such participation is waived with the concurrence of counsel.

* * * * *

Change 7.4

As a result of the changes at 7.2 above, Subpart 9-4.51, "Special Research Contracts with Educational Institutions," is amended by deleting the existing text of 9-4.511-1, "Renewal proposals" and 9-4.5111-2, "Evaluation of requests for renewals," and substituting the phrase "See 9-4.955" at both places. Section 9-4.5111-3, "Authorization to renew," is also amended by deleting the existing paragraphs (a) and (b) and removing the prefix (c) from the remaining text and substituting the word "procurement" for "field" at the second word. Therefore, §§ 9-4.5111-1, 9-4.5111-2, and 9-4.5111-3 are revised to read as follows:

Subpart 9-4.51 Special Research Contracts With Educational Institutions

§ 9-4.51111-1 Renewal proposals.

See § 9-4.955.

§ 9-4.51111-2 Evaluation of requests for renewals.

See 9-4.955.

§ 9-4.51111-3 Authorization to renew.

The procurement office that has administrative jurisdiction of an existing contract may extend the term of an existing contract without authorization from the cognizant program office, provided that:

(a) Any such extension does not provide for an increase in DOE's monetary obligation under the contract;

(b) The scope of work is not revised by such extension;

(c) Such extension is necessary to permit completion of the scope of work authorized by Headquarters, including preparation of required reports; and

(d) Any such extension will not be for a period in excess of 90 days.

Change 7.5

Part 9-7, "Contract Clauses," is amended at several places. Section 9-7.103-53, "Security," is modified to add language erroneously left out when this clause was updated at 46 FR 28925. The change adds the following phrase to the end of the third sentence of paragraph (a)," or properly destroy the classified matter and furnish a Certificate of Nonpossession to DOE." The change also adds the phrase "include a Statement of Justification," between the words "shall" and "identify" at the fifth sentence of paragraph (a). The change also adds "subsequent and" between the words "or" and "prior" at the second sentence of paragraph (f). Section 9-7.204-5 is amended to correct paragraph references which should be upper-case rather than lower-case. Section 9-7.802-6, "Assignment of Claims," is amended to include reference to the DOE-PR section being added by Change 7.7. Section 9-7.803-2, "Authorization and consent," is amended to correct an erroneous reference to "9-9.102-2" which should be "9-9.102-1." Section 9-7.804-51, "Privacy act," is deleted as it duplicates § 9-7.803-11. The final change in this Part is the addition of a new Subpart 9-7.11, "Letter Contracts." Therefore, §§ 9-7.103-53 (a), and (f), 9-7.204-5, 9-7.802-6, 9-7.803-2, and 9-7.804-5 are revised, 9-7.804-51 is removed and reserved, and a new Subpart 9-7.11 is added, consisting of § 9-7.1101 through 9-7.1102-5, as follows:

PART 9-7—CONTRACT CLAUSES

§ 9-7.103-53 Security.

* * * * *

Security

(a) Contractor's duty to safeguard all classified information. The contractor shall, in accordance with DOE security regulations and requirements, be responsible for safeguarding all classified information, and protecting against sabotage, espionage, loss and theft, the classified documents and material in the contractor's possession in connection with the performance of work under this contract. Except as otherwise

expressly provided in this contract, the contractor shall, upon completion or termination of this contract, transmit to DOE any classified matter in the possession of the contractor or any person under the contractor's control in connection with performance of this contract or properly destroy the classified matter and complete a Certificate of Non-Possession to be furnished to DOE. If retention by the Contractor of any classified matter is required after the completion or termination of the contract and such retention is approved by the Contracting Officer, the contractor will complete a Certificate of Possession to be furnished to DOE specifying the classified matter to be retained. The certification shall include a statement of justification, identify the items and types or categories of matter retained, the conditions governing the retention of the matter, and the period of retention, if known. If the retention is approved by the Contracting Officer, the security provisions of the contract will continue to be applicable to the matter retained.

* * * * *

(f) Definition of National Security Information. The term "National Security Information" means information or material which is owned by, produced for or by, or under the control of the United States Government, which has been determined pursuant to Executive Order 12065 or subsequent and prior Orders to require protection against unathorized disclosure, and which is so designated.

* * * * *

§ 9-7.204-5 Insurance liability to third persons.

Insert the clause in FRP 1-7.204-5 with the following modification in paragraph (c). Change (C) to (D) and insert a new (C) between "Officer," and "or" at the end of (B) as follows: "(C) for which appropriate funds are not available,".

§ 9-7.802-6 Assignment of Claims.

Insert the clause prescribed by FPR 1-30.703 as modified by 9-30.703.

§ 9-7.803-2 Authorization and consent.

Insert the clause prescribed by 9-9.102-1 under the conditions stated therein.

§ 9-7.804-51 [Reserved]

Subpart 9-7.11 Letter Contracts

§ 9-7.1101 Applicability.

This subpart sets forth uniform contract clauses for use in letter contracts as defined and described at FPR 1-3.408 and DOE-PR9-3.408.

§ 9-7.1102 Required clauses.

Letter contracts shall include all clauses required for the type of definitive contract anticipated to result from the letter contract. See 9-16.5002-4 for a suggested outline of a letter contract. The following shall be included in all letter contracts.

§ 9-7.1102-1 Definitization.

(a) When it is known at the time of entering into the letter contract that the price of the definitive contract will be based on adequate price competition or will otherwise meet the criteria of FPR 1-3.807-3, paragraph (1) of the following clause may be appropriately modified to eliminate the requirement for cost or pricing data. The definitization schedule in paragraph (2) shall include a date for the receipt of the contractor's proposal, if one has not yet been furnished, a date for the commencement of contract negotiations and a target date for definitization as well as any other meaningful milestones appropriate to the individual acquisition.

Definitization

(1) A ——— type definitive contract is contemplated. To accomplish this result, the Contractor agrees to enter into negotiation promptly with the Contracting Officer over the terms of a definitive contract, which will include all clauses required by the Federal and DOE Procurement Regulations or by law as of the date of execution of the letter contract, and such other clauses, terms, and conditions as may be mutually agreeable. The Contractor agrees to submit a proposal and cost or pricing data supporting the proposal.

(2) The schedule for definitization of this contract is set forth below:

(Insert appropriate milestones, e.g., receipt of proposal, begin negotiations, draft contract, etc.)

Milestone	Date

Target Date for Definitization: ———

(3) If agreement on a definitive contract to supersede this letter contract is not reached by the target date set forth in (2) above or any extension thereof by the Contracting Officer, the Contracting Officer may, with the approval of the Head of the Procuring Activity, determine a reasonable price or fee in accordance with the applicable cost principles of the Federal and DOE Procurement Regulations, subject to appeal by the Contractor as provided in the "Disputes" clauses of this contract. In any event, the Contractor shall proceed with completion of the contract, subject only to the "Limitation of Government Liabiality" clause. After the date of the Contracting Officer's determination of price or fee, the contract shall be governed by:

(i) all clauses required by the Federal and DOE Procurement Regulations on the date of execution of this letter contract for either a fixed price type contract or a cost reimbursement type contract as determined by the Contracting Officer under this paragraph (3);

(ii) all clauses required by law as of the date of the Contracting Officer's determination; and

(iii) such other clauses, terms and conditions as may be mutually agreed upon. To the extent consistent with the foregoing, all clauses, terms and conditions included in this letter contract except which by their nature are applicable only to a letter contract shall continue to be effective.

(End of clause)

(b) When the award of the letter contract is based on price competition, the following paragraph (4) shall be added to the clause in paragraph (a) of this section. In the blank therein, insert the contract's proposed price on which the award was based.

(4) The definitive contract resulting from this letter contract will include a negotiated (price ceiling) (firm fixed-price) in no event to exceed $———

(End of clause addendum)

§ 9-7.1102-2 Execution and commencement of work.

Execution and Commencement of Work

The contractor's acceptance of this letter contract will be indicated by affixing its signature thereto and returning such signed copies, except one for its file, to the Contracting Officer not later than ———. Upon acceptance, the Contractor shall proceed with performance of the work described herein, including procurement of necessary materials.

(End of clause)

§ 9-7.1102-3 Limitation of Government liability.

Limitation of Government Liability

The Contractor is not authorized to make expenditures or to incur obligations, in performance of this contract, which exceed ——— dollars ($———), which is the maximum amount for which the Government shall be liable if this contract is terminated.

§ 9-7.1102-4 Payment.

Payment

Payments will be made in accordance with the appropriate payments provision of the General Provisions except no payment will be made for fee under a cost type contract and payments will not exceed the limitation of Government liability stated above during the letter contract period.

(End of Clause)

§ 9-7.1102-5 Termination

Termination

The Government retains its right to terminate this letter contract for default or convenience of the Government as provided in the General Provisions.

(End of Clause)

Change 7.6

Subpart 9-16.50, "Contract Outlines," is amended at § 9-16.5002-1, Article B-XIV, to correct an erroneous FPR

citation and at 9-16.5002-5 to add a new section entitled "Outline of a Letter Contract." Therefore, section 9-16.5002-1, Appendix B is amended by revising Article B-XIV and § 9-16.5002-5 is added to read as follows:

Subpart 9-16.50 Contract Outlines

* * * * *

§ 9-16.5002-1 Special Research Contracts (SRC) with educational institutions.

* * * * *

Appendix B—General Provisions

* * * * *

Article B-XIV Contract Work Hours Standards Act—Overtime Compensation

Insert the clause set forth in FPR 1-7.402-16.

* * * * *

§ 9-16.5002-5 Outline of a letter contract.

Department of Energy (Use Letterhead Stationary)
Date of Transmittal
Office Issuing Letter Contract and address
Contract Number
To: Insert Contractor's Name and Address
Brief Description of Work

(If a Defense contract is involved, insert the appropriate priority rating from the DOD Priorities and Allocation Manual. A rating may be appropriate to other types of contracts. See 9-7.104-50(b).)

Dear——: This letter, when accepted by you, will constitute a contract on the terms set forth herein and signifies the intention of both parties to execute a formal, definitive (insert type of contract) contract for the delivery of the supplies or the performance of the services described herein. In accordance with the clause entitled "Execution and Commencement of Work," you shall immediately proceed to commence performance of the work. In accordance with the clause entitled "Definitization," you shall submit a proposal regarding the price or estimated cost to the Government as well as any special terms you wish reflected in the definitive contract for the articles or services covered by this contract. Your proposal shall include documentation supporting the price or estimated cost in accordance with the suggested format attached. Full supporting rationale should likewise be furnished for any special terms. A Certificate of Current Cost or Pricing Data shall be submitted upon agreement regarding the price or estimated cost. Please indicate your acceptance of the foregoing by signing and returning this letter contract.

Sincerely yours,

(Signature)
Typed Name
Contracting Officer

Attachments

1. Schedule
2. General Provisions
3. Proposal Preparation Materials
4. Administrative Matters

Acceptance by Contractor:

(Signature)
Typed Name and Title

Date

Attachment 1—Schedule

Part 1—Special Provisions Applicable to Letter Contract
Part 2—Proposed Special Provisions of Definitive Contract

Part 1—Special Provisions Applicable to Letter Contract

Article I—Definitization

(1) A———type definitive contract is contemplated. To accomplish this result, the Contractor agrees to enter into negotiation promptly with the Contracting Officer over the terms of a definitive contract, which will include all clauses required by the Federal and the DOE Procurement Regulations or law as of the date of execution of the letter contract, and such other clauses, terms and conditions as may be mutually agreeable. The Contractor agrees to submit a proposal and cost or pricing data supporting the proposal.

(2) The schedule for definitization of this contract is set forth below:

(Insert appropriate milestones, e.g, receipt of proposal, begin negotiations, draft contract, etc.)

Milestone

Date

Target Date for Definitization: ———

(3) If agreement on a definitive contract to supersede this letter contract is not reached by the target date set forth in (2) above or any extension thereof by the Contracting Officer, the Contracting Officer may, with the approval of the Head of the Procuring Activity, determine a reasonable price or fee in accordance with the applicable cost principles of the Federal and DOE Procurement Regulations, subject to appeal by the Contractor as provided in the "Disputes" clause of this contract. In any event, the Contractor shall proceed with completion of the contract, subject only to the "Limitation of Government Liability" clause. After the date of the Contracting Officer's determination of price or fee, the contract shall be governed by:

(i) all clauses required by the Federal and DOE Procurement Regulations on the date of execution of this letter contract for either a fixed price type contract or a cost reimbursement type contract as determined by the Contracting Officer under this paragraph (3);

(ii) all clauses required by law as of the date of the Contracting Officer's determination; and

(iii) such other clauses, terms and conditions as may be mutually agreed upon. To the extent consistent with the foregoing, all clauses, terms and conditions included in this letter contract except which by their nature are applicable only to a letter contract shall continue to be effective.

(End of clause)

(If the letter contract award is based on *price competition* use this additional paragraph and insert the contractor's proposed price on which the selection was based.)

(4) The definitive contract resulting from this letter contract will include a negotiated (insert price ceiling or firm fixed price) not to exceed $———.

(End of clause addendum)

Article II—Execution and commencement of Work

The contractor's acceptance of this letter contract will be indicated by affixing its signature thereto and returning such signed copies to the Contracting Officer not later than ———. Upon acceptance, the Contractor shall proceed with performance of the work described herein, including procurement of necessary materials.

(End of Clause)

Article II—Limitation of Government Liability

During the term of this letter contract, and prior to its definitizataion as a result of the negotiations contemplated by the parties, the maximum liability of the Government shall not exceed $——— except as may be provided in any modification of this letter contract agreed to by both parties.

(End of Clause)

Article IV—Payment

Payments will be made in accordance with the appropriate payments provision of the General Provisions except that no payment will be made for fee and payments will not exceed the limitation of Government liability stated above during the letter contract period.

(End of Clause)

Article V—Termination

The Government retains its rights to terminate this letter contract for default or convenience of the government as provided in the General Provisions.

(End of Clause)

Part 2—Proposed Special Provisions of Definitive Contract

The following draft special provisions reflect the Government's best estimate, at the time of offering this letter contract, of the special provisions to be included in the definitive contract. The parties recognize that the exact provisions may vary as a result of their contemplated negotiations.

(Insert the appropriate provisions which are expected to appear in the definitive contract.)

Attachment 2—General Provisions
Part 1—Alterations of General Provisions (Insert any appropriate alterations)
Part 2—Additional General Provisions (Insert any appropriate additions)
Part 3—General Provisions (Attach appropriate set of DOE Standard General Provisions; e.g., 100.A, 400.A, etc.)
Attachment 3—Proposal Preparation Material

(Attach here materials that will be needed for preparation of an adequate proposal to support negotiation of the definitive contract.

e.g., cost or pricing data forms, representations and certification forms, etc.)

Attachment 4—Administrative Matters

(Insert here such items as billing instructions, billing address, identification of Contract Specialist, Contracting Officer, Technical Representative, and Patent Counsel, etc.)

Change 7.7

Section 9-30.703, "Contract clause—assignment of claims," is amended to add a new second sentence instructing that the text of the clause be updated to recognize the Department of Energy as the successor agency of the Energy Research and Development Administration. Therefore, Section 9-30.703 is amended by the addition of a second sentence as follows:

9-30.703 Contract clause—assignment of claims

* * * * *

Modify the clause at FPR 1-30.703 by substituting the Department of Energy for the Energy Research and Development Administration at the last sentence of paragraph (a) of the clause.

Change 7.8

Part 9-50, "Operating and On-Site Service Contracts," is amended to add coverage at 9-50.105 regarding identical bids received, at 9-50.303 and 9-50.304, to make security and facilities management matters a part of the formal extend or compete evaluation process and to make clarifications, and at 9-50.704 to require facility management planning. Section 9-50.1510-20 is also being revised to update the Department's policy and principles relating to reimbursement of expenses of operating and on-site contractors for the relocation of employees essential to contract performance. Therefore, Sections 9-50.105, 9-50.303(c)(1), 9-50.304(c)(2) introductory text and iv, 9-50.704-49, and 9-50.1510-20 are revised as follows:

PART 9-50—OPERATING AND ON-SITE SERVICE CONTRACTS

* * * * *

§ 9-50.105 Reporting possible antitrust violations and identical bids.

The procedures in FPR Subpart 1-1.9 and 1-1.16 shall be applied to procurements by operating and on-site contractors. Reports required by these subparts shall be submitted to the Head of the Procuring Activity to be handled in accordance with 9-1.9 and 9-1.16.

§ 9-50.303 Operating and on-site service contracts.

* * * * *

(c) * * *

(1) Overall performance of an incumbent contractor including specific consideration of the contractor's administrative, environmental, safeguards and security, safety, health, site planning, maintenance, construction, facility management, energy conservation program considerations and cost, schedule and technical performance.

* * * * *

§ 9-50.304 Field recommendations to extend or compete operating and on-site contracts.

* * * * *

(c) * * *

(2) A statement of the present contractor's overall performance since award of the contract, or if previously extended, since Headquarters last authorized extension of the contract. This should be supported by a copy or detailed summary of the most recent overall DOE management appraisal of the contractor's performance and a brief summary of the annual DOE appraisals of the contractor's performance.

* * * * *

(iv) A separate appraisal shall be made of the contractor's performance in assuring consideration of the elements identified in 9-50.303(c)(1).

* * * * *

§ 9-50.704-49 Site development and facility utilization planning.

In those instances in which real property management fuctions are to be performed by an operating or on-site contractor, the folowing clause shall be used:

Site Development and Facility Utilization Planning

This contract is subject to the requirements and procedures for site development and facility utilization planning contained in DOE Order 4320. The contractor agrees to comply with DOE Order 4320.

§ 9-50.1510-20 Relocation costs

(a) Relocation costs are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period of not less than 12 months) of an existing employee or upon recruitment of a new employee. The following types of costs are allowable as noted, subject to provisions of paragraphs (b), (c), and (d) of this section.

(1) Cost of travel of the employee and members of his immediate family and transportation of his household and personal effects to the new location.

(2) Costs of finding a new home, such as advance trips by employees and spouses to locate living quarters, and temporary lodging during the transition periods, not exceeding separate cumulative totals of 60 days for employees and 45 days for spouses and dependents, including advance trip time.

(3) Closing costs (i.e., brokerage fees, legal fees, appraisal fees, points, finance charges, etc.) incident to the disposition of actual residence owned by the employee when notified of transfer; *Provided* that closing costs when added to the continuing costs described in (a)(6) of this section shall not exceed 14% of the sales price of the property sold.

(4) Other necessary and reasonable miscellaneous expenses incident to relocation, such as disconnecting and connecting household appliances; automobile registration; drivers license and use taxes; cutting and fitting rugs, draperies, and curtains; forfeited utility fees and deposits; and purchase of insurance against damage to or loss of personal property while in transit.

(5) Cost incident to the acquisition of a home in a new location, except that these costs will not be allowable for existing employees or newly recruited employees who prior to the relocation were not homeowners and the total costs shall not exceed 5% of the purchase price of the new home.

(6) Continuing costs of ownership of the vacant former actual residence being sold, such as maintenance of building and grounds (exclusive of fixing up expenses), utilities, taxes, property insurance, mortgage interest etc., after settlement date or lease date of new permanent residence; *Provided*, that when added to the closing costs described in (a)(3) of this section, the costs shall not exceed 14% of the sales price of the property sold.

(7) Mortgage interest differential payments, except that these costs are not allowable for existing or newly recruited employees who prior to the relocation were not homeowners, and the total payments are limited to an amount determined as follows:

(i) Difference between the mortgage interest rates of the old and new residence times the current balance of the old mortgage times 3 years; and

(ii) When mortgage differential payments are made on a lump sum basis and the employee leaves or is transferred again in less than 3 years, the amount initially recognized shall be proportionately adjusted to reflect payments only for the actual time of the relocation.

(8) Rental differential payments covering situations where relocated employees retain ownership of a vacated home in the old location and rent at the new location. The rented quarters at the new location must be

comparable to those vacated, and the allowable differential payment may not exceed the actual rental costs for the new home, less the fair market rent for the vacated home times 3 years.

(9) Cost of canceling an unexpired lease.

(b) the cost described in paragraph (a) of this section must also meet the following criteria to be considered allowable.

(1) The move is for the benefit of the Government.

(2) Reimbursement must be in accordance with an established policy or practice and program that is consistently followed and is designed to motivate employees to relocate promptly and economically.

(3) Amounts to be reimbursed do not exceed the employee's actual expenses, except that for miscellaneous costs of the type discussed in (a)(4), a flat amount, not to exceed $1,000, may be paid in lieu of actual costs.

(c) The following types of costs are not allowable:

(1) Loss on sale of a home.

(2) Continuing mortgage principle payments on residence being sold.

(3) Cost incident to the acquisition of a home in a new location as follows:

(i) Real estate brokers fee and commissions;

(ii) Costs of litigation;

(iii) Real and personal property insurance against damage or loss of preperty;

(iv) Mortgage life insurance;

(v) Owner's title policy insurance when such insurance was not previously carried by the employee on the old residence (however, costs of a mortgage title policy is allowable) and;

(vi) Property taxes and operating or maintenance costs.

(4) Payments for employee's income taxes or FICA (social security taxes) incident to reimbursed relocation costs.

(5) Costs incident to furnishing equity or nonequity loans to employees or making arrangements with lenders for employees to obtain lower-than-market rate mortgage loans.

(d) If relocation costs for an employee have been allowed and the employee resigns within 12 months for reasons within the employee's control, it is expected the contractor shall refund or credit the relocation costs to the Government.

(e) Contractor payments to independent relocation assistance firm handling acquisitions and sales of houses of transferred employees are allowable in amounts which otherwise represent payment for itemized costs when are allowable in accordance with the provisions of this section.

Change 7.9

Section 9–51.101(a)(1) and (2) are removed as they involve organizations, Resource Applications and Energy Technology, which no longer exist. Therefore, Section 9–51.101 is amended by removing and reserving paragraphs (a)(1) and (2) as follows:

§ 9–51.101 General instructions regarding submissions to Headquarters.

(a) * * *

(1) [Reserved]

(2) [Reserved]

* * * * * *

[FR Doc. 82–30315 Filed 11–3–82; 8:45 am]

BILLING CODE 6450–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 67

Maritime Administration

46 CFR Parts 221 and 355

[CGD 82–103]

Change in Interpretation of Section 2 of the Shipping Act of 1916 as Amended for Coastwise Trading Purposes

AGENCY: Maritime Administration (MARAD) and Coast Guard, DOT.

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: The Department of Transportation, Coast Guard, and MARAD received a proposal to interpret Section 104(2) of the Vessel Documentation Act of 1980 (46 U.S.C. 65b(2)) and Section 2 of the Shipping Act of 1916, as amended (46 U.S.C. 802, or section 802), with substantially less stringent United States owner citizenship criteria applicable to vessel documentation and entitlement to engage in the coastwise trade. In brief, the involved vessel would be owned in a trust arrangement. The trustee would be a United States citizen. The beneficiaries would be a limited partnership. All general partners of the partnership would be United States citizens. Some or all of the limited partners would be non-citizens holding up to 99 percent of the partnership's equity, but having no "control" of the vessel or of the trustee.

This ANPRM addresses a proposed interpretation of Section 2 of the Shipping Act, 1916, as amended, as it relates to the coastwise trade requirements, and solicits input from members of the public concerning the need for rulemaking and suggestions as to the form which any regulations would take. The Coast Guard is publishing another ANPRM which addresses interpretation of "controlling interest" under section 104(2) of the Vessel Documentation Act.

DATES: Comments must be received on or before January 3, 1983.

ADDRESSES: Written comments should be submitted to the Maritime Administrator [4910–81–M], Maritime Administration, Washington, D.C. 20590 and Commandant (G–CMC/44) [CGD82–103], U.S. Coast Guard, Washington, D.C. 20593. The comments and materials referenced in this notice will be available for inspection or copying at (1) the Office of the Secretary, Maritime Administration, Room 7300, U.S. Department of Transportation Headquarters, 400 Seventh Street SW., Washington, D.C., Monday through Friday, except holidays and/or (2) Coast Guard Headquarters, 2100 Second Street SW., Washington, D.C. 20593, between the hours of 7 a.m. and 5 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Doris Lansberry, Office of the Chief Counsel, Maritime Administration, (202) 426–5711, or Cmdr. John Distin, Maritime and International Law Division, United States Coast Guard, (202) 426–1527.

SUPPLEMENTARY INFORMATION: The public is invited to participate in this solicitation of views by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this advance notice and specify the specific sections of the request to which the comments apply, and give reasons for the comments. If acknowledgement of receipt of a comment is desired, a stamped self-addressed postcard or envelope should be enclosed. All comments received will be considered before further rulemaking action is taken. No public hearing is planned, but one will be held if written requests for a hearing are received and it is determined that an opportunity to make oral presentation will aid the process.

Discussion

Section 2 of the Shipping Act, 1916, as amended, 46 U.S.C. 802(a) provides in relevant part:

[N]o corporation, partnership, or association shall be deemed a citizen of the United States *unless the controlling interest therein is owned by citizens of the United States* * * * but in the case of a corporation, association or partnership operating any vessel in the coastwise trade, *the amount of interest required* to be owned by citizens of

the United States shall be 75 per centum. (emphasis added)

With respect to partnerships, whether general or limited, MARAD and the Coast Guard interpret "controlling interest" in Section 2 as requiring, for coastwise purposes that a minimum of 75 per centum of the equity be owned by United States citizens and interpret "amount of interest" to require that 75 per centum of the equity be owned by United States citizens.

Public Law 97–136, amending the Vessel Documentation Act of 1980, allows limited partners, for documentation purposes, to be non-citizens, provided that the general partners in the partnership are citizens, and that the controlling interest in the partnership is owned by citizens. Public Law 97–136 does not amend the provisions of 46 U.S.C. 802 concerning eligibility to engage in the coastwise trade. Since, however, Pub. L. 97–136 contains the proviso that the controlling interest in a limited partnership must be vested in United States citizens, questions have arisen as to the interpretation of that phrase and whether criteria devised for documentation purposes should apply to 46 U.S.C. 802 with respect to partnerships. The questions concerning controlling interest in partnerships under the Vessel Documentation Act are the subject of a concurrent separate ANPRM. Questions have also arisen concerning the proper interpretation of 46 U.S.C. 802.

The Department has received a proposal from a private corporate party recommending that the interpretation of 46 U.S.C. 802 be substantially modified as applicable to trust arrangements in which the beneficiaries are a limited partnership. The proposal would continue the present agencies' position that a trust fulfills the coastwise citizenship requirements if each of its trustees and each of its beneficiaries is a citizen. The proposal then suggests an alternative, less stringent method by which a trust could fulfill the citizenship requirements. Under the proposed alternative, a trust arrangement would fulfill the citizenship requirements if:

(a) Each of its trustees is a citizen;

(b) The beneficiaries are a duly constituted limited partnership;

(c) The general partners of the limited partnership are citizens;

(d) Non-citizen partners are limited partners under state law; and

(e) The Trust arrangement precludes the non-citizen partners from "controlling" or replacing the trustee, or "controlling" the vessel, or in any other way exercising a "controlling interest" over the business of the trust. The proposal would require amendment of 46 CFR 67.03–7 and Part 355.

The proposal further provides that the conversion of an existing beneficiary arrangement to such a limited partnership would not require approval of the Secretary of Transportation under 46 U.S.C. 808, even though the conversion was for the purpose of allowing continued participation of non-citizens and the non-citizen limited partners become non-citizens substantially simultaneously with the conversion. This aspect of the proposal would require amendment of 46 CFR Part 221.

Strictly speaking, the proposal envisions that institutional lenders will be beneficiaries of a leverage lease trust, and will either enter the financing as non-citizens or will subsequently become non-citizens. In either event, their non-citizen participation will trigger the formation of a limited partnership in order to maintain the citizenship status of the shipowner. The principle raised by the proposal, however, conceptually extends to any limited partnership, regardless of the reason formed or the type of ship financing involved. Further, while the proposal is addressed to coastwise trading privileges, a similar proposal for interpretation of the Vessel Documentation Act would effectively apply the proposed standard to foreign trade and the fisheries as well.

The effect of the proposal on interpretation of 46 U.S.C. 802 is that the citizenship of limited partners would not affect coastwise trading privileges as long as the general partners were citizens and "controlled" the partnership. The limited partners would be precluded from "control" of the operation of the vessel, but they could invest all or nearly all of the equity. Present agency interpretations require partnerships, if the vessel is to be eligible for coastwise employment, to have at least 75 percent control and 75 percent equity vested in citizens. The proposed alternative would leave "controlling interest" as the only test to determine the eligibility of such partnerships for coastwise trade; there would be no equity requirements.

The purpose of the proposal is to allow certain non-citizen sources of financing for vessels that engage in the coastwise trade to be regarded as beneficial owners for certain non-maritime federal purposes. Under current Coast Guard and MARAD interpretations, these entities (e.g., institutional investors such as banks, insurance companies, trusts, pension funds, etc.) may not meet the citizenship requirements for ownership of vessels that engage in the coastwise trade. Regarding these entities as owners for that purpose would cause the involved vessels to lose coastwise trading privileges during the period in which the entities are regarded as owners.

MARAD and the Coast Guard are interested in suggestions and comments concerning the proposal before making any decisions regarding it. Suggestions and comments are also specifically invited on the following:

1. Can the proposal be adopted as a matter of law?

2. Should a rule be promulgated redefining the citizenship requirements for partnership owner participants of vessels which engage in the coastwise trade?

3. If a rule should be promulgated, what factors or tests should be included for use in deciding whether the "controlling interest" and/or "amount of interest" in a partnership is owned by citizens? For example:

(a) Should 46 U.S.C. 802 be interpreted as requiring both 75 percent citizen control and 75 percent citizen equity, or only citizen control in the case of a partnership participating in the ownership of a vessel engaged in the coastwise trade?

(b) Should the citizenship test for such partnerships under 46 U.S.C. 802 for coastwise trading privileges be the same or parallel to the standards adopted by the Coast Guard under Section 104(2) of the Vessel Documentation Act?

(c) Under 46 U.S.C. 802, should "controlling interest" with respect to such partnerships be interpreted to mean "control" only in terms of the general partners, or should there be, in addition, a requirement that a certain percentage of the equity interest be owned by United States citizens? Could the equity be owned entirely by domestic institutional investors, banks, etc., who do not meet the citizenship requirements of section 802, but who are only "investors" with no control over United States flag vessels? Should the ratio of investment to profits, and any other incidents of control over the partnership be considered in determining control? Should the idea that, in the final analysis, ultimate control rests with the sources of equity in partnership ventures be the basis for the agencies assessments?

4. What evidence should the agencies require a partnership to furnish in order to establish its eligibility to own vessels which engage in the coastwise trade?

5. What potential beneficial or adverse impacts on members of the public may occur if the proposal for

interpreting 46 U.S.C. 802 is adopted in whole or in part? Please quantify any such impact.

After reviewing the comments and suggestions, MARAD and the Coast Guard will decide whether to proceed further. If a decision is made to proceed, a Notice of Proposed Rulemaking will be published, proposing definite changes to existing regulations.

List of Subjects

46 CFR Part 67

Vessels, documentation.

46 CFR Parts 221 and 355

Vessels.

Dated: November 1, 1982.

Clyde Lusk,

Chief, Office of Merchant Marine Safety, Coast Guard.

By order of the Acting Maritime Administrator, Department of Transportation.

Dated: November 1, 1982.

Robert J. Patton,

Secretary.

[FR Doc. 82-30409 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-14/4910-81-M

Maritime Administration

46 CFR Part 340

Priority Use and Allocation of Shipping Services, Containers, and Port Facilities and Services, for National Defense Operations; Extension of Comment Period

AGENCY Maritime Administration, DOT.

ACTION: Extension of period to comment on proposed rulemaking.

SUMMARY: On August 30, 1982, the Maritime Administration published in the **Federal Register** (47 FR 38157) a notice of proposed rulemaking regarding a new 46 CFR Part 340, establishing procedures for granting priority use of shipping services, containers and port facilities and services, as well as for allocating shipping capacity, cargo containers and port facilities to defense agencies for dedicated use whenever appropriate to implement authority in Title I of the Defense Production Act of 1950 (50 U.S.C. App. 2061, et seq.).

COMMENT DATE: Comments on the proposed rulemaking were to be submitted by November 1, 1982. A request has been received to extend the comment period. After consideration of the request, it has been decided to extend the comment period to November 19, 1982.

ADDRESS: Send comments to the Secretary, Maritime Administration, Washington, D.C. 20590. All comments will be made available for inspection during normal business hours in Room 7300, Department of Transportation, Nassif Building.

FOR FURTHER INFORMATION CONTACT: Frank B. Case, Chief, Division of National Security Plans, Department of Transportation, Maritime Adminstration, 400 Seventh Street, SW., Washington, D.C. 20590, (202) 382-6100

(Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.); Executive Order 10480, as amended (18 FR 4939, 6021; 19 FR 3779); Section 901 of Executive Order 11490, as amended (34 FR 17567); Department of Transportation Order, Department of Transportation 1100.60, as amended)

By order of the Maritime Administrator, Department of Transportation

Dated: November 2, 1982.

Georgia P. Stamas,

Assistant Secretary

[FR Doc. 82-30423 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-81-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[BC Docket No. 82-569; RM-4160]

FM Broadcast Station in Reliance, South Dakota; Order Extending Time for Filing Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of reply comment period.

SUMMARY: Action taken herein extends the time for filing reply comments in the proceeding involving the proposed assignment of FM Channel 233 to Reliance, South Dakota. Petitioner, Midcontinent Broadcasting Company, requests the additional time to submit a response to comments submitted by James River Broadcasting Company and by Robert E. Ingstad.

DATE: Reply comments must be filed on or before November 12, 1982.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Montrose H. Tyree, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Reliance, South Dakota); BC Docket No. 82-569, RM-4160; (9-3-82; 47 FR 38933).

Order Extending Time for Filing Reply Comments

Adopted: October 26, 1982.

Released: October 29, 1982.

1. On August 18, 1982, the Commission adopted a Notice of Proposed Rule Making, 47 FR 38933, published September 3, 1982, proposing the assignment of Channel 233 to Reliance, South Dakota. The reply comment deadline was October 27, 1982.

2. Counsel for Midcontinent Broadcasting Company ("petitioner") filed a request on October 18, 1982, seeking additional time for filing reply comments to and including November 12, 1982, stating that the additional time is needed to respond to the comments submitted by James River Broadcasting Company and by Robert E. Ingstad. Counsel adds that they have no objection to the extension.

3. Since the reply comment pleading is for the primary benefit of the petitioner and such a response would aid in our analysis of the comments, we shall grant the additional time as requested.

4. Accordingly, it is ordered, That the above request for an extension of time filed by Midcontinent Broadcasting Company, is granted and the date for filing reply comments is extended to and including November 12, 1982.

5. This action is taken pursuant to authority contained in sections 4(i), 5(d)(1), and 303(r) of the Communications Act of 1934, as amended, and §§ 204(b) and 0.281 of the Commission's Rules.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 82-30381 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 82-538; RM-3983]

Hours of Operation of Daytime-Only AM Broadcast Stations; Order Extending Time for Filing Comments and Reply Comments

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry and proposed rule; Extension of comment/reply comment period.

SUMMARY: This action extends the time for filing comments and reply comments on the proposed changes to the rules which limit operations by daytime-only AM radio broadcast stations, Docket No. 82-538, published at 47 FR 38937, September 3, 1982, as requested by the Clear Channel Broadcasting Service.

DATES: Comments must be filed on or before January 14, 1983, and reply comment on or before February 15, 1983.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Jonathan David, Broadcast Bureau, (202) 632–7792.

SUPPLEMENTARY INFORMATION: .

Adopted: October 26, 1982.

Released: October 29, 1982.

In the Matter of Hours of Operation of Daytime-Only AM Broadcast Stations. BC Docket No. 82–538 RM–3983 (9–3–82; 47 FR 38937).

1. The Clear Channel Broadcasting Service ("CCBS") has requested a 60-day extension of the deadline for filing comments and reply comments in this proceeding from November 15, and December 15, 1982 to January 14, and February 15, 1983, respectively. CCBS states that it is conducting an extensive engineering effort to determine the service gains and losses that would result from the adoption of the pending proposals to extend the hours of operation of daytime-only AM stations, and that the study cannot be completed within the time initially specified for comments. We believe that the depiction of service gains and losses being prepared by CCBS would be of assistance to us in making a decision in this proceeding.

2. In addition to the usefulness of data being assembled by CCBS, we note that it is highly unlikely, in any event, that the present proceeding could be concluded before the late Spring or Summer of 1983. Accordingly, if the Commission were to determine ultimately that the record warrants extending the hours of operation of daytime-only stations as proposed, we do not believe that the extension of time requested by CCBS would delay any implementation of such a decision during the 1983–84 season of short winter days. Under these circumstances, we find good cause for the requested extension. However, we do not contemplate any additional extensions of time in this proceeding.

3. Accordingly, pursuant to authority contained in Sections 4(i), and (j) of the Communications Act of 1934, as amended, it is ordered, that the time for filing comments and reply comments in this proceeding is extended to and including January 14, 1983, and February 15, 1983, respectively.

Federal Communications Commission.

Roderick K. Porter,

Chief, Policy and Rules Division Broadcast Bureau.

[FR Doc. 82-30406 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Dockets No. 1–18, Notice 23; No. 70–27, Notice 24]

Controls and Displays

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking; response to petition for rulemaking.

SUMMARY: Standard No. 101, *Controls and Displays*, specifies requirements for the accessibility, identification and illumination of controls and displays in passenger cars, trucks, and buses. Among its requirements, the standard specifies the use of certain symbols for the identification of several controls and displays. This notice proposes to update Standard No. 101 by adding or modifying several symbols to bring the standard into harmony with latest documents promulgated by the International Standards Organization. Conforming amendments would be made in Standard No. 105, *Hydraulic Brake Systems*. (Use of the current words or symbols or the new symbols on a voluntary basis to meet identification requirements of Standard No. 101 would be permitted during the period before use of the new symbols becomes mandatory.) The standard already requires some type of identification for most of the controls and displays affected by this notice. The changes would reduce compliance costs by promoting international harmonization and would result in safety benefits. The notice also proposes, in accord with previous interpretations made by the agency, minor interpretive amendments concerning the turn signal control symbol and the words that may be used for a separate indicator lamp for brake fluid. This action results in part from a petition for rulemaking submitted by Renault. This notice grants Renault's petition in part and denies it in part.

DATES: Comments must be submitted by January 3, 1983. The proposed effective date for mandatory use of the new symbols is September 1, 1985. The proposed effective date for voluntary use of the new symbols to meet Standard No. 101's identification requirements, as well as the interpretive amendments, is the date of publication of a final rule in the **Federal Register.**

ADDRESS: Comments should refer to the docket and notice numbers and be submitted to: Docket Section, Room 5109, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Docket hours are 8 a.m. to 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Mr. John Carson, Office of Vehicle Safety Standards, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, D.C. 20590 (202–426–1351).

SUPPLEMENTARY INFORMATION: Standard No. 101, *Controls and Displays*, specifies requirements for the accessibility, identification and illumination of controls and displays in passenger cars, trucks and buses. The purpose of the standard is to ensure the accessibility and visibility of motor vehicle controls and displays and to facilitate their quick and proper identification and selection by a driver in order to reduce the safety hazards caused by the diversion of the driver's attention from the driving task, and by mistakes in selecting controls.

Among its requirements, Standard No. 101 specifies the use of certain symbols for the identification of several controls and displays. The standard permits the use of words and other symbols in addition to those specified symbols for purposes of clarity.

The symbols specified by the standard are those developed by the International Standards Organization (ISO) or similar symbols based on ISO symbols. Symbols are adopted by the ISO only after extensive international testing as to their recognizability and suitability. ISO symbols have also been adopted by the United Nations Economic Commission for Europe (ECE) and the European Economic Community (EEC).

The standard was amended to require the use of these symbols on June 26, 1978 (43 FR 27541). The agency explained that the rationale behind the requirement for symbols was that they can convey information more quickly and with less chance of human error than words. The agency noted that this was particularly true with respect to the large foreign language speaking population of this country. The agency also indicated that an additional benefit was that manufacturers which sell vehicles both in and outside of the United States could realize significant

cost savings by utilizing internationally acceptable symbols.

The primary purpose of this proposal is to update Standard No. 101 by adding or modifying several symbols to bring the standard into harmony with latest ISO documents. Except as noted below, Standard No. 101 already requires some type of identification for the controls and displays affected by this notice.

In addition to the safety benefits resulting from the use of additional symbols, this action would reduce costs by facilitating international harmonization. Manufacturers which produce vehicles for sale in both this nation and abroad would not have to produce separate dashboards or controls and displays to meet conflicting identification requirements.

As discussed below, the agency is proposing a substantial leadtime to assure that compliance costs are minimal. For the same reason, the agency is proposing to allow manufacturers the choice of using the current words or symbols or new symbols during the period before use of the new symbols would become mandatory.

This proposal would not affect the June 1978 final rule's exception of informational readout displays from the requirement for the mandatory use of symbols. As that notice explained, informational readout displays are currently capable of displaying information and warnings with word messages, but not with symbols. In order to permit the continued development of informational readout displays, that final rule permitted the optional use of words or symbols for that type of display only. This proposal would continue to permit that exception for all display requirements.

The Renault Petition

This action results in part from a petition for rulemaking submitted by Renault. As explained below, this notice grants Renault's petition in part and denies it in part.

Renault's petition for rulemaking requested two changes in Standard No. 101. The first change was to permit use of the ISO master lighting control symbol for the headlamp/tail lamp control as an alternative to the symbol currently specified by the standard.

Renault's petition stated that the symbol currently specified by Standard No. 101 is different from that used elsewhere in the world. The company pointed out that the Standard No. 101 symbol is that designated by the ISO for high beam headlamps, rather than for the headlamp/tail lamp control.

Renault noted that some manufacturers now using the current headlamp symbol may not wish to change to a different symbol. Renault requested, however, that the ISO master lighting control symbol be permitted as an alternative to the symbol specified by Standard No. 101 in the spirit of international harmonization.

The agency agrees that permitting the use of the ISO master lighting control symbol would reduce costs by promoting international harmonization. Further, as part of updating Standard No. 101, the agency believes that the standard should specify the same symbol for the headlamp/tail lamp control as do the ISO and the rest of the world.

As indicated above, the symbols specified by Standard No. 101 are ISO symbols or symbols based on those developed by the ISO. The agency does not believe there is any reason why Standard No. 101 should specify symbols that are different from those of the ISO and other countries. Requiring different symbols is inconsistent with one of the main purposes behind using symbols, international harmonization. Requiring different symbols results in higher costs for manufacturers producing vehicles for sale in both this nation and abroad. Further, vehicle operators from other nations would be less likely to understand symbols different from those to which they are accustomed.

As suggested by Renault, it is possible that some manufacturers may not wish to change from a symbol they are already using. The reason for this would be to avoid the costs of changing to the new symbol. The agency believes that this potential objection can be overcome by providing a sufficient leadtime during which manufacturers may use either symbol. Manufacturers could then change to the new symbol as part of their regular model changes or replacement of capital equipment. The agency believes this approach is preferable to permitting use of either symbol indefinitely, since it is easier for the public to learn and remember the meaning of a single symbol. Further, continued use of the ISO high beam symbol for the headlamps and tail lamps control may be confusing to some drivers since Standard No. 101 uses that same symbol for the high beam telltale.

This notice therefore proposes to replace the symbol currently specified for the headlamps and tail lamps control with the master lighting control symbol. Manufacturers would be permitted to use either symbol during the period before use of the master lighting control symbol became mandatory.

The other change requested by Renault concerns the orientation of the symbol identifying the turn signal control. That symbol is a pair of arrows pointing in opposite directions. Like other symbols, it is required by the standard to be perceptually upright. Thus, the arrows must be horizontal. Renault believes that the symbol should, in addition to identifying the control, identify the movement necessary to actuate the control. That company believes that the double arrow symbol is easily recognized by the operator as identifying the control, even if it is not perceptually upright. Renault requested that the standard be amended to state that the turn signal control symbol need not appear perceptually upright if it identifies the plane of movement of the control.

Standard No. 101 requires identification of only a relatively small number of turn signal controls, since those mounted in the conventional position (the topmost stalk control on the left side of the steering column) are not required to be identified. Identification is required for other turn signal controls, including various stalks, push bottons and rockers, which are located in a different place or operate in a different fashion.

The agency does not agree that the double arrow symbol would be easily recognized by the operator as identifying the control if it is not perceptually upright. The direction of the symbol's arrows, pointing to the left and right, is one of the most significant indications of the symbol's meaning, since the symbol refers to left and right turn signals. A pair of arrows pointing up and down might be interpreted as only indicating the operation of a particular switch, instead of identifying the function of that switch.

Standard No. 101 does permit the use of additional words or symbols for purposes of clarity. At least one other manufacturer has used additional symbols (i.e., small curved arrows) to indicate the direction of movement (i.e., rotational movement) of a twin signal control. Thus, if a manufacturer desires to indicate the direction of movement of the turn signal control, it can accomplish that goal while using the required symbol for that control in a perceptually upright position.

The agency has therefore concluded that an amendment of the type sought by Renault could cause confusion, with no offsetting benefits. Further, that company has not indicated any difficulty in meeting the current requirement. For the reasons discussed above, the agency denies that portion of

Renault's petition relating to the turn signal control symbol.

Modified Symbol

As part of updating Standard No. 101 and bringing it into harmony with latest ISO documents, this notice proposes a minor modification in the symbol specified for the clearance lamp system control. The proposal would also make a change in the applicability of the symbol to identification lamp and side marker lamp controls.

There are three very similar versions of this symbol specified by the ISO, the EEC, the ECE and Standard No. 101. The reason for this appears to be that the symbol was still under consideration by the ISO when the United States and Europe established their identification requirements, and it was not clear which specific symbol would be adopted. All three versions consist of two adjacent shapes representing lamps, with three lines representing rays of light emanating from each lamp. The symbols differ only in the orientation and shape of the two lamps, i.e., the direction they face and the extent to which they are rounded.

In the interest of cost minimization through harmonization, the agency believes the version specified by the ISO should be adopted. That version is the same one specified by the EEC. Since it is essentially the same symbol as that already specified by Standard No. 101, the agency does not believe that motorists' recognition of the symbol would be significantly affected.

Like the symbols for the headlamp/tail lamp control, discussed above, manufacturers would be permitted to use either the current or new version of the symbol during the period before use of the new symbol becomes mandatory. The agency notes that the ECE specifies the third version of that symbol, i.e., a version different from either the current Standard No. 101 symbol or the ISO symbol. Comments are requested as to whether use of the ECE version should also be permitted, either during the interim period or for a longer period of time.

The preamble to the June 1978 final rule noted the slight deviation from one of the other versions, which it referred to as the ISO symbol. (The symbol was one the ISO was considering for adoption and not the one ultimately selected.) At that time, the agency stated that while basing its symbols on those developed by the ISO, it would not specify ISO symbols which it determined would not adequately convey the intended message. No reason was suggested, however, for why the ISO symbol might not convey the intended message concerning the clearance lamps system control.

The agency has reviewed all three versions and has determined that, as essentially the same symbol, they are equally effective at presenting their intended message. However, for purposes of optimal driver recognition and cost minimization through international harmonization, the agency believes that it is desirable to specify ultimately the use of only one of the three versions.

As noted above, the agency is also proposing a change in the applicability of the symbol to identification lamp and side market lamp controls. Standard No. 101 currently specifies the symbol for clearance lamp controls, with a footnote in Table 1 indicating that the symbol should also be used when clearance lamps, identification lamps, and/or side marker lamps are controlled with one switch other than the headlamp switch. No symbols are specified for identification of separate controls for identification lamps or side marker lamps. This notice proposes that the symbol be specified for all controls operating these three types of lamps (except for the headlamp control or master lighting control, for which a separate symbol is specified). If separate controls are provided for these types of lamps, a manufacturer could use additional words or symbols for purposes of clarity.

Added Symbols

The agency is also proposing to add ISO symbols for several controls or displays for which Standard No. 101 does not specify symbols. The proposed new symbols are for the brake failure display, the engine failure display (which is sometimes used in place of separate displays for oil pressure and coolant temperature), the manual choke control, the horn control (except where a narrow, ring-type control is used), and or several heating and air-conditioning controls.

Most of these controls or displays are currently required by the standard to be identified by words. If this proposal were adopted, manufacturers would be required to identify these controls and displays by symbols. Words or additional symbols would be permitted for purposes of clarity.

The adoption of additional symbols would result in two types of benefits. First, as discussed above, the use of symbols provides safety benefits since symbols are more quickly and easily understood than words. Second, the change would provide benefits in terms of reduced compliance costs through international harmonization. Manufacturers using these international symbols in their vehicles for sale in other countries would not have to modify the dashboards of these vehicles by adding words in order to meet the identification requirements of Standard No. 101.

Brake failure display. The brake failure symbol is part of a family of brake symbols under development by the ISO. It and a related symbol for the parking brake have been already been adopted by the ISO. Additional symbols based on the basic brake symbol would indicate such things as brake lining wear, brake fluid level, engine brake and trailer brakes.

The requirements for a brake warning indicator are primarily included in Standard No. 105, *Hydraulic Brake Systems*, which is referenced by Standard No. 101. Under Standard No. 105, a manufacturer must provide a brake warning indicator lamp which activates under certain conditions, including (among others) specified types of gross loss of pressure and on application of the parking brake. The requirements may be met by a single common indicator lamp with a lens labeled "Brake," or by separate indicator lamps. Separate labeling requirements are provided for separate indicator lamps. (The agency has previously indicated by interpretation that if a manufacturer voluntarily provides separate indicator lamps in addition to a common indicator lamp, Standard No. 105's requirements are not applicable to those separate indicator lamps.)

Under this proposal to add the brake failure symbol to Standard No. 101 (with conforming changes to Standard No. 105), that symbol would be required in place of the word "Brake" on single common indicator lamps. The word "Brake," or other words or symbols could be provided in addition to the brake failure symbol for purposes of clarity.

The agency requests comments on whether the parking brake symbol should be required for separate indicator lamps. That symbol is the same as the brake failure symbol, except that the letter "P" replaces the exclamation point included as part of the brake failure symbol. Depending upon the comments, the agency may add that symbol for separate indicator lamps. Otherwise, no changes would be made in the labeling requirements for separate indicator lamps which are provided in place of a single common indicator lamp.

Due to the particular safety importance of a driver's understanding

the symbol for brake failure and the agency's concern that the symbol may not immediately be recognizable to some consumers, the agency is proposing a requirement that the brake failure symbol be explained in owner's manuals. As indicated above, the ISO adopts particular symbols only after extensive international testing as to their recognizability and suitability. The agency recognizes, however, that it may take time for some drivers to learn the meaning of some symbols. The agency requests comments on the recognizability of the brake failure symbol, as well as the other symbols proposed by this notice, on the need for a requirement that the brake failure symbol be explained in owner's manuals, and on whether any other symbols should be required to be explained in owner's manuals.

Combined Telltale for Oil Pressure and Temperature

Standard No. 101 currently specifies symbols for the oil pressure display and the coolant temperature display. Some manufacturers, however, provide a single telltale for these two functions. Since Standard No. 101 does not specify either words or symbols for such a combined function telltale, manufacturers may currently provide whatever identification they choose for that display. At least some manufacturers already use the ISO symbol that the agency is proposing for this telltale, a picture of an engine.

Since this is a significant display and the agency already specifies ISO symbols where two separate displays are provided, the agency believes it is appropriate to include identification for the combined function telltale as part of Standard No. 101's requirements. In accord with its efforts to reduce costs through international harmonization, the agency is proposing the ISO engine symbol. Like other telltales warning of some danger or problem, the specified color of this telltale would be red.

Manual choke control. Standard No. 101 currently specifies that the manual choke control must be identified by the word "Choke." Under this proposal, manufacturers would instead be required to use the ISO symbol. Words or additional symbols could be provided for purposes of clarity.

Horn control. Standard No. 101 does not currently require identification of the horn control. The agency has received a number of complaints over the years about difficulty in locating the horn, especially in panic situations. Since location of the horn is not standardized either by industry practice or by regulation, identification of the horn can provide important safety benefits at a minimal cost.

The agency is proposing that horn controls be identified by the ISO horn symbol, which is a picture of a horn. Identification would be required on or adjacent to the horn control. As with other controls, manufacturers could provide words or additional symbols for purposes of clarity.

The agency recognizes that identification of narrow metal or plastic ring-type controls could be difficult, since there may not be sufficent space on or adjacent to such controls for the horn symbol. Further, that type of horn control is likely to be more easily recognized that some other types, such as those consisting of unmarked areas of the steering column or stalks. The agency is therefore proposing to exclude that type of horn control from Standard No. 101's identification requirements. The agency requests comments on that exclusion and whether any other types of horn controls should be excluded from the requirements.

Heating and air conditioning controls. Standard No. 101 currently requires identification for each function of any heating and air conditioning control, and for the extreme positions of any such control that regulates a function over a quantitative range. If a symbol is not specified, the identification must be in word form (unless color coding is used). This notice proposes to add symbols for interior heating, heated seat, air conditioning, and vents to Table 1. The identification requirement for vents would only apply where a control was not on or adjacent to the vent. The vent itself provides identification for a control located on or adjacent to the vent.

Symbols are already specified by Table 1 for certain other functions of a heating and air conditioning system, including the fan, defrosting and defogging, and rear window defrosting and defogging. Manufacturers would be required to use symbols for any function for which a symbol was specified. Words would still be required for any other function (unless color coding was used). Additional words or symbols could be provided for purposes of clarity.

Shading of Symbols

Tables 1 and 2 of Standard No. 101 include footnotes that permit framed areas of certain symbols to be filled in. Recently, the ISO adopted variants of certain other symbols (among which were the fan, fuel level and seat belt symbols) that would permit solid areas of those symbols to be in outline form.

The agency is considering permitting manufacturers to use those symbols in outline form, at the discretion of the manufacturer. Comments are requested on the issue of whether those symbols are sufficiently recognizable in outline form and whether the agency should permit such shading. Depending upon the comments, the agency may amend the standard to permit manufacturers to use those symbols in outline form.

Interpretive Amendments

Two footnotes would be added to Table 1 to incorporate interpretations previously made by the agency concerning the turn signal control symbol. That symbol, a pair of horizontal arrows pointing to the left and right, is ordinarily a single symbol. One footnote would incorporate the agency's interpretation that the two arrows may be considered separate symbols where there are independent controls for the left and right turn signals. The other footnote would incorporate the agency's interpretation that framed areas of that symbol or symbols may be filled in.

Also in accord with a previous agency interpretation, section S5.3.5 of Standard No. 105 would be amended to indicate that the words "Brake Fluid" need not be used for a separate indicator lamp for brake fluid where a vehicle uses hydraulic system mineral oil rather than conventional brake fluid. (A manufacturer is instead required to use the word "Brake" and appropriate additional labeling.)

Leadtime

The agency believes that a relatively long leadtime should be provided for this proposed amendment in order to minimize compliance costs. With a longer leadtime, manufacturers will be able to change to new symbols as part of their regular model changes or replacement of capital equipment. During the interim, manufacturers would be permitted to use the current words or symbols or the new symbols at their option.

The agency proposes an effective date of September 1, 1985, for mandatory use of the new symbols. The effective date for optional use of the new symbols (in place of words or other symbols currently required by the standard) and for the interpretive amendments discussed above would be the date of publication of a final rule in the **Federal Register.**

The agency finds good cause for an immediate effective date for optional use of the new symbols since such an amendment would relieve a restriction.

Further, as discussed above, the amendment would reduce compliance costs while promoting safety.

The agency has assessed the economic and other impacts of these proposed amendments and determined that the amendments are neither a major rule with the meaning of Executive Order 12291 nor a significant rule under the Department of Transportation's regulatory policies and procedures. Further, the agency concludes that the economic and other consequences of these proposed amendments are so minimal as not to require preparation of a regulatory evaluation. The impact is minimal because of the low costs associated with identifying controls and displays, the fact that most of the controls and displays affected by the amendments already require identification, and the long lead time that has been proposed.

The agency has analyzed these proposed amendments for purposes of the Regulatory Flexibility Act. Since they would not impose any significant new requirements or result in significant cost impacts, the agency certifies that the proposed amendments would not have a significant impact on a substantial number of small entities. Small organizations and small governmental jurisdictions would be only affected by the amendment to the extent that they purchase vehicles which must comply with the standard. Since the amendments would not imposed any significant new requirements or result in significant cost impacts for manufacturers, the agency concludes that the amendments will not significantly affect small organizations or small governmental jurisdictions.

Similarly, the agency has analyzed these proposed amendments for the purposes of the National Environmental Policy Act. The agency has concluded that the amendment will not have a significant effect on the human environment.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must be limited not to exceed 15 pages in length. Necessary attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purported confidential information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. Any claim of confidentiality must be supported by a statement demonstrating that the information falls within 5 U.S.C. 552(b)(4), and that disclosure of the information is likely to result in substantial competitive damage; specifying the period during which the information must be withheld to avoid that damage; and showing that earlier disclosure would result in that damage. In addition, the commenter or, in the case of the corporation, a responsible corporate official authorized to speak for the corporation must certify in writing that each item for which confidential treatment is requested is in fact confidential within the meaning of section 552(b)(4) and that a diligent search has been conducted by the commenter or its employees to assure that none of the specified items has previously been disclosed or otherwise become available to the public.

All comments received before the close of business on the comment closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. However, the rulemaking action may proceed at any time after that date, and comments received after the closing date and too late for consideration in regard to the action will be treated as suggestions for future rulemaking. The NHTSA will continue to file relevant material as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose, in the envelope with their comments, a self addressed stamped postcard. Upon receiving the comments, the docket supervisor will return the postcard by mail.

Neither the granting of a petition nor the issuance of a notice of proposed rulemaking means that a rule will necessarily be issued. The determination of whether to issue a rule is made in the course of the rulemaking proceeding, in accordance with statutory criteria.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles, Rubber and rubber products, Tires.

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

In consideration of the foregoing, it is proposed that the following amendments be made in § 571.101 and § 571.105, Chapter V of Title 49, Code of Federal Regulations:

§ 571.101 [Amended]

* * * * *

1. Section 571.101 would be amended by revising paragraph S5 to read as follows:

S5. *Requirements.* (a) Except as provided in paragraph (b) of this section, each passenger car, multipurpose passenger vehicle, truck and bus manufactured with any control listed in S5.1 or in column 1 of Table 1, and each passenger car, multipurpose passenger vehicle and truck or bus less than 10,000 pounds GVWR with any display listed in S5.1 or in column 1 of Table 2, shall meet the requirements of this standard for the location, identification, and illumination of such control or display.

(b) For vehicles manufactured before September 1, 1985, a manufacturer may, at his option—

(1) Meet the requirements in this standard to use identifying words or abbreviation or identifying symbol for a control by using those specified in Table 1(a) instead of Table 1. If none are specified in Table 1(a), none need be used for the control.

(2) Meet the requirements in this standard to use identifying words or abbreviation or identifying symbol for a display by using those specified in Table 2(a) instead of Table 2. If none are specified in Table 2(a), none need be used for the display.

* * * * *

2. A new Table 1 would be added following section S6 to read as set forth below.

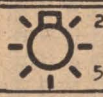
3. The existing Table 1 would be redesignated Table 1(a).

4. A new Table 2 would be added following Table 1(a) to read as set forth below.

5. The existing Table 2 would be redesignated Table 2(a).

BILLING CODE 4910-59-M

TABLE 1 - IDENTIFICATION AND ILLUMINATION OR CONTROLS

COLUMN 1 HAND OPERATED CONTROLS	COLUMN 2 IDENTIFYING WORDS OR ABBREVIATION	COLUMN 3 SYMBOL	COLUMN 4 ILLUMINATION
Master Lighting Switch, Headlamp and Tail Lamps	—	 2 5	—
Horn	—	 4	—
Turn Signal	—	 3 5	—
Hazard Warning Signal	—	 5	Yes
Windshield Wiping System	—		Yes
Windshield Washing System	—		Yes
Windshield Washing and Wiping Combined	—		Yes
Heating and/or Air Conditioning Fan	—		Yes
Windshield Defrosting and Defogging System	—		Yes
Rear Window Defrosting and Defogging System	—		Yes
Identification, Side Marker and/or Clearance Lamps	—	 5	Yes

COLUMN 1 HAND OPERATED CONTROLS	COLUMN 2 IDENTIFYING WORDS OR ABBREVIATION	COLUMN 3 SYMBOL	COLUMN 4 ILLUMINATION
Manual Choke	—		—
Heating	—		Yes
Air Conditioning	—		Yes
Air Vent Right	—	 6	Yes
Air Vent Left	—	 6	Yes
Air Vent Leg Room	—	 6	Yes
Air Vents Right and Left	—	 6	Yes
Air Vents All Outlets	—	 6	Yes
Heated Seat	—		Yes
Engine Start	Engine Start 1	—	—
Engine Stop	Engine Stop 1	—	Yes
Hand Throttle	Throttle	—	—
Automatic Vehicle Speed	(Mfg. Option)	—	Yes

1. Use when engine control is separate from the key locking system.
2. Use also when the clearance, identification, parking and/or side marker lamps are controlled with the master lighting switch.
3. The pair of arrows is a single symbol. When the controls for left and right turn operate independently however, the two arrows will be considered separate symbols and may be spaced accordingly.
4. Identification not required for narrow, ring type controls.
5. Framed areas may be filled.
6. Identification and illumination not required for controls on or adjacent to vents.

TABLE 2 - IDENTIFICATION AND ILLUMINATION OF DISPLAYS

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5
DISPLAY	TELLTALE COLOR	IDENTIFYING WORDS OR ABBREVIATION	SYMBOL	ILLUMINATION
Turn Signal Telltale	Green	Also see FMVSS 108	[1] [6]	—
Hazard Warning Telltale	Red [4]	Also see FMVSS 108	[2] [6]	—
Seat Belt Telltale	Red [4]	"Fasten Seat Belts" or "Fasten Belts" Also see FMVSS 208		—
Fuel Level Telltale	Yellow	Fuel		—
Gauge	—			Yes
Oil Pressure Telltale	Red [4]	Oil		—
Gauge	—			Yes
Coolant Temperature Telltale	Red [4]	Temp		—
Gauge	—			Yes
Electrical Charge Telltale	Red [4]	Volts, Charge or Amps		—
Gauge	—			Yes
Highbeam Telltale	Blue or Green [4]	Also see FMVSS 108	[6]	—
Oil and Temperature Combined Telltale	Red [4]	Engine	[6]	—
Malfunction in Anti-Lock or	Yellow	Anti-Lock Also see FMVSS 105	—	—
Brake System	Red [4]	Brake Also see FMVSS 105		—
Brake Air Pressure Position Telltale	Red [4]	Brake Air. Also see FMVSS 121	—	—
Speedometer	—	MPH [5]	—	Yes
Odometer	—	— [3]	—	—
Automatic Gear Position	—	Also see FMVSS 102	—	Yes

1. The pair of arrows is a single symbol. When the indicators for left and right turn operate independently however, the two arrows will be considered separate symbols and may be spaced accordingly.
2. Not required when arrows of turn signal telltales, that otherwise operate independently, flash simultaneously as hazard warning telltales.
3. If the odometer indicates kilometers, then "Kilometers" or "km" shall appear, otherwise no identification is required.
4. Red can be red-orange. Blue can be blue-green.
5. If the speedometer is graduated in miles per hour and in kilometers per hour, the identifying words or abbreviations shall be "MPH and km/h" in any combination of upper or lower case letters.
6. Framed areas may be filled.

BILLING CODE 4910-59-C

6. Section 571.105 would be amended by revising paragraph S5.3.3 to read:

§ 571.105 [Amended]

* * * * *

S5.3.5 (a) Each indicator lamp shall display words and/or symbols, in accordance with the requirements of Standard No. 101 (49 CFR 571.101) and this section, which shall be legible to the driver in daylight when lighted. If a vehicle includes a display using the brake failure symbol specified by Standard No. 101 and if a vehicle owner's manual is provided, an explanation of the meaning of the brake failure symbol shall be provided in the owner's manual. Words required by Standard No. 101 or this section to be displayed by each indicator lamp shall have letters not less than ⅛-inch high.

(b) If a single common indicator is used, the lamp shall display the brake failure symbol specified by Standard No. 101, except for vehicles which use an information readout display or which are manufactured before September 1, 1985, which may, at the option of the manufacturer display the word "Brake" instead of the brake failure symbol. Words or symbols in addition to those required by Standard No. 101 and this section may be provided for purposes of clarity. The letters or symbols and the background of a single common indicator shall be of contrasting colors, one of which is red.

(c)(1) If separate indicator lamps are used for one or more of the various functions described in S5.3.1(a) to S5.3.1(d), the display shall, except as provided in (c)(1) (A) to (D) of this section, include the word "Brake" and appropriate additional labeling.

(A) The words "Brake Pressure" shall be used for S5.3.1(a).

(B) Except for vehicles using hydraulic system mineral oil, the words "Brake Fluid" shall be used for S5.3.1.(b).

(C) If a separate parking indicator lamp is provided, the single word "Park" may be used.

(D) If a separate indicator lamp is provided for an anti-lock system, the single word "Antilock" may be used.

(2) Except for a separate indicator lamp for an anti-lock system, the letters and background of each separate indicator lamp shall be of contrasting colors, one of which is red. The letters and background of a separate indicator lamp for an anti-lock system shall be of contrasting colors, one of which is yellow.

(Secs. 103, 119, Pub. L. 89-563, 80 Stat. 718 (15 U.S.C. 1392, 1407); delegations of authority at 49 CFR 1.50 and 501.8)

Issued on November 1, 1982.

Courtney M. Price,

Associate Administrator for Rulemaking.

[FR Doc. 82-30307 Filed 11-1-82; 2:41 pm]

BILLING CODE 4910-59-M

Notices

Federal Register
Vol. 47, No. 214
Thursday, November 4, 1982

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

Forest Service

Sangre de Cristo Wilderness Study Area, Greenhorn Mountain Wilderness Study Area, Spanish Peaks Wilderness Study Area, and Buffalo Peaks Wilderness Study Area; Change of Written Response Due Date for Hearing Record

The Forest Supervisor of the Pike and San Isabel National Forests has requested that the official hearing record be held open for written comments until December 15, 1982, to accommodate the interested public. I concur with this recommendation.

This Notice modifies the November 20, 1982 due date announced in the notice of hearings for the four Wilderness Study Areas on the Pike and San Isabel National Forests published in the Federal Register, Vol. 47, No. 180, pg's 40818–19 on Thursday, September 16, 1982.

Craig W. Rupp,

Regional Forester, Rocky Mountain Region.

[FR Doc. 82-30388 Filed 11-3-82; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket No. 27–82; Foreign-Trade Zone 35, Philadelphia]

Application for Subzone at Ford's Electronic Auto Parts Plant, Lansdale, Pennsylvania

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (the Board) by the Philadelphia Port Corporation (the Port), grantee of Foreign-Trade Zone 35, requesting a special-purpose subzone at the electronic automotive products plant of Ford Aerospace and Communications Corporation, Lansdale, Pennsylvania, adjacent to the Philadelphia Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 26, 1982. The applicant is authorized to make this proposal under Pennsylvania State Act No. 126 (Pub. L. 291).

On March 24, 1978, the Board authorized the Port to establish a foreign-trade zone project in the Philadelphia area (Board Order 128, 43 FR 14531, April 6, 1978). The project covers 72 acres adjacent to Philadelphia International Airport and 12 acres at Pier 78 South in the port area, with facilities available for warehousing, processing and manufacturing.

The Port now requests subzone status for Ford's electronic automotive components manufacturing plant, a 485,000 square-foot facility located on 36 acres at Church Road and Wissahickon Avenue on Lansdale. The facility is used for the finishing of components, and the manufacture and testing of auto tape cassettes and radios, speed controls, wiper assemblies, ignition systems, voltage regulators, sensors, engine controls, and clocks. About 50 percent of the components used are dutiable.

Zone procedures will allow Ford to export finished products without paying duties on the foreign parts and material. On products used in the domestic assembly of automobiles, Ford can take advantage of the same duty rate available to importers of finished autos.

About 50 to 75 percent of the plant's output is expected to be either shipped abroad or to auto assembly subzones in the U.S. The savings from zone procedures are expected to play an important role in efforts to restore full operations at the Lansdale plant, adding some 1,400 workers to the current labor force of 1,100.

In accordance with the Board's regulations, an examiners committee has been appointed to investigate the application and report to the Board. The committee consists of: Dennis Puccinelli (Chairman), Foreign-Trade Zones Staff, U.S. Dept. of Commerce, Washington, D.C. 20230; Edward A. Goggin, Assistant Regional Commissionor (Operations), U.S. Customs Service, Northeast Region, 100 Summer Street, Boston, Massachusetts 02110; and Lt. Colonel Roger L. Baldwin, District Engineer, U.S. Army Engineer District Philadelphia, 2nd and Chestnut Streets, Philadelphia, Pennsylvania 19106.

Comments concerning the proposed subzone are invited in writing from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before December 6, 1982.

A copy of the application is available for public inspection at each of the following locations:

U.S. Dept. of Commerce District Office, 9448 Federal Building, 600 Arch Street, Philadelphia, Pennsylvania 19106.

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th and Constitution, Room 1519, Washington, D.C. 20230.

Dated: November 1, 1982.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zone Board.

[FR Doc. 82-30352 Filed 11-3-82; 8:45 am]

BILLING CODE 3510-25-M

[Docket No. 26–82]

Foreign-Trade Zone 78, Nashville, Tennessee; Application for a Subzone at Toshiba Television and Microwave Oven Plant, Lebanon, Tennessee

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (the Board) by the Metropolitan Nashville-Davidson County Port Authority (the Port Authority), grantee of Foreign-Trade Zone 78, requesting authority for a special-purpose subzone at the television and microwave oven manufacturing plant of Toshiba America, Inc. in Lebanon, Tennessee, adjacent to the Nashville Customs port of entry. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on October 26, 1982. The applicant is authorized to make this proposal under Section 7–5–107(6), Tennessee Code Annotated.

On April 2, 1982, the Board authorized the Port Authority to establish a foreign-trade zone project in the Nashville port of entry area (Board Order 190, 47 FR

16191, 4/15/82). The project involves a warehouse site in downtown Nashville, an industrial park site in the Cockrill Bend area and a subzone at Nissan's new truck manufacturing plant in Smyrna.

The Port Authority now requests subzone status for Toshiba's color television and microwave oven manufacturing plant, 1420 Toshiba Drive, Lebanon, Tennessee. The facility consists of a 315,000 square foot plant located on a 102 acre site. The primary product line is color televisions on which production started in 1978. Microwave oven production started in 1981 and is the plant's only other major product line. The production process for both televisions and microwave ovens involves the finishing and assembly of a mix of foreign and domestic parts and material.

Zone procedures would allow Toshiba to export finished televisions and microwave ovens without paying duties on foreign parts and material. Plant exports now range between 15 and 20 percent and are expected to increase under zone procedures. On its domestic sales, the company can take advantage of the same duty rates that are available to importers of the finished products. The duty rate for televisions is 5 percent, and for microwave ovens, 4 percent. On the imported television and oven parts used by Toshiba the weighted average duty rates are 6.5 and 5.6 percent respectively. The applicant indicates a willingness to accept the same restriction on foreign color picture tubes as applied to Subzone 14A for Sanyo Manufacturing Corporation (Board Order 210, 47 FR 44593, October 8, 1982). It is contended that zone procedures will encourage Toshiba to expand operations in Tennessee rather than abroad, adding up to 350 workers to the plant's current labor force of 540.

In accordance with the Board's regulations, an examiners committee has been appointed to investigate the application and report to the Board. The committee consists of Dennis Puccinelli (Chairman), Foreign-Trade Zones Staff, U.S. Department of Commerce, Washington, D.C. 20230; G. Scott Shreve, Acting District Director, U.S. Customs Service, South Central Region, 423 Canal Street, New Orleans, Louisiana 70130; and Colonel Lee W. Tucker, District Engineer, U.S. Army Engineer District Nashville, P.O. Box 1070, Nashville, Tennessee 37202.

Comments concerning the proposed subzone are invited in writing from interested persons and organizations. They should be addressed to the Board's Executive Secretary at the address below and postmarked on or before December 6, 1982.

A copy of the application is available for public inspection at each of the following locations:

U.S. Dept. of Commerce Satellite Office, Room 1024, Andrew Jackson State Office Building, Nashville, Tennessee 37219

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, 14th and Constitution Ave., N.W., Room 1519, Washington, D.C. 20230.

Dated: October 29, 1982.

John J. Da Ponte, Jr.,

Executive Secretary, Foreign-Trade Zones Board.

[FR Doc. 82-30351 Filed 11-3-82; 8:45 am]

BILLING CODE 3510-25-M

International Trade Administration

University of Louisville; Notice of Decision on Application For Duty-Free Entry of Scientific Instrument

The following is a decision on an application for duty-free entry of a scientific instrument 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 pursuant thereto (15 CFR Part 301 as amended by 47 FR 32517).

A copy of the record pertaining to this decision is available for public review between 8:30 AM and 5:00 PM in Room 2097, Statutory Import Programs Staff, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Docket No. 81-00285. Applicant: University of Louisville, 2301 S. Third Street, Louisville, KY 40292. Instrument: Gas Chromatograph/Mass Spectrometer/Data System, 7035HS. Manufacturer: Vacuum Generators, United Kingdom. Intended use of instrument: See Notice on page 41544 in the **Federal Register** of August 17, 1981.

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 instrument, for such purposes as this instrument is intended to be used, was being manufactured in the United States at the time the foreign instrument was ordered (February 3, 1981).

Reasons: The foreign instrument provides high resolution 20,000 (10% valley definition) with ultra fast scanning rates down to 0.2 seconds/decade and scan cycle times of 0.6 seconds minimum, covering a mass range of 500 to 25 including reset to 500 amu. The National Bureau of Standards advises in its memorandum dated August 31, 1982 that (1) the capabilities of the foreign instrument described above are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use which was available at the time the foreign instrument was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign instrument, for such purposes as this instrument is intended to be used, which was being manufactured in the United States at the time the foreign instrument was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials)

Richard M. Seppa,

Director, Statutory Import Programs Staff.

[FR Doc. 82-30353 Filed 11-3-82; 8:45 am]

BILLING CODE 3510-25-M

Petitions by Producing Firms for Determinations of Eligibility To Apply for Trade Adjustment Assistance

Petitions have been accepted for filing from the following firms: (1) Evon Industries, Inc., 1251 Fairview Street, Camden, New Jersey 08101, producer of construction steel (accepted October 8, 1982); (2) James Hunter Machine Company, Inc., South Church Street, North Adams, Massachusetts 01247, producer of textile machinery (accepted October 8, 1982); (3) Supreme Leather Goods Corporation, 14-16 East 33rd Street, New York, New York 10016, producer of handbags (accepted October 8, 1982); (4) Chic de Paris Handbag Corporation, 14 East 33rd Street, New York, New York 10016, producer of handbags (accepted October 12, 1982); (5) Colonial Novelties, Inc., 373 East 148th Street, Bronx, New York 10455, producer of handbags (accepted October 12, 1982); (6) Fran-Stef Manufacturing Corporation, 568 Broadway, New York, New York 10012, producer of billfolds, coin purses and cigarette lighters (accepted October 12, 1982); (7) The Royal Axman, Inc., R. R. 2, Box 68A, Tipton, Missouri 65081, producer of workbenches (accepted October 12, 1982); (8) E. Sondheimer Company, P.O. Box 68, Sondheimer, Louisiana 71276, producer of lumber, soybeans, cotton and wheat (accepted October 12, 1982); (9) Harvey Industries, Inc., P.O. Box 168, Clarksburg, West Virginia 26302, producer of illuminating glassware

(accepted October 12, 1982); (10) Zinik Manufacturing Company, 1638 South Redwood Road, Salt Lake City, Utah 84104, producer of ski jackets and pants (accepted October 12, 1982); (11) Sandy's Clothes Closet, Ltd., 60 Avenue O, Brooklyn, New York 11204, producer of women's skirts and slacks (accepted October 12, 1982); (12) Tumbleweed Tees, 333 Main Street, Kalispell, Montana 59901, producer of men's, women's and children's T-shirts and artwork transfers (accepted October 12, 1982); (13) Scalise Stitching, Inc., 735 Lorimer Street, Brooklyn, New York 11211, producer of women's footwear (accepted October 12, 1982); (14) Willing B Wire Corporation, Garfield and Decatur Streets, Beverly, New Jersey 08010, producer of wire (accepted October 13, 1982); (15) Centerflex Ceramic Technologies Corporation, P.O. Box 21, Hawthorne, New Jersey 07507, producer of electronic components, mechanical and refractory products, and plastic pipes (accepted October 14, 1982); (16) B. M. X. Products, Inc., 9621 Irondale Avenue, Chatsworth, California 91311, producer of bicyles and accessories (accepted October 18, 1982); (17) Denton Vacuum, Inc., 2 Pin Oak Avenue, Cherry Hill, New Jersey 08003, producer of high vacuum equipment and chemical coatings (accepted October 18, 1982); (18) Bear Body, Inc., P.O. Box 605, Draper, Utah 84020, producer of wallets (accepted October 18, 1982); (19) The Modern Clothing Company, Inc., Pleasant Street and West End Avenue, Hammonton, New Jersey 08037, producer of women's jackets (accepted October 21, 1982); (20) Lenape Equipment Company, 1705 Oak Street, Lakewood, New Jersey 08701, producer of soldering and cleaning equipment (accepted October 22, 1982); (21) Wadell Equipment Company, Inc., P.O. Box 989, Edison, New Jersey 08818, producer of machine tools (accepted October 22, 1982); (22) J. H. Westerbeke Corporation, Avon Industrial Park, 44 Ledin Drive, Avon, Massachusetts 02322, producer of diesel engines and generators (accepted October 22, 1982); (23) Owenby Manufacturing Company, Inc., Route 3, Box 257 C, Blairsville, Georgia 30512, producer of surgical sponges and men's and boys' swim suits, shirts, shorts and warm-up suits (accepted October 25, 1982); (24) Precision Spring Corporation, 15400 Woodrow Wilson, Detroit, Michigan 48238, producer of automotive springs, rings and stampings (accepted October 25, 1982); (25) Schrader Stoves, Inc., P.O. Box 2898, Eugene, Oregon 97402, producer of wood-burning stoves (accepted October 27, 1982); (26) A. L. Manufacturing Company, Inc., 85 Fairmont Street, Fitchburg, Massachusetts 01420, producer of doll clothing (accepted October 28, 1982); and (27) Gillispie Industries, Inc., 4628 Shoremeade Court, Richmond, Virginia 23234, producer of headwear (accepted October 28, 1982).

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (P.L. 93–618) and Section 315.23 of the Adjustment Assistance Regulations for Firms and Communities (13 CFR Part 315). Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each 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 each 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 Director, Certification Division, Office of Trade Adjustment Assistance, International Trade 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.

The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.309, Trade Adjustment Assistance. Insofar as this notice involves petitions for the determination of eligibility under the Trade Act of 1974, the requirements of Office of Management and Budget Circular No. A–95 regarding review by clearinghouses do not apply.

Jack W. Osburn, Jr.,

Director, Certification Division, Office of Trade Adjustment Assistance.

[FR Doc. 82–30354 Filed 11–3–82; 8:45 am]

BILLING CODE 3510–25–M

Applications for Duty-Free Entry of Scientific Instruments

Correction

In FR Doc. 82–29844 appearing on page 49054 in the issue of Friday, October 29, 1982, make the following correction.

On page 49056, first column, first line of the first complete paragraph, "Docket No. 00360" should read "Docket No. 82–00360".

BILLING CODE 1505–01–M

COMMODITY FUTURES TRADING COMMISSION

Chicago Mercantile Exchange Proposed Futures Contracts Based on Sub-Indexes of the Standard and Poor's 500 Stock Price Index

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures contracts.

SUMMARY: The Chicago Mercantile Exchange ("CME") has applied for designation as a contract market in futures contracts based on sub-indexes of the Standard and Poor's 500 Stock Price Index. The indexes for which futures contracts are proposed include the Utility, Transportation, and Financial sub-indexes currently published by the Standard and Poor's Corporation and a High Technology, Energy, and Consumer Staple sub-index currently being created by the Standard and Poor's Corporation. The Commodity Futures Trading Commission (the "Commission") has determined that the terms and conditions of the proposed futures contracts are of major economic significance and that, accordingly making available the proposed contracts for public inspection and comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before January 3, 1983.

ADDRESS: Interested persons should submit their views and comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission 2033 K Street, NW., Washington, D.C. 20581. Reference should be made to the CME application for contract market designation in futures contracts based on sub-indexes of the Standard and Poor's 500 Stock Price Index.

FOR FURTHER INFORMATION CONTACT: Ronald Hobson, Division of Economics and Education, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C., (202) 254–7303.

SUPPLEMENTARY INFORMATION: A copy of the terms and conditions of the CME proposal to trade futures contracts based on sub-indexes of the Standard and Poor's 500 Stock Price Index will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Copies of the terms and conditions can be obtained through the Office of the

Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the CME in support of its applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1981)), except to the extent that they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOIA, Privacy and Sunshine Acts Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or arguments on the terms and conditions of the proposed futures contracts, or with respect to other materials submitted by the CME in support of its applications, should send such comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, by January 3, 1983. Such comment letters will be publicly available except to the extent that they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9.

Issued in Washington, D.C. on November 1, 1982.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 82-30334 Filed 11-3-82; 8:45 am]

BILLING CODE 6351-01-M

New York Futures Exchange Proposed Futures Contract Based on the New York Stock Exchange Energy Index

AGENCY: Commodity Futures Trading Commision.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures contract.

SUMMARY: The New York Futures Exchange ("NYFE") has applied for designation as a contract market based on the New York Stock Exchange ("NYSE") Energy Index. The Commission has determined that the terms and conditions of the proposed futures contract are of major economic significance and that, accordingly, making available the proposed contract for public inspection and comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before January 3, 1983.

ADDRESS: Interested persons should submit their views and comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Reference should be made to the NYFE NYSE Energy Index futures contract.

FOR FURTHER INFORMATION CONTACT: Ronald Hobson, Division of Economics and Education, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C., (202) 254–7303.

A copy of the terms and conditions of the NYFE proposed NYSE Energy Index futures contract will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the NYFE in support of its application for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR Part 145 (1981)). Requests for copies of such materials should be made to the FOIA, Privacy and Sunshine Acts Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views or arguments on the terms and conditions of the proposed futures contract, or with respect to other materials submitted by the NYFE in support of its application, should send such comments to Jane K. Stuckey, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, D.C. 20581, by January 3, 1983. Such comment letters will be publicly available except to the extent that they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9.

Issued in Washington, D.C. on November 1, 1982.

Jane K. Stuckey,

Secretary of the Commission.

[FR Doc. 82-30333 Filed 11-3-82; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Privacy Act of 1974; Notice of Systems of Records: Deletions, Amendments, Additions, Republication

AGENCY: Department of the Air Force (AF), DOD.

ACTION: Deletions, amendments, additions, republication of Air Force systems of records notices.

SUMMARY: The Air Force is systematically republishing all of its systems of records notices. Each notice is being rejustified, rewritten and renumbered in the interest of accuracy, simplicity and clarity. Changes are summarized below and the rewritten notices follow in their entirety. This first publication deletes 32 notices and amends 93 others.

EFFECTIVE DATE: The amendments and additions will be effective on December 6, 1982, unless public comments are received which result in a contrary determination.

FOR FURTHER INFORMATION CONTACT: Mr. Jon Updike, HQ USAF/DAAD(S), The Pentagon, Washington, D.C. 20330, telephone: 202/694–3431.

SUPPLEMENTARY INFORMATION: The Air Force systems of records inventory subject to the Privacy Act of 1974, Title 5, United States Code, Section 552a (Pub. L. 93–579; 44 Stat. 1896 *et seq.*) has been published in the **Federal Register** as follows:

FR Doc. 81–897 (46 FR 6443) January 21, 1981
FR Doc. 82–674 (47 FR 2544) January 18, 1982
FR Doc. 82–2886 (47 FR 5285) February 4, 1982
FR Doc. 82–4481 (47 FR 7478) February 19, 1982
FR Doc. 82–9886 (47 FR 14936) April 7, 1982
FR Doc. 82–10539 (47 FR 16827) April 20, 1982

None of these changes required a new or altered system report as required by 5 U.S.C. 552a(o).

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

October 27, 1982.

Deletions

The following deletions are effective December 6, 1982.

F04003 06SCEYB

System name:

Long-term Full-Time Training File (44 FR 74258).

Reason:

This system is being merged with F05501 06SCEYA, Advanced Degree File (44 FR 74272), and republished below among the added systems as F050 AFAA B, Employee Training Career Development File.

F01002 00VDYDA

System name:

Military Airlift Command (MAC) Dishonored Check Program (44 FR 74153).

Reason:

This system has been discontinued.

F01101 02 ALSB

System name:

Complaints and Inquiries (44 FR 74159)

Reason:

These records are properly part of F12001 IGQ A, Inspector General Records (44 FR 74312).

F01102 SGPS D

System name:

Files of Waiver from Flying Duty (WAVR FILE) (44 FR 74163).

Reason:

This notice is being merged with system F16001 SGPS A, Aircrew Standards Case File, (44 FR 74329) which is republished below as system F160 SG A.

F01102 02 ALSB

System name:

Civil Engineer Personnel Data Cards (44 FR 74167).

Reason:

These records are properly part of F01102 DAYX A, Base, Unit, and Organizational Military and Civilian Personnel Locator Files (44 FR 74160).

F03004 0QVDYDA

System name:

Military Airlift Command (MAC) Special Executive Development Program (44 FR 74189).

Reason:

This system has been discontinued.

F030041 HAJXFA

System name:

Air Force System Command (AFSC) Personnel Resource Management System (44 FR 74190).

Reason:

This system has been discontinued.

F03501 ARPC A

System name:

Informational Personnel Management Records (46 FR 6551).

Reason:

This notice is being merged with F03501 ARPC C, Personnel Management Records (44 FR 74198), in order to better describe the records as they are maintained and used. See F035 ARPC B, Informational Personnel Management Records, among the added systems.

F03501 ARPC C

System name:

Personnel Management Records (46 FR 6552).

Reason:

This notice is being merged with F03501 ARPC A, Informational Personnel Records (44 FR 74197), in order to better describe the records as they are maintained and used. See F035 ARPC B, Informational Personnel Management Records, among the added systems.

F03501 0QAGGNA

System name:

Informational Personnel Records (44 FR 74215).

Reason:

This notice duplicates F03501 DP 3, Unit Assigned Personnel Information File (46 FR 6553).

F03501XOIACYVB

System name:

Application for separation from the Regular AF to AF Reserve/Air National Guard (44 FR 74224).

Reason:

This system has been discontinued.

F03501XOIACYVD

System name:

Servicemen's Group Life Insurance (SGLI) Entitlement Case Files (46 FR 6559).

Reason:

These records do not come under the Privacy Act since they are retrieved by the names of deceased individuals only.

F03507 OJ DP A

System name:

Flying Evaluation Board (FEB) File (44 FR 74248).

Reason:

These records are properly part of system F03507 DPMAJDA, Flying Status Branch File (44 FR 74247), located at the Air Force Manpower and Personnel Center.

F03508 OIACYVB

System name:

Air Force Reserve Airman Demotions (46 FR 6564).

Reason:

These records are maintained and retrieved chronologically, and do not come under the provisions of the Privacy Act of 1974.

F05001 06SCEYA

System Notice:

Advanced Degree File (44 FR 74272).

Reason:

This system is being merged with F04003 06SCEYB, Long-Term Full-Time Training File (44 FR 74258), and republished below among the added systems as F050 AFAA B, Employee Training and Career Development File.

F08003 OHMPLSA

System name:

Personnel Research Laboratory Data Base File (44 FR 74301).

Reason:

The records in this system are used only for statistical research. Records are not retrieved by personal identifiers, and they are not used to make any determination about any specific individual.

F12407 OSI A

System name:

DoD Fraud Investigation Management Information System (47 FR 2616).

Reason:

This system has been transferred to Defense Investigative Service.

F12501 02 ALSB

System name:

Temporary Private Vehicle Impoundment Record (44 FR 74322).

Reason:

This notice duplicates F12501 SPO G, Complaint/Incident Reports (44 FR 74320).

F12503 02 ALSB

System name:

Bicycle Registration File (44 FR 74325).

Reason:

This notice duplicates F12501 SPO E, Registration Records (Excluding Private Vehicle Records) (44 FR 74319).

F12503 02 ALSC

System name:

Storage and Special Permits for Recreational and Utility Trailers (44 FR 74325).

Reason:

This notice duplicates F12501 SPO E, Registration Records (Excluding Private Vehicle Records) (44 FR 74319).

F16003 02 ALSA

System name:

Chain of Custody Receipts (44 FR 74332).

Reason:

These records are properly part of F168 AF SG C, Medical Records System, published below among the added systems.

F16101 SGPA A

System name:

Medical Recommendation for Flying Duty (44 FR 74334).

Reason:

This system has been discontinued.

F16104 SGPA A

System name:

USAF Master Radiation Exposure Registry (44 FR 74337).

Reason:

This notice is republished below as F161 AF SG A, USAF Master Radiation Exposure Registry. The republished notice incorporates numerous technical changes for increased clarity, accuracy and readability, and corrects minor errors.

F16802 SGHB A

System name:

Casualties in Southeast Asia (44 FR 74340)

Reason:

These records are not subject to the Privacy Act of 1974.

F16803 ASGHB R

System name:

Patient Index and Locator System (44 FR 74342).

Reason:

This system has been merged into F168 AF SG C, Medical Record System, published in the added systems of this **Federal Register.**

F16804 SGHB A

System name:

Clinical Records and Related Documents (44 FR 74344).

Reason:

This system has been merged into F168 AF SG C, Medical Record System, published in the added systems of this **Federal Register.**

F16805 ASGHB R

System name:

Health and Outpatient Records (46 FR 6577).

Reason:

This system has been merged into F168 AF SG C, Medical Record System, published in the added systems of this **Federal Register.**

F16806 SGHB A

System name:

Inpatient Data System (44 FR 74345).

Reason:

This system covers deceased persons and the records are not subject to the provision of the Privacy Act of 1974.

F17501 06SCEYB

System name:

Internal Audit and Control Records (44 FR 74350).

Reason:

These records are no longer retrieved by any personal identifier.

F17721 02 ALSA

System name:

Civilian Pay—Control Data (44 FR 74364).

Reason:

These records are properly part of F17721 OEACYVA, Civilian Pay Records (46 FR 6581).

F26501 02 ALSA

System name:

Religious Education Registration and Attendance Records (44 FR 74390).

Reason:

These records do not form a system of records subject to the Privacy Act.

F90001 OUMCBVA

System Name:

Outstanding Airman of the year (44 FR 743937).

Reason:

These records are no longer retrieved by any personal indentifier.

Amendments

The following major changes have been made to the systems notices published as amended systems below. These notices have also been substantially rewritten in the interest of clarity and accuracy.

F01001 OQVDYDA

System Name:

Correspondence, Message and Project Files (Civil Reserve Air Fleet Personnel) (44 FR 74152).

Change:

System Identification:

Change to, "F010 MAC A."

F01102 ARPC A

System Name:

Locator or Personnel Data (46 FR 6536).

Change:

System Identification:

Change to, "F011 ARPC A."

F01102 SAC A

System Name:

Logistic Personnel Management System (46 FR 6537).

Change:

System Identification:

Change to, "F011 SAC A."

F01102 SGA B

System Name:

Medical Service Corps Personnel Files (44 FR 74163).

Changes:

System Identification:

Change to, "F035 SG B."

Authority for Maintenance of the System:

Add, "10 USC 8067(d). Designation: officers to perform certain professional functions."

F01102 SGPC C

System Name:

Professional Inquiry Records System (44 FR 74163).

Changes:

System Identification:

Change to, "F011 SG A."

F01102 SGV A

System Name:

Veterinary Personnel Files (44 FR 74165).

Changes:

System Identification:

Change to, "F035 SG C."

Authority for Maintenance of the System:

Add, "10 USC 8067(i), Designation: officers to perform certain professional functions."

F01201X0IACYVA

System Name:

Fee Case File (46 FR 6538).

Change:

System Identification:

Change to, "F012 ARPC A."

Authority for Maintenance of the System:

Add, "5 USC 552, Public information; agency rules, opinions, orders, and proceedings (Freedom of Information Act); 552a, records maintained on individuals (Privacy Act)."

Retention and Disposal:

Change to read, "Destroyed after one year by tearing into pieces, macerating, pulping, or burning provided any discrepancy is cleared."

F016301SGV A

System Name:

Veterinary Records (44 FR 74169).

Changes:

System Identification:

Change to, "F163 AF SG A."

Authority for Maintenance of the System:

Change to 10 USC, chapter 55, Medical and Dental Care; and 8012, Secretary of the Air Force: powers and duties; delegation by.

F03001 JALA A

System Name:

Confidential Statement of Employment and Financial Interest (44 FR 74172).

Changes:

System Identification:

Change to, "F030 AF JA A."

System Name:

Change "Employment" to "Affiliation."

Categories of Individuals Covered by the System:

Add at end, "and Special Government employees who are advisors or consultants."

F03001 SAC A

System Name:

Drug Rehabilitation Action Management Information System (46 FR 6539).

Changes:

System Identification:

Change to, "F030 SAC A."

System Name:

Change to, "SAC Drug Rehabilitation Action Management Program."

System Location:

Delete, "Drug Rehabilitation Center."

Authority for Maintenance of the System:

Delete, "5 USC 301, Departmental Regulation," and substitute "10 USC 8012, Secretary of the Air Force: powers and duties; delegation by."

System Manager(s) and Address:

Delete, "SAC Drug Rehabilitation Center, McConnell AFB KS 67221."

Notification Procedure:

Delete, "Det 1, 3902 ABW/CC, McConnell AFB KS 67221," and, "Chief of Social Actions, Strategic Air Command Headquarters, Det 1, 3902 ABW/CC, McConnell AFB KS 67221."

F03002 OIACYVA

System Name:

Applications for Identification Cards (46 FR 6540).

Change:

System Identification:

Change to: "F030 ARPC A."

F03004 ARPC A

System Name:

Point Credit Account Record System (PCARS) (46 FR 6549).

Change:

System Identification:

Change to, "F030 ARPC B."

F03004 SGPA A

System Name:

Aerospace Medicine Personnel Career Information System (44 FR 74185).

Changes:

System Identification:

Change to "F030 SG B."

Authority for Maintenance of the System:

Add "10 USC 8067(f), Designation: officers to perform certain professional functions."

F03004 SGPA B

System Name:

Bioenvironmental Engineer Personnel Career Information System (44 FR 74186).

Changes:

System Identification:

Change to, "F030 SG A."

Authority for Maintenance of the System:

Add "10 USC 8067(i), Designation: officers to perform certain professional functions."

F03004 SGPA C

System Name:

Aerospace Physiology Personnel Career Information System (44 FR 74186).

Changes:

System Identification:

Change to "F030 AF SG A."

Authority for Maintenance of the System:

Add, "10 USC 8067(d), Designation: officer to perform certain professional functions."

F03501 ARPC B

System Name:

Biographical File (46 FR 6552).

Changes:

System Identification:

Change to, "F035 ARPC F."

Categories of Individuals Covered by the System:

Delete, "Air Reserve Information Squadron (ARIS)."

Routine Uses of Records Maintained in the System Including Categories of Users and the Purposes of Such Uses:

In the first sentence, delete, "information," and delete the entire third sentence.

F03501 SAM A

System Name:

AFSAM Personnel Information File (46 FR 6556).

Changes:

System Identification:

Change to, "F035 AFSC A."

System Name:

Change to, "Personnel Management Information System for AFSC Field Commanders."

System Location:

Change to, "AFSC Divisions, Centers, and Laboratories."

F03501 OIACYVG

System name:

Correction of Military Records of Officers and Airmen (44 FR 74212).

Change:

System identification:

Change to, "F035 ARPC C."

F03501 06SCEYB

System name:

Informal Airmen/Reserve Information Record (44 FR 74217).

Change:

System identification:

Change to, "F035 AFAA C."

F03501 06SCEYD

System name:

Air Force Audit Agency Office Personnel File (44 FR 74218).

Change:

System identification:

Change to, "F035 AFFA B."

F03501 06SCEYE

System name:

Air Force Audit Agency Office File (44 FR 74220).

Change:

System identification:

Change to, "F035 AFAA A."

F03501B05PCZPB

System name:

Navigator Personnel Background Information (44 FR 74222).

Changes:

System identification:

Change to, "F035 SAC A."

Categories of records in the system:

Change to "Grade, name, SSN, flying time and experience, education, professional military education, and special navigation competition experience."

F0350120SSGBPA

System name:

Information Officer Background Record (44 FR 74227).

Changes:

System identification:

Change to, "F035 SAC C."

System name:

Change to "Public Affairs Personnel Background Record."

F03504 OIACYVA

System name:

Data Change/Suspense Notification (44 FR 74239).

Change:

System identification:

Change to, "F035 ARPC D."

F03507 SGPA A

System name:

Application for Advanced Aeronautical Rating File (Senior and Chief Flight Surgeon) (44 FR 74247).

Changes:

System identification:

Change to "F035 SG A."

Authority for maintenance of the system:

Add "10 USC 8067(f), Designation: officers to perform certain professional functions."

F03507 OIACYVA

System name:

Flying Status Actions (46 FR 6563).

Change:

System identification:

Change to, "F035 ARPC E."

F03508 OIACYVA

System name:

Officer Promotions (46 FR 6564).

Change:

System identification:

Change to, "F035 ARPC G."

F03509 OIACYVB

System name:

Administrative Discharge for Cause on Reserve Personnel (46 FR 6565).

Changes:

System identification:

Change to, "F035 ARPC A."

Authority for maintenance of the system:

Add, "10 USC 1163, Reserve components; limitation on separation."

F03509A0SSGBPA

System name:

Administrative Discharge File (44 FR 74253).

Changes:

System identification:

Change to, "F035 SAC B."

System name:

Change to, "Officer Involuntary Administrative Separation File."

Categories of individuals covered by the system:

Change to, "Present Air Force active duty officers assigned to the Strategic Air Command who have Air Force Regulation (AFR) 36–2 or AFR 36–3 action pending or are resigning in lieu of court-martial."

Authority for maintenance of the system:

Change to, "10 USC chapter 859—Separation from Regular Air Force For Substandard Performance of Duty, and Chapter 860—Separation From Regular Air Force For Moral or Professional Dereliction or In Interest of National Security; AFR 36–2, Administrative Discharge Procedures (Unfitness, Unacceptable Conduct or In The Interest of National Security); AFR 36–2, Administrative Discharge Procedures (Substandard Performance of Duty); and AFR 36–12, Administrative Separation of Commissioned Officers and Warrant Officers of the Air Force."

F04001 06SCEYA

System name:

Merit Promotion File (44 FR 74254).

Change:

System identification:

Change to, "F040 AFAA A."

F04501 ARPC A

System name:

Air Force Reserve Application (46 FR 6566).

Change:

System identification:

Change to, "F045 ARPC A."

F04502 OIACYVA

System name:

Inactive Duty Training, Extension Course Institute (ECI) Training (46 FR 6568).

Change:

System identification:

Change to "F045 ARPC B."

F05001 OIACYVA

System name:

Professional Military Education (PME) (45 FR 6568).

Change:

System identification:

Change to, "F050 ARPC A."

F05001 OQKRSMA

System name:

Training Instructors (Academic Instructor Improvement/Evaluation) (44 FR 74271).

Changes:

System identification:

Change to, "F050 MAC A."

System location:

Change, "Hill Air Force Base, UT 84406," to "Kirtland Air Force Base, NM 87117."

System manager(s) and address:

Change, "Hill Air Force Base, UT 84406," to "Kirtland Air Force Base, NM 87117."

F05001 OSSZDTA

System name:

Nursing Skill Inventory (44 FR 74272).

Changes:

System identification:

Change to, "F050 AF SG A."

Authority for maintenance of the system:

Add, "10 USC 8067(e), Designation: officers to perfrom certain professional functions."

F05001 06SCEYB

System name:

Air Force Audit Agency Office Training File (44 FR 74273).

Change:

System identification:

Change to, "F050 AFAA A."

F05002 SAC A

System name:

SAC Operations Personnel Training Management System (46 FR 6571).

Change:

System identification:

Change to, "F050 SAC C."

F05002 SAC B

System name:

Space, Warning and Surveillance Operations Personnel Training Management System (47 FR 2613).

Changes:

System identification:

Change to, "FD050 SAC D."

System name:

Change to, "SAC Space Operations Personnel Training Management."

F05002 SAC C

System name:

ADP Training Management System (47 FR 2614).

Change:

System identification:

Change to, "F050 SAC A."

F05002 OQSCEYA

System name:

Training Progress (Permanent Student Record) (44 FR 74281).

Changes:

System identification:

Change to, "F050 MAC B."

System location:

Add, "1381st School Squadron (MAC Noncommissioned Officer Academy—East), McGuire Air Force Base, NJ 08641."

Authority for maintenance of the system:

Change to, "10 USC 8012, Secretary of the Air Force: powers and duties; delegation by."

System manager(s) and address:

Add, "1381st School Squadron (MAC Noncommissioned Officer Academy—East), McGuire Air Force Base, NJ 08641."

F05002 OUJCGJA

System name:

Training Progress (44 FR 74283).

Changes:

System identification:

Change to, "F050 ESC B."

System location:

Change to, "Electronic Security Command (ESC) NCO PME Center, Goodfellow Air Force Base, TX 76908."

System manager(s) and address:

Change to, "ESC NCO PME Center, Goodfellow AFB, TX 76908."

F05002 OUMCBVA

System name:

Defense Language Institute Student History (44 FR 74283).

Changes:

System identification:

Change to, "F050 ESC A."

System name:

Change to, "208XX Voice Processor Student History."

F05004 SAC A

System name:

Instructional Systems Development (ISD) Evaluation (47 FR 2614).

Changes:

System identification:

Change to, "F050 SAC B."

F05004 OQKRSMA

System name:

Training Systems Research and Development Materials (44 FR 74285).

Changes:

System identification:

Change to, "F050 MAC C."

System location:

Change to, "1550th Aircrew Training and Test Wing, Deputy Commander for Operations; 1550th Technical Training Squadron, Kirtland Air Force Base NM 87117."

System manager(s) and address:

Change, "Hill Air Force Base, UT 84406," to "Kirtland AFB, NM 87117."

F05101 MAC A

System name:

Air Crew Instruction Records (46 FR 6573).

Changes:

System identification:

Change to, "F051 MAC A."

System location:

Add, "34th Technical Training Squadron, Student Administration Branch (TTB), Little Rock Air Force Base, AR 72076."

System manager(s) and address:

Add, "School Register, 34th Technical Training Squadron, Little Rock Air Force Base, AR 72076."

F05101A0SSGBPA

System Name:

Aircrew Resource Management System (SACARMS)/Aircrew Qualification Report (44 FR 74288).

Changes:

System Identification:

Change to, "F051 SAC A."

System Name:

Change to, "SAC Aircrew Resource Management System (SACARMS)."

F06608 SAC A

System Name:

SAC ICBM Maintenance Standardization and Evaluation Program (44 FR 74293).

Change:

System Identification:

Change to, "F066 SAC A."

F07601 MAC A

System Name:

Passenger Reservation and Movement System (44 FR 74298).

Change:

System Identification:

Change to, "F076 MAC A."

F09003 SAC A

System Name:

Unaccompanied Personnel Quarters Assignment/Termination (47 FR 2615).

Change:

System Identification:

Change to,"'F090 SAC A."

F11001 AJA

System Name:

Judge Advocate Personnel Records (44 FR 74302).

Change:

System Identification:

Change to, "F110 JA C."

F1101 JACA H

System Name:

Legal Assistance Administration (44 FR 74303).

Change:

System Identification:

Change to, "F110 AF JA A."

F11001 JACL F

System Name:

Freedom of Information Act Appeals (44 FR 74303).

Change:

System Identification:

Change to, "F110 JA A."

F11001 JAG A

System Name:

Litigation Records (Except Patents) (44 FR 74304).

Change:

System Identification:

Change to, "F110 AF JA B."

F11001 AFACI A

System Name:

USAF Foreign Criminal Jurisdiction Cases (44 FR 74306).

Change:

System Identification:

Change to, "F110 AF JA C."

F11002 AJACP

System Name:

Invention, Patent Application and Patent Application Security, and Patent Files (44 FR 74307).

Change:

System Identification:

Change to, "F110 JA B."

F11002 JACP C

System Name:

Patent Infringement and Litigation Records (44 FR 74308).

Change:

System Identification:

Change to, "F110 JA D."

F11101 AJAJM

System Name:

Court-Martial and Article 15 Records (44 FR 74309).

Change:

System Identification:

Change to, "F111 AF JA B."

F11101 OSPCZPA

System Name:

Military Justice Administration (44 FR 74309)

Change:

System Identification:

Change to, "F111 JSAC A."

F11101XJAJM C

System Name:

Automated Military Justice Analysis and Management System (AMJAMS) (44 FR 74310).

Change:

System Identification:

Change to, "F111 AF JA A." F11201 JACC A

System Name:

Claims Administrative Management Program (CAMP) (44 FR 74311).

Change:

System Identification:

Change to, "F112 AF JA A."

F11201 JACC B

System Name:

Claims Records (44 FR 74311).

Change:

System Identification:

Change to, "F112 AF JA B."

F16001 SGPC A

System Name:

Medical Professional Staffing Records (44 FR 74328).

Changes:

System Identification:

Change to "F160 AF SG B."

Authority for Maintenance of the System:

Change to, "10 USC Chapter 55, Medical and Dental Care; 8067(f) Designation: officers to perform certain professional functions; 8207, Regular Air Force: Commissioned officers on active list; medical specialists.

F16001 SGPS A

System Name:

Aircrew Standards Case File (44 FR 74329).

Changes:

System Identification:

Change to, "F160 SG A."

System Location:

Change to, "HQ AFMSC/SGPA, Brooks AFB, TX 78235."

Routine Uses of Records Maintained in the System including Categories of users and the Purposes of such uses:

Change to, "Used to determine if a previous action has been taken, if a precedent exists for granting a waiver for a specific medical condition and to provide a scientific basis to justify and improve waiver policies."

Storage:

To include system F01102 SGPS D, Files of Waiver from Flying Duty, deleted above, change to, "Maintained in Microform and on computer."

System Manager(s) and Address:

Change to, "HQ AFMSC/SGPA, Brooks AFB TX 78235."

F16002 OIACYVA

System Name:

Physical Examination Suspense File (46 FR 6576).

Change:

System Identification:

Change to, "F160 ARPC A."

F16006 ASGPA R

System Name:

USAF Hearing Conservation Record System (44 FR 74332).

Change:

System Identification:

Change to, "F160 AF SG A."

F16102 SGPA A

System Name:

Air Force Aerospace Physiology Training Program (44 FR 74335).

Change:

System Identification:

Change to "F161 AF SG A."

F16102 SGPA B

System Name:

USAF Compression Chamber Operation (44 FR 74336).

Change:

System Identification:

Change to"F161 AF SG B."

F16201 SGD A

System Name:

Dental Health Records (44 FR 74337).

Changes:

System Identification:

Change to,"F162 AF SG A."

Authority for Maintenance of the System:

Change to, "10 USC, Chapter 55, Medical and Dental Care."

F16202 SGD A

System Name:

Dental Personnel Actions (44 FR 74338).

Changes:

System Identification:

Change to, "F162 SG A."

Authority for Maintenance of the System:

Add "10 USC 8067(f), Designation: officers to perform certain professional functions."

Retention and Disposal:

Change "three years" to "two years."

F16202 SGD B

System Name:

Dental Professional Activities (44 FR 74339).

Changes:

System Identification:

Change to "F162 AF SG B."

F16802 SGPC A

System Name:

Child Advocacy Case Files (44 FR 74341).

Changes:

System Identification:

Change to, "F168 AF SG B."

F16803RSGHXO B

System Name:

Air Force Blood Program (44 FR 74343).

Changes:

System Identification:

Change to, "F168 AF SG F."

Authority for Maintenance of the System:

Change to "42 USC 262, Regulation of Biological Products, as implemented by Air Force Regulation (AFR) 160–26, Air Force Blood Program."

F16808 SGHC A

System Name:

Medical Service Accounts (44 FR 74346).

Changes:

System Identification:

Change to, "F168 AF SG D."

F16810 SGN A

System Name:

Nursing Service Records (44 FR 74346).

Change:

System Identification:

Change to, "F168 AF SG E."

Authority for Maintenance of the System:

Change to, "10 USC Chapter 55, Medical and Dental Care; and 10 USC 8067(e), Designation: officers to perform certain professional functions.

F17101 SG A

System Name:

Automated Medical/Dental Record System (46 FR 6578).

Change:

System Identification:

Change to, "F168 AF SG A."

F17501 06SCEYA

System Name:

Air Force Audit Agency Management Information System—Report File (46 FR 74350).

Change:

System Identification:

Change to, "F175 AFAA A."

F17720 SGHC A

System Name:

Control Logs (44 FR 74361).

Change:

System Identification:

Change to, "F177 AF SG A."

F21001 ESC A

System Name:

Historical Research and Retrieval System (HORRS) (46 FR 6586).

Change:

System Identification:

Change to, F210 ESC A.

Additions

The following notices replace or combine obsolete notices deleted above. They are not deemed to require new system reports under the provisions of 5 USC 552a(o) as implemented by office of Management and Budget (OMB) Circular A–108, Transmittal Memoranda, No. 1

and No. 3, dated September 30, 1975 and May 17, 1976 respectively. The OMB guidance was set forth in the Federal Register (40 FR 45877) on October 3, 1975.

F035 ARPC B

System Name:

Informational Personnel Management Records.

Add after system F035 AFAA A.

This new system is published to merge and better describe systems F03501 ARPC A, Informational Personnel Management Records, and F03501 ARPC C, Personnel Management Records.

F050 AFFAA B

System Name:

Employee Training and Career Development File.

Add after system F050 AFAA A.

This system notice combines and republishes F04003 and 06SCEYB, Long-Term Full-Time Training File; and F05001 06SCEYA, Advanced Degree File.

F161 AF SG C

System Name:

USAF Master Radiation Exposure Registry.

Add after system F161 AF SG B.

This system notice replaces F16104 SGPA A, USAF Master Radiation Exposure Registry. It incorporates numerous technical changes and corrects minor errors. No changes have made in the actual program or the records covered by this notice which would require advance reporting.

F168 AF SG C

System Name:

Medical Record System.

Add after system F168 AF SG B.

This system notice combines and republishes F16803 ASGHB R, Patient Index and Locator System; F16804 SGHB A, Clinical Records and Related Documents; and F16805 ASGHB R, Health and Outpatient Records.

F010 MAC A

SYSTEM NAME:

Correspondence, Message and Project Files (Civil Reserve Air Fleet Personnel).

SYSTEM LOCATION:

Military Airlift Command, Deputy Chief of Staff, Plans, Directorate of War Plans, Civil Air Division, Scott Air Force Base IL 62225.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Civil Reserve Air Fleet Carrier personnel who have been granted a security clearance of Secret under the industrial security program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Semi-annual report from the Civil Reserve Air Fleet Carriers identifying additions, deletions, and corrections to the previous report. Consolidated list prepared and published semi-annually by the System Manager.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11490.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Carrier reports used to update consolidated list. Consolidated list published as attachment to Military Airlift Command Regulation 55–5, and distributed to appropriate agencies involved in releasing classified material to Civil Reserve Air Fleet Carrier personnel.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer cards and computer paper printouts and in file folders.

RETRIEVABILITY:

Filed alphabetically by last name, by Civil Reserve Air Fleet Carrier.

SAFEGUARDS:

Accessed by persons responsible for servicing the record system in performance of their official duties. Stored in security container (three combination safe).

RETENTION AND DISPOSAL:

Retained in office safe until updated semi-annually. Cards withdrawn (deletions or corrections) are retained until next report received, then destroyed by tearing in half. Consolidated list becomes background material to the related publication which is retained as current record until the publication is rescinded, superseded, or obsoleted; then removed from the current file, placed in inactive file which is cutoff 31 December each year, retained in office files for one year after annual cutoff, transferred to the staging area for one additional year, then retired to the Washington National Records Center, Washington DC 20409 for permanent retention.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff, Plans, Headquarters Military Airlift Command, Scott Air Force Base, Illinois 62225.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to System Manager.

RECORD ACCESS PROCEDURES:

Individual gains access from System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from automated system interfaces.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Foll ARPC A

SYSTEM NAME:

Locator or Personnel Data.

SYSTEM LOCATION:

At Air Reserve Personnel Center, Denver CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve and Air National Guard personnel. Retired and former Air Force military personnel. ARPC civilian personnel. Air Force active duty military personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Cards, forms ledgers, record request, computer listings containing individual's name or names, Social Security Number (SSN), Air Force service number, grade, reserve status, present and former address, record of employer, work production statistics, parent and other relevant reservist or personnel data; Veterans Administration claim number, education institutes reservist attended, school affiliations; correspondence to and from Federal agencies and employers trying to establish current address of reservists; vouchers for medical service, final payment of medical service bills, medical action required; notes indicating if individual is authorized to earn point credit; and other personnel data. Documents which contain a summary of action taken or to be taken.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 267, Ready Reserve; Standby Reserve; Retired Reserve: placement and status of members; 268, Ready Reserve: Training requirements; 271, Ready Reserve: continuous screening; 273, Standby Reserve: composition, inactive status list; 275, Personnel records; 278, Dissemination of Information; 279, Training Reports; 591, Reserve components: qualification; 592, Commissioned officer grades; 593, Commissioned officer: appointment, how made, term; 594, Commissioned officers: original appointment limitation; 8012, Secretary of the Air Force: powers and duties, delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to control records distribution, to record location of record, actions taken or/to be taken, used to manage individual's records and management information system (MIS) data, to answer inquires from individual and Air Force units to which individuals are assigned or are to be assigned or other agencies with a need to know of action taken, verify if author of a letter was a member/or is a member of reserve and what his or her SSN should be, search for good address and stop computer mail from going to bad address, refer for administrative discharge action on reservist that cannot be located, advise reservist or civilian of reserve matters or center actions, provide comprehensive record of all medical actions taken by Surgeon's Office and record authorization for physical examinations at Government expense or no expense and record voucher number, preparing point credit authorization and forwarding authenticated point credit forms to servicing personnel office.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, in note books/binders, in visible file binders/cabinets, in card files, on paper and on computer cards and printouts.

RETRIEVABILITY:

Filed by name, by Social Security Number (SSN), or system identifier and/or voucher number, school affiliation, or by last address of Reservist.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in perfo-mance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver CO 80280.

NOTIFICTION PROCEDURE:

Request from individual should be addressed to Documentation Management Officer, ARPC/DAD, Denver CO 80280. Written request for information should contain full name of individual, SSN (Social Security Number), current address, and the case (control) number shown on correspondence received from Center. Records may be reviewed in records review room ARPC, Denver CO 80280, between 8:00 a.m. and 3:00 p.m. or normal workdays. For personal visits, the individual should provide current Reserve I.D. card and/or drivers license and give some verbal information that could verify his/her records such as place of birth, reserve status.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information provided by the individual, extracted from individual records, individual advance personnel data computer system. For address information secured from last recorded employer, postmaster of city of last recorded address, telephone information operator at last city of good address, parents of reservist, other relatives of reservist, Veterans Administration if reservist has a claim number listed in master personnel record, college or university reservist attended, Selective Service Boards, Internal Revenue Service, public utilities or any other lead that may be found in the master personnel record of the reservist, military pay records at Air Force Accounting and Finance Center, Denver CO 80279, log books and from Consolidated Base Personnel Offices. Medical information is also secured from medical facilities, physicians, medical specialists.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F011 SAC A

SYSTEM NAME:

SAC Logistic Personnel Management System.

SYSTEM LOCATION:

Deputy Commander for Maintenance or Deputy Commander for Resources (at Air Force installations) within the Strategic Air Command (SAC) and Deputy Chief of Staff for Logistics at Strategic Air Command Headquarters. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Strategic Air command personnel assigned to logistics or maintenance duties.

CATEGORIES OF RECORDS IN THE SYSTEM:

Files related to qualifications, experience, education, and degree of security clearance of logistics and maintenance personnel.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: Power and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To develop a record source on logistics personnel at unit level in order to determine overall job qualifications, capabilities, and historical data for analysis by unit and MAJCOM. Files will provide a source of data to help determine future training requirements, protection capabilities, and balance experience factors.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Retrieved by name or weapon system to which individual is assigned.

SAFEGUARDS:

Records are accessed by custodian of unit files and by personnel rsponsible

for servicing the record system in performance of official duties. File folders are stored in locked rooms or drawers.

RENTENTION AND DISPOSAL:

Files are destroyed when superseded, or on reassignment from Strategic Air Command or separation of the individual.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff, Logistics, headquarters Strategic Air Command and Deputy Commander Maintenance or Deputy Commander Resources, at Strategic Air Command base or organization.

NOTIFICATION PROCEDURE:

Deputy Chief of Staff Logistics, Deputy Commander Maintenance, or Deputy Commander Resources. Requests to determine existence of record should include full name, grade and approximate dates individual was assigned to Strategic Air Command logistics or maintenance organization after 1 July 1980.

RECORD ACCESS PROCEDURES:

Access to manual files is controlled by Deputy Chief of Staff, Logistics, at Headquarters Strategic Air Command and by Deputy Commander Resources at each Strategic Air Command organization.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determination by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F011 SG A

SYSTEM NAME:

Professional Inquiry Records System.

SYSTEM LOCATION:

At Headquarters United States Air Force, Office of the Surgeon General, Assistant for Congressional & Public Affairs, Bolling AFB, Washington, DC 20332.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons who have corresponded with a member of Congress, White House, or other high level federal or state executive officials concerning the professional aspects of care provided in Air Force medical facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

File contains copies of all correspondence concerning the inquiry; substantiating documents, such as correspondence or memorandums of telephone conversations with the appropriate medical facility, draft replies, medical records and any other background data.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are used as background data for statistical presentations, and historical evidence for repeat inquiries by the same individuals. Portions of records may be loaned or copies provided to the Department of Defense activities for use as background data in evaluating inquiries.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

File by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files for two years after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force, Washington DC 20330.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions and from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F012 ARPC A

SYSTEM NAME:

Fee Case File.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve and Air National Guard personnel and authorized requesters who are assessed a fee for search/receipt of documents.

CATEGORIES OF RECORDS IN THE SYSTEM:

Copies of general correspondence, chargeable case control, and public voucher involving collection of fees for search time and reproduction of documents from an Air Force Reserve or Air National Guard members personnel record, authorized release under Freedom of Information (FOI) at the request or authorization of the member for release to himself/or herself or approved agencies.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 USC 552, Public information agency rules, opinions, orders, and proceedings (Freedom of Information Act); 552a, Records maintained on individuals (Privacy Act); and 10 USC 8012, Secretary of the Air Force: powers and duties: delegation by as implemented by Air Force Regulation (AFR) 12–30, Disclosure of Air Force Records to the Public; AFR 12–35, Air Force Privacy Act Program, AFR 12–32, Schedule of Fees for Copying, Certifying, and Searching Records and Other Documentary Material.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to control collection of chargeable fees and to very completion of action.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Destroyed after one year by tearing, pulping, or burning, provided any discrepancy is cleared.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, Colorado between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's identity from the record.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Correspondence and information from the individual, other military agencies and the National Personnel Records Center, St. Louis, MO 63132.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 AF JA A

SYSTEM NAME:

Confidential Statement of Affiliations and Financial Interest.

SYSTEM LOCATION:

Office of the General Counsel, Office of the Secretary of the Air Force, Washington, DC 20330; Office of the Judge Advocate General, Headquarters, United States Air Force, Washington, DC 20330; Headquarters of major commands and at all levels down to and including Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force civilian personnel paid at a level of GS–13 through GS–15; Air Force military personnel in the rank of Lieutenant Colonel or Colonel whose basic duties and responsibilities require the exercise of judgment on Government decision making or taking action on (1) the administering or monitoring of grants or subsidies, (2) contracting or procurement, (3) auditing, or (4) any other government activity in which the final decision or action has a significant economic impact on the interest of any non-federal enterprise; and Special Government employees who are "advisors" or "consultants."

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains the title of the individual's position, date of appointment in present position, agency and major organization segment of the position, employment and financial interests, creditors, interest in real property, a list of persons from whom information can be obtained concerning the individual's financial situation, supervisor's evaluation, and Standards of Conduct Counsellor/Deputy Counsellor review.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Executive Order 11222, "Prescribing Standards of Ethical Conduct for Government Officers and Employees."

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The review of the statements by the individual's supervisor and deputy counselor to determine the existence of or potential for a conflict of interest in the performance of official duties.

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 year.

SAFEGUARDS:

Stored in locked metal file cabinets.

RETENTION AND DISPOSAL:

Retained up to two years after the individual has left employment or terminated responsibilities which require disclosure of information. Destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Assistant General Counsel (Personnel), The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Managers or to Deputy Standards of Conduct Counsellor at system location.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance from the System Managers or Deputy Standards of Conduct Counsellor at system location.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Managers.

RECORD SOURCE CATEGORIES:

Information is obtained from the individual or from personnel designated by the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 AF SG A

SYSTEM NAME:

Aerospace Physiology Personnel Career Information System.

SYSTEM LOCATION:

Air Force Medical Service Center, HQ AFMSC/SGPA, Brooks Air Force Base, Texas 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force active duty military personnel serving in, and civilian and military applicants for, the USAF Aerospace Physiology Programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Files contain a picture, information as to assignments, academic and professional accomplishments, personal letters from individuals inquiring about some aspect of a career as an AF Aerospace Physiologist/Physiological Training Officer.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by;

and 8067(d), Designation: officers to perform certain professional functions, as implemented by Air Force Regulation (AFR) 50–27, Air Force Aerospace Physiology Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Chief, Aerospace Physiology and Chief, Biomedical Sciences Corps (BSC) to make policy decisions regarding level and type of officer expertise available and required to meet present and future commitments for USAF. Used for policy analysis in determining the type of professional background required to meet standards for each program falling within the Aerospace Physiology Programs. Used by Chief, Aerospace Physiology and Chief, Biomedical Sciences Corps (BSC) to analyze the experience and professional achievements of the individual/group to insure that qualified officers are available, processed and trained and properly located to meet the requirements for specific and highly technical Aerospace Physiology projects. Used for policy decisions regarding curricula for professional training requirements for advanced degrees, manning, standards for manpower evaluation, professional degree level for required functional areas, statistical analysis of data relating to component officers in the BSC. Personnel letters from/to individuals contain answer/questions to policies and their relation to individual's AF status, where applicable.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, visible file binders/cabinets; resumes are in alphabetical order in loose ring notebooks.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system.

RETENTION AND DISPOSAL:

Retained in offices files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Force Medical Service Center, Brooks Air Force Base, Texas 78235.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Provide full name, Social Security Number, military status. Requesters may visit Office of the Surgeon General, Aerospace Medicine Division. Proof of identity is by government ID card, drivers license, personal recognition by Chief, Aerospace Physiology due to small number of officers involved.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is provided by the individual and the Air Force Manpower and Personnel Center.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 ARPC A

SYSTEM NAME:

Applications for Identification (ID) Cards.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Applications for ID cards and discharge orders.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

18 U.S.C. 499, Military, naval, or official pass; 506, Seals of departments or agencies; and 701, Official badges, identification cards, other insignia as implemented by Air Force Regulation (AFR) 30–20, Issue and Control of Identification (ID) Cards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as a suspense file pending receipt of ID card or correspondence from reservist advising of prior disposition of identification card.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and by Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Destroy when notified that credential has been returned to issuing activity by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, Colorado between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or driving license and some verbal information that could verify the person's SSN at time of discharge.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is extracted from master personnel record when individual is discharged from the Air Force Reserve.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 ARPC B

SYSTEM NAME:

Point Credit Accounting Record System (PCARS).

SYSTEM LOCATION:

At Air Reserve Personnel Center, Denver, CO 80280. At Air National Guard and Air Force Reserve Activities. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice. At Air Force Manpower and Personnel Center, Randolph Air Force Base, Texas 78150.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve and National Guard Personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence, orders, forms, and reports which include identifying personnel data including name, SSN, address, grade, and retirement/retention date; record of retirement points and service earned prior to and record of points earned, by type duty, for the current retirement year. Reports include automated listings, processed transactions, rejected transactions, accession transactions, point summary lists, statistical reports, individual point summary reports, and input lists for participation verification.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 1331, Age and service requirements; 1332, Computation of years of service in determining entitlement to retired pay; 1333, Computation of years of service in computing retired pay; 1334, Time not creditable toward years of service; 1335, Inactive status list; 1336, Service credited for retired pay benefits not excluded for other benefits; and 1337, Limitation on active duty as implemented by Air Force Manual (AFM) 30–130, Vol I, Base Level Military Personnel System; Air Force Regulation (AFR) 35–41, Vol II, Reserve Training; AFR 35–7, Service Retirements; and AFR 35–3, Service Dates and Dates of Rank.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to maintain accurate listings of transactions processed to active reserve force member's point credit account, to reconcile strength of the Air National Guard and Air Force Reserve members between the various mechanized accounting systems, to identify new members of the Air Force Reserve and Air National Guard, to certify accuracy and completeness of transactions manually submitted to the point record as required by Air Force audit requirements, to advise member and reserve managers of the member's participation in reserve affairs, for promotion evaluation considerations, and for determination of retirement eligibility.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in visible file binders/cabinets, on computer tape, and paper printouts.

RETRIEVABILITY:

Filed by name and by SSN.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Documents not required for inclusion in military personnel record system are retained in office files until superseded, obsolete, no longer needed for reference, or after 16 months, whichever is sooner, then destroyed by tearing into pieces, shreeding, pulping, or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Request from individual should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written request for information should contain full name of individual, SSN, current address and the case control number shown on correspondence received from center. Records may be reviewed in records review room ARPC, Denver, CO 80280, between 8:00 a.m. and 3:00 p.m. on normal workdays. For personal visits, the individual should provide current reserve ID card and/or drivers license and give some verbal information that could verify his/her reserve assignment.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from master personnel record and authorized point credit documents obtained from automated system interfaces.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 SAC A

SYSTEM NAME:

Drug Rehabilitation Action Management Program.

SYSTEM LOCATION:

At servicing Air Force (AF) installation Social Actions Offices, Consolidated Base Personnel Offices, Strategic Air Command Headquarters (SAC) and Air Force Manpower and Personnel Center. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force active duty enlisted military personnel assigned to Strategic Air Command who are identified as drug abusers.

CATEGORIES OF RECORDS IN THE SYSTEM:

As a minimum, the system contains computerized data and manual files related to drug abuse identification, category of abuse, acceptance of treatment, and subsequent personnel actions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by; and 10 U.S.C. 8074, Commands: territorial organization and Air Force Regulation (AFR) 30–2, Social Actions Program.

ROUTINE USES OF RECORDS MAINTANIED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To identify and track a person's progress in the Strategic Air Command drug rehabilitation program and ultimate disposition (retained on active duty, separated, demoted, etc). Those authorized to have access to the files are base and command level social actions staffs, drug rehabilitation instructors, and selected command staff personnel.

The files are used to maintain information on drug abusers, to measure the success of program objectives, to substantiate personnel actions, provide analysis reports to concerned managers and to support separation actions.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Hybrid; maintained in a combination of paper and automated form.

RETRIEVABILITY:

Retrieved by name, by other identification number of system identifier.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. The computer file is secured on computer disk/tape by computer operations personnel. Manual file folders are stored in security file containers/cabinet safes. Computers are located in a security area.

RETENTION AND DISPOSAL:

Computerized and manual files will be destroyed two years after entry into drug rehabilitation program in accordance with AFM 12–50.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Personnel, Strategic Air Command, and base level Social Actions Offices.

NOTIFICATION PROCEDURE:

Chief, Social Action, Strategic Air Command Headquarters (DPZ) for Computer Files or base level Social Actions Offices for manual files. Request to determine existence of record on file should include full name, grade, and unit of assignment. Personal visit proof of identification requires full name and possession of Department of Defense (DD Form 2AF) Armed Forces Identification Card, or driver's license and personal recognition of counselor.

RECORD ACCESS PROCEDURES:

Access to computer files is controlled by Chief of Social Actions, Headquarters Strategic Air Command. Access to manual files is controlled by base level Chief, Social Actions Office.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institution, personnel records, individuals.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 SG A

SYSTEM NAME:

Bioenvironmental Engineer Personnel Career Information System.

SYSTEM LOCATION:

Air Force Medical Service Center, Brooks AFB, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Air Force Active Duty Officers with Air Force Specialty Code (AFSC) 9116, 9124, or 9121.

CATEGORIES OF RECORDS IN THE SYSTEM:

File includes information on where the individual is assigned, academic background, assignment preferences, past assignments, correspondence between the individual and the Associate Chief of the Biomedical Sciences Corps (BSC) for Bioenvironmental Engineering, and professional accomplishments of the individual.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by; and 8067(i), Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To assist the Associate Chief of the BSC for Bioenvironmental Engineering in establishing policy or educational requirements in this career field; to foster career retention through more personal contact with officers in this specialty; to assist the Air Force Manpower and Personnel Center in assigning bioenvironmental engineers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in card files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by authorized personnel who are properly screened and cleared for need-to-know. Records are protected by guards and controlled by personnel screening.

RETENTION AND DISPOSAL:

Retained in office files for six months after the individual terminates active military service, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Air Force Medical Service Center, Brooks AFB, TX 78235.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F030 SG B

SYSTEM NAME:

Aerospace Medicine Personnel Career Information System.

SYSTEM LOCATION:

The Aerospace Medical Consultants Division, HQ AFMSC/SGPA, Brooks AFB, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All AF Medical Officers (MC), active duty, separated or retired, who possess or are in training leading to award of Air Force Specialty Code (AFSC) 9356, Aerospace Medicine Physician.

CATEGORIES OF RECORDS IN THE SYSTEM:

Date of Board certification, dates of aeronautical ratings, professional society membership record of training, military assignments, marital status, list of papers authored, assignment preferences, desired career progression, photograph, letter of notification of certification by the American Board of Preventive Medicine, as well as personal letters from officers regarding promotion/assignment/career

progression and copies of replies to these letters.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by; and 8067(f) Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Assist the Chief, Aerospace Medical Consultants Division in establishing policy on educational requirements in 9356 career field; to foster career retention through more personal contact with officers in this speciality; to assist the AF Military Personnel System in assigning Aerospace Medicine Physicans.

POLICIES AND PRACTICES FOR STORING, RETREIVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in visible file binders/cabinets.

RETREVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system, and by authorized personnel who are properly screened and cleared for need-to-know. Records are controlled by visitor registers.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGERS AND ADDRESS:

Chief, Flight Medicine, HQ AFMSC/SGPA, Brooks AFB, TX 78235.

NOTIFICATION PROCEDURES:

Requests from individuals should be addresseed to the System Manager. Required information is full name/rank; visits may be made to Chief, Flight Medicine, Office of the Surgeon General, Aerospace Medical Consultants Division; proof of identity is by military ID card for active/retired and personal recognition due to small number of officers involved.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Individuals provide most of the information for the system. The remainder is obtained from financial, educational or medical institutions, and from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 AFAA A

SYSTEM NAME:

Air Force Audit Agency Office File.

SYSTEM LOCATION:

Command Section, AFAA/AG, Norton AFB CA 92409; Directorate of Operations, AFAA/DO, Norton AFB CA 92409; Directorate of Plans, AFAA/XP, Norton AFB CA 92409; Directorate of Forces and Support, AFAA/FS, Norton AFB CA 92409; Directorate of Field Activities, AFAA/FD, Norton AFB CA 92409; Directorate of Support Services AFAA/SU, Norton AFB CA 92409; Directorate of Personnel, AFAA/DP, Norton AFB CA 92409; Assistant Auditor General, AFAA/AF (Pentagon), Washington D.C. 20330; Central Audit Region, AFAA/FDC, Offutt AFB NE 68113; Eastern Audit Region, AFAA/FDE, Langley AFB VA 23665; European Audit Region, AFAA/FDU, APO NY 09012; Pacific Audit Region, Hickam AFB HI 96853; AFAA/FDW, McClellan AFB, CA 95652; Acquisition Audit Region/QLQ, Andrews, AFB DC 20331; AFAA Area Audit Office, Barksdale AFB LA 71110; AFAA Area Audit Office, Bergstrom AFB TX 78743; AFAA Area Audit Office, Cannon AFB NM 88101; AFAA Area Audit Office, Carswell AFB TX 76127; AFAA Area Audit Office, P.O. Box 547, Dyess AFB TX 79607; AFAA Area Audit Office, Ellsworth AFB SD 57706; AFAA Area Audit Office, Grand Forks AFB ND 58205; AFAA Area Audit Office, Holloman AFB NM 88330; AFAA Area Audit Office, Little Rock AFB Jacksonville AR 72076; AFAA Area Audit Office, Bldg 349, Lowry AFB CO 80230; AFAA Area Audit Office, Minot AFB ND 58701; AFAA Area Audit Office, Offutt AFB NE 68113; AFA Area Audit Office, McConnell AFB KS; AFAA Area Audit Office, Sheppard AFB TX 76311; AFAA Area Audit Office, Bldg 1522, Stop 166, Andrews AFB DC 20331; AFAA Area Audit Office, Chanute AFB IL 61868; AFAA Area Audit Office, Charleston AFB SC 29404; AFAA Area Audit Office, Dover AFB DE 19901; AFAA Area Audit Office, Griffiss AFB NY 13441; AFAA Area Audit Office, Grissom AFB IN 46971; AFAA Area Audit Office, Homestead AFB FL 33039; AFAA Area Audit Office, Bldg 4330, Kessler AFB MS 39534; AFAA Area Audit Office, KI Sawyer AFB MI 49843; AFAA Area Audit Office, Langley AFB VA 23665; AFAA Area Audit Office/LA, MacDill AFB FL 33608; AFAA Area Audit Office, McGuire AFB NJ 08641; AFAA Area Audit Office, Pease AFB NH 03801; AFAA Area Audit Office, Plattsburgh AFB NY 12903; AFAA Area Audit Office, Scott AFB IL 62225; AFAA Area Audit Office, Seymour Johnson AFB NC 27531; AFAA Area Audit Office, Shaw AFB SC 29152; AFAA Area Audit Office, Tyndall AFB FL 32403; AFAA Area Audit Office, APO San Francisco 96334; AFAA Area Audit Office, Beale AFB CA 95903; AFAA Area Audit Office, Castle AFB CA 95342; AFAA Area Audit Office, APO San Francisco 96274; AFAA Area Audit Office, Davis-Monthan AFB AZ 85707; AFAA Area Audit Office, P.O. Box 878, Elmerdorf AFB AK 99506; AFAA Area Audit Office, P.O. Box 1313, Fairchild AFB WA 99011; AFAA Area Audit Office/LA, George AFB CA 92392; AFAA Area Audit Office, Hickam AFB HI 96853; AFAA Area Audit Office, APO San Francisco 96239; AFAA Area Audit Office, APO San Francisco 96264; AFAA Area Audit Office, Luke AFB AZ 85309; AFAA Area Audit Office, Bldg 510, Mather AFB CA 95655; AFAA Area Audit Office, McChord AFB WA 98438; AFAA Area Audit Office, Mountain Home ID 83648; AFAA Area Audit Office, Nellis AFB NV 89191; AFAA Area Audit Office, APO San Francisco 96570; AFAA Area Audit Office/34AG, Norton AFB, CA 92409; AFAA Area Audit Office, Travis AFB CA 94535; AFAA Area Audit Office, Peterson AFB CO 80914; AFAA Area Audit Office, Vandenberg AFB CA 93437; AFAA Area Audit Office, APO San Francisco 96328; AFAA Area Audit Office, APO New York 09238; AFAA Area Audit Office, APO New York 09223; AFAA Area Audit Office, APO New York 09283; AFAA Area Audit Office, APO New York 09132; AFAA Area Audit Office, APO New York 09109; AFAA Area Audit Office, APO New York 09179; AFAA Area Audit Office, APO New York 09012; AFAA Area Audit Office, APO New York 09057; AFAA Area Audit Office, APO New York 09194; AFAA Area Audit Office, Stop 226, Edwards AFB CA 93523; AFAA Area Audit Office, P.O. Box 1625, Eglin AFB FL 32542; AFAA Area Audit Office,

Kirtland AFB NM 87117; AFAA Area Audit Office/ESD, Bldg 1716N, Stop 43, Hanscom AFB MA 01731; AFAA Area Audit Office, P.O. Box 92960, Worldway Postal Center, Los Angeles CA 90009; AFAA Area Audit Office, Patrick AFB FL 32925; AFAA Area Audit Office/ASD, Bldg 125, Rm 1401, Area B, Wright-Patterson AFB OH 45433; AFAA Area Audit Office, Hill AFB UT 84406; AFAA Area Audit Office, Kelly AFB TX 78241; AFAA Area Audit Office/LVAS, McClellan AFB CA 95652; AFAA Area Audit Office/AUDGN, Robins AFB GA 31098; AFAA Area Audit Office, Tinker AFB OK 73145; AFAA Area Audit Office/REP, Wright-Patterson AFB OH 45433; AFAA Area Audit Office, Gunter AFS AL 36114; AFAA Area Audit Office, Denver CO 80279; AFAA Area Audit Office, Randolph AFB TX 78148.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency active duty and reserve officer, enlisted, and civilian personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Installation Fact Sheet, Air Force Audit Agency Leave Schedule, Memorandums of Discussions with Installation Officials, Personnel Data Sheet, Personnel Interview Sheet (Parts I and II), Memorandums to Region Chief concerning supervisory visits, Region/Division Audit Report Review Sheets, Designation of Position and Position Titles, Air Force Audit Agency Personnel Roster for Office Concerned, Recommendations for Future Assignment of Personnel, Memorandums for the Record, Supervisory Surveys, Correspondence Relating to Performance of Assigned Personnel, Welcome Letters for Assigned Personnel, Pertinent Staff Meeting Memorandums, Pertinent Staff Training Memorandums, Workload Data, Report Evaluations By Auditor, AFAA Office Productivity Data, Supervisory Auditor Assignments, Reports of Significant Activity, HQ AFAA SRA/Audit Review Sheets, Memorandums of Personnel Discussions, Trip Reports, and Individual Resource Expenditure Worksheets.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8032(b)(1), General duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by audit office chiefs, supervisory auditors, and Region/Directorate Chiefs to collect data to evaluate office and individual performance and to become cognizant of office responsibilities and general geographical factors.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Retrieved by manual search of the records maintained by each office using name, audit project or by category.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are controlled by personnel screening.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Auditor General, Air Force Audit Agency, Norton AFB CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers; financial, educational, and medical institutions; trade associations; automated system interfaces; police and investigating officers; the public media; state or local governments; international organizations; corporations; witnesses, and source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 AFAA B

SYSTEM NAME:

Air Force Audit Agency Office Personnel File.

SYSTEM LOCATION:

Command Section, AFAA/AG, Norton AFB CA 92409; Directorate of Operations, AFAA/DO, Norton AFB CA 92409; Directorate of Plans, AFAA/XP, Norton AFB CA 92409; Directorate of Forces and Support, AFAA/FS, Norton AFB CA 92409; Directorate of Support Services, AFAA/SU, Norton AFB CA 92409; Directorate of Field Activities, AFAA/FD, Norton AFB CA 92409; Directorate of Personnel, AFAA/DP, Norton AFB CA 92409; Assistant Auditor General, AFAA/AI (Pentagon), Washington DC 20330; Central Audit Region, AFAA/FDC, Offutt AFB NE 68113; Eastern Audit Region, AFAA/FDE, Langley AFB VA 23665; European Audit Region, AFAA/FDU, APO NY 09012; Pacific Audit Region, Hickam AFB HI 96853; AFAA/FDW, McClellan AFB CA 95652; AF Audit Agency, Acquisition Audit Region/QLQ, Andrews AFB DC 20331; AFAA Area Audit Office, Barksdale AFB LA 71110; AFAA Area Audit Office, Bergstrom AFB TX 78743; AFAA Area Audit Office, Cannon AFB NM 88101; AFAA Area Audit Office, Carswell AFB TX 76127; AFAA Area Audit Office, P.O. Box 547, Dyess AFB TX 79607; AFAA Area Audit Office, Ellsworth AFB SD 57706; AFAA Area Audit Office, Grand Forks AFB ND 58205; AFAA Area Audit Office, Holloman AFB NM 88330; AFAA Area Audit Office, Little Rock AFB Jacksonville, AR 72076; AFAA Area Audit Office, Bldg. 349, Lowry AFB CO 80230; AFAA Area Audit Office, Minot AFB ND 58701; AFAA Area Audit Office, Offutt AFB NE 68113; AFAA Area Audit Office, McConnell AFB KS; AFAA Area Audit Office, Sheppard AFB TX 76311; AFAA Area Audit Office, Bldg. 1522, Stop 166, Andrews AFB DC 20331; AFAA Area Audit Office, Chanute AFB IL 61868; AFAA Area Audit Office, Charleston AFB SC 29404; AFAA Area Audit Office, Dover AFB DE 19901; AFAA Area Audit Office, Griffiss AFB NY 13441; AFAA Area Audit Office, Grissom AFB IN 46971; AFAA Area Audit Office, Homestead AFB FL 33039; AFAA Area Audit Office, Bldg. 4330, Keesler AFB MS 39534; AFAA Area Audit Office, K.I. Sawyer AFB MI 49843; AFAA Area Audit Office, Langley AFB VA 23665; AFAA Area Audit Office/LA, MacDill AFB FL 33608; AFAA Area Audit Office, McGuire AFB NJ 08641; AFAA Area Audit Office, Pease AFB NH 03801; AFAA Area Audit Office, Plattsburgh AFB NY 12903; AFAA Area Audit Office, Scott AFB IL 62225; AFAA Area Audit Office, Seymour Johnson AFB NC 27531; AFAA Area Audit Office, Shaw AFB SC 29152; AFAA Area Audit Office, Tyndall AFB

FL 32403; AFAA Area Audit Office, APO San Francisco 96334; AFAA Area Audit Office, Beale AFB CA 95903; AFAA Area Audit Office, Castle AFB CA 95342; AFAA Area Audit Office, APO San Francisco 96274; AFAA Area Audit Office, Davis-Monthan AFB AZ 85707; AFAA Area Audit Office, P.O. Box 878, Elmendorf AFB AK 99506; AFAA Area Audit Office, P.O. Box 1313, Fairchild AFB WA 99011; AFAA Area Audit Office/LA, George AFB CA 92392; AFAA Area Audit Office, Hickam AFB HI 96853; AFAA Area Audit Office, APO San Francisco 96239; AFAA Area Audit Office, APO San Francisco 96264; AFAA Area Audit Office, Luke AFB AZ 85309; AFAA Area Audit Office, Bldg. 510, Mather AFB CA 95655; AFAA Area Audit Office, McChord AFB WA 98438; AFAA Area Audit Office, Mountain Home, ID 83648; AFAA Area Audit Office, Nellis AFB NV 89191; AFAA Area Audit Office, APO San Francisco 96570; AFAA Area Audit Office/34AG, Norton AFB CA 92409; AFAA Area Audit Office, Travis AFB CA 94535; AFAA Area Audit Office, Peterson AFB CO 80914; AFAA Area Audit Office, Vandenberg AFB CA 93437; AFAA Area Audit Office, APO San Francisco 96328; AFAA Area Audit Office, APO New York 09238; AFAA Area Audit Office, APO New York 09223; AFAA Area Audit Office, APO New York 09283; AFAA Area Audit Office, APO New York 09132; AFAA Area Audit Office, APO New York 09109; AFAA Area Audit Office, APO New York 09179; AFAA Area Audit Office, APO New York 09012; AFAA Area Audit Office, APO New York 09057; AFAA Area Audit Office, APO New York 09194; AFAA Area Audit Office, Stop 226, Edwards AFB CA 93523; AFAA Area Audit Office, P.O. Box 1625, Eglin AFB FL 32542; AFAA Area Audit Office, Kirtland AFB NM 87117; AFAA Area Audit Office/ESD, Bldg. 1716N, Stop 43, Hanscom AFB MA 01731; AFAA Area Audit Office, P.O. Box 92960, Worldway Postal Center, Los Angeles, CA 90009; AFAA Area Audit Office, Patrick AFB FL 32925; AFAA Area Audit Office/ASD, Bldg. 125, Rm. 1401, Area B, Wright-Patterson AFB OH 45433; AFAA Area Audit Office, Hill AFB UT 84406; AFAA Area Audit Office, Kelly AFB TX 78241; AFAA Area Audit Office/LVAS, McClellan AFB CA 95652; AFAA Area Audit Office/AUDGN, Robins AFB GA 31098; AFAA Area Audit Office, Tinker AFB OK 73145; AFAA Area Audit Office/REP, Wright-Patterson AFB OH 45433; AFAA Area Audit Office, Gunter AFS AL 36114; AFAA Area Audit Office, Denver CO 80279; AFAA Area Audit Office, Randolph AFB TX 78148.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency active duty and reserve officer and enlisted personnel, and civilian employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Supervisor's Record of Employee; Record of Emergency Data; Notification of Personnel Action; Request for Personnel Action; Supervisory Evaluation of Employee Potential for First-Level Supervisory Positions; Supervisory Appraisal of Employee Current Performance-Auditor; Supervisory Appraisal of Employee Current Performance-Supervisory (General Schedule and Wage); Special Orders; Awards and Decorations information; Career Development data; AFR 30–30, Certifications; Appointment of Additional Duties; Application, Request for Investigation, Clearance, Unescorted Entry, Access Authorization Certificate; Letters of Recognition, Achievement, Congratulations or Commendation; Notification of Permanent Change of Station (PCS) Assignment; Quality Evaluation of First-Time Office Chiefs; Requests for Transfer, Separation, and Retirements; Officer Career Objective Statements; Airman Assignment Preference Statement; Recommendation for Incentive Award; Supervisory Appraisal of Employee Current Performance-Middle and High Level Managerial and Executive; Qualifications profile; Certification of Eligibility and Record of Personnel Security Clearance; Civilian Development Record; Data relating to Temporary Duty (TDY)/PCS trips; Evaluation Review/Critique Sheet; Orientation Checklist; Admission and Disposition Slip; Flying Attachment Data; Locator Cards; Supervisory Appraisal of Employee Current Performance-Clerical.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8032(b)(1), General duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by area office chiefs, supervisory auditors, clerical personnel, and region/division chiefs to collect data for informational, support, and evaluation purposes.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Auditor General, Air Force Audit Agency, Norton AFB, CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers; financial institutions, educational institutions, and medical institutions; trade associations; automated system interfaces; police and investigating officers; the public media, bureau of motor vehicles; state or local government; international organizations; corporations; witnesses; and source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 AFAA C

SYSTEM NAME:

Informal Airmen/Reserve Information Record.

SYSTEM LOCATION:

HQ Air Force Audit Agency (AFAA), AFAA/CC, Norton Air Force Base, CA 92409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency active duty and inactive reserve enlisted personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Record of Emergency Data, Airman/Officer performance/effectiveness reports, Personnel Assignment Actions, Reassignment Orders, Assignment Preference Statement, Promotion Orders, Awards/Decoration—Orders and Citations, Enlistment Contract, Reserve Personnel Data Sheet, Applications for Active Duty Tours and Assignment Orders, Application for Reserve Assignment, Ready Reserve Service Agreement, Transitory correspondence pertaining to career management during individual's assignment to AFAA.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8032(b)(1), General duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to staff applications for reserve active duty tours, determine performance qualifications. Source documents to support entries in Advanced Personnel Data System. Users—Command section AFAA; Directorate of Personnel staff.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Auditor General, Air Force Audit Agency (AFAA/AG), Norton Air Force Base, CA 92409.

NOTIFICATION PROCEDURES:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager and the Director of Personnel (AFAA/DP), Norton Air Force Base, CA 92409.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCES CATEGORIES:

Information obtained from source documents, from the individual, and from the Consolidated Base Personnel Office (CBPO).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 AFSC A

SYSTEM NAME:

Personnel Management Information System for AFSC Field Commanders.

SYSTEM LOCATION:

AFSC Divisions, Centers, and Laboratories.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force officer, enlisted, and civilian personnel assigned to or scheduled for assignment to various AFSC subordinate organizations.

CATEGORIES OF RECORDS IN THE SYSTEM:

Resumes and other data elements to record name, date of birth, service dates, assignment status, grade, salary, promotion and step increase dates, occupational series, AFSC, skill level, position title, educational level, professional/scientific status, special training, awards, publications, handicap, minority and sex codes.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Provides data to the Commander, his immediate staff, and Project Managers concerning the professional qualifications for selection and utilization of assigned personnel, for position management, and to perform certain scientific and technical research efforts in program support. Other uses include assigning additional management responsibility, preparing nominations for honors and awards, and as background data for evaluating requests for admission to professional societies, or other professional training.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer magnetic tapes and disks, computer paper printouts, in binders, and in folders as case files.

RETRIEVABILITY:

Normally, data is retrieved by use of nonpersonal information, such organizational unit, occupational series, grade, or other workforce characteristics, but may be retrieved by name, SSN, or position member.

SAFEGUARDS:

(1) Records are accessed by the records custodian or by other persons responsible for servicing the records system in performance of their official duties. (2) Records are controlled by personnel screening and by computer system software. (3) Records are maintained in locked cabinet or other secured containers.

RETENTION AND DISPOSAL:

Retained in computer file or secured office file until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating or burning. Upon reassignment or separation, information in the computer file relating to the individual is deleted from the data base.

SYSTEM MANAGER(S) AND ADDRESS:

Commanders, Executive Officers, Product Managers of various AFSC subordinate organizations.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the specific System Manager/Record Custodian at subordinate AFSC organizations.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information will be obtained from military and civilian personnel records, managers and supervisors of individuals on a voluntary basis.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC A

SYSTEM NAME:

Administrative Discharge for Cause on Reserve Personnel.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280, (all Reserve personnel other than unit assigned); Headquarters Air Force Reserve, Robins Air Force Base, GA 31098, (AFRES unit assigned Reserve personnel).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Board proceedings, board waiver, recommendations, and other records which result in discharge.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 1162, Reserves: discharge; 1163, Reserve components; limitation on separation as implemented by Air Force Regulation (AFR) 35–41, Vol III, Separation Procedures for USAFR Members; AFR 35–24, Disposition of Conscientious Objectors; and ARPCR 45–19, Discharge for Inability to Locate.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To effect the administrative separation of officer members of the United States Air Force Reserve (USAFR) from their appointment as reserve Officers and to effect the administrative separation of enlisted members of the USAFR from their enlistment as reserve members.

POLICIES AND PRACTICES FOR STORING RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and by Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records at ARPC are stored in locable metal file cabinets. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files for 1 year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. HQ AFRES forwards copies of actions resulting in discharge to the Air Reserve Personnel Center, Denver CO 80280 for inclusion in the individual's Master Personnel Record Group. Individual's military personnel record is then forwarded to the National Personnel Record Center, 9700 Page Blvd, St Louis MO 63132, for permanent storage.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Air Reserve Personnel Center (ARPC), Denver CO 80280; Vice Commander, Headquarters Air Force Reserve, Robins Air Force Base, GA 31098.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver CO 80280, (non-unit assigned personnel), or the Chief, Personnel Actions Division, HQ AFRES/DPAA, Robins Air Force base, GA 31098, (AFRES unit assigned personnel). Written requests for information should contain full name, SSN, current mailing address, and if known, the case (control) number on correspondence received from ARPC or HQ AFRES. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Building 444, Lowry Air Force Base, CO between 8:00 a.m. and 3:00 p.m., or Headquarters Air Force Reserve, DPAA, Bldg 210, Robins Air Force Base, GA, 8:00 a.m. and 4:45 p.m., on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the persons identification.

RECORD ACCESS PROCEDURES:

Individuals may obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver CO 80280; telephone (303) 370–4667 (Non-Unit Personnel), or the Chief, Personnel Actions Division, (AFRES/DPAA), Bldg 210, HQ AFRES, Robins Air Force Base, GA 31098; telephone (912) 926–3107 (Unit Assigned Personnel).

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES.

Information obtained from medical institutions, police and investigating officers and from witnesses.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC B

SYSTEM NAME:

Informational Personnal Management Records.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver CO 80280; Headquarters United States Air Force, Washington DC 20330; United States Air Force Academy CO 80440; major commands and major subordinate commands. Official mailing addresses are in the Department of Defense directory in the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve and Air National Guard personnel. Civilian/active military applicants to the Air Force Reserve. Retired and former Air Force military personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Officer and airman assignment files which includes correspondence, memos, completed forms, messages, and vacancy authorization data for assignment approvals, disapprovals, waivers, manning assistance, discharges, screening data, orders, evaluation reports, documents changing training category, personnel data, photographs, chaplain ecclesiastical endorsement, record of security clearance; miscellaneous correspondence to and from individual; documents pertaining to individual that are not authorized for inclusion in other military personnel record systems; case file of reserve personnel placed on active duty containing copies of special and reserve orders, correspondence, documents complete with information used for travel overseas; assignment instructions; list of actions taken by technician; board actions on involuntary airmen; certified receipts acknowledgement of receipt of special orders card.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 274, Retired Reserve; 275, Reserve personnel; 672, Reserve components generally; 673, Ready Reserve and Executive Order 11366, 4 August 1967; 10 USC Chapter 103, Senior Reserve Officer Training Corps; 10 USC 262, Purpose; and 2001, Reserve components; 8012, Secretary of the Air Force: powers and duties; delegation by; 8067, Designation: officers to perform

certain professional functions as implemented by Air Force Regulation (AFR) 35–41, Vol I, Assignments Within the Reserve Components; AFR 35–41, Vol II, Reserve Training; and AFR 35–44, Military Personnel Records System.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to determine eligibility/suitability for assignment/reassignment with the Air Force Reserve; determine eligibility for retired related action, to make determinations on discharges or mobilization, deferments, fulfillment of statutory requirements, voluntary and involuntary order to extended active duty (EAD) and temporary release, status of active duty tour, position occupied; training reports. These include but are not limited to members participating in the Chaplain, Judge Advocate, Surgeon General Program. Records maintained as a historical file. Answers to correspondence/telephone inquiries; updating and/or changing information in computer and/or individual reservist record. Used as a reference file to answer inquiries from Reservist being called to active duty, to send gaining active units additional copies as requested, used as substantiating documents to show action was taken in accordance to prescribing directives. Information on personnel in the Chaplain, Judge Advocate, Surgeon General and other officer management programs is used by personnel responsible for program in order to assist Reservists in their careers.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders/card files/note books/binders and in visible file binders/cabinets.

RETRIEVABILITY:

Filed by name, by Social Security Number (SSN), and ascending AFSC order, rank and name.

SAFEGUARDS:

Records are accessed by the custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Retain in office files until inactivation, reassignment or separation, no longer needed for reference or one year after annual cut-off. Then destroy by tearing into pieces, shredding, pulping, or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC) is responsible for records at ARPC in Denver, CO. Individuals included in above records systems should deal directly with agency official of respective location to exercise their rights under the act.

NOTIFICATION PROCEDURE:

Request from individual should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written requests for information should include full name of individual, Social Security Number (SSN), current address and the case (control) number shown on correspondence received from Center. Records may be reviewed in the Records Review Room, ARPC, Denver, CO 80280, between 8:00 a.m. and 3:00 p.m., on normal workdays. For personal visits, the individual should provide current Reserve ID card and/or drivers license and give some verbal information that could verify his/her identity from the records.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information supplied by individual as relates to but not limited to requesting assignment, application for retirement, military orders, personnel data, master personnel record, correspondence, statement of military service from other military components; annual survey and advance personnel data system, correspondence from serving Consolidated Base Personnel Office/Consolidated Reserve Personnal Office and Major Command units. Instructions from Air Force Military Personnel Center, Randolph Air Force Base, San Antonio TX 78150, instructions and board actions from Air Force Reserve (AFRES), DPAA, Robins Air Force Base, Warner Robins GA 31093 and Air Force Training Corps/SDAA, Maxwell Air Force Base, Montgomery AL 36112 and the National Guard Bureau, Washington DC 20310, and other Air Command, instructions from Headquarters/JAEC, Washington DC 20314. Information from source documents prepared on behalf of the Air Force Advance Personnel Data System.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC C

SYSTEM NAME:

Correction of Military Records of Officers and Airmen.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel and Air National Guard personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Case files containing letters from individual reservist requesting correction of military record, related documents and replies to reservist.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 275, Personnel records as implemented by Air Force Regulation (AFR) 31–3, Air Force Board for Correction of Military Records and Air Reserve Personnel Center Regulation 45–4, Correction of Military Records.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Office Managers and Section supervisors and technicians to process correction of reserve records when requested. Base files are sent to Manpower and Personnel Center for final action.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards and controlled by personnel screening.

RETENTION AND DISPOSAL:

Destroyed after 3 years by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, Colorado between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's SSN.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

From personnel records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC D

SYSTEM NAME:

Data Change/Suspense Notification.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence and forms used to record discrepancies or changes.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 275, Personnel records as implemented by Air Force Regulation (AFR) 35–41, Vol. I, Assignments Within the Reserve Components and Air Reserve Center Regulation 45–7, Annual Survey.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To resolve discrepancies detected during annual records review.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name or Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files for 1 year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, CO between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's identification.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from source documents prepared on behalf of the Air Force Advance Personnel Data System or supplied by Reservist.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC E

SYSTEM NAME:

Flying Status Actions.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve and Air National Guard personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence and related documents pertaining to request for suspension, nonrated officer utilization, aeronautical rating data documents that pertain to aeronautical ratings or suspensions and request for update of the uniform officer record and applications for other flying status/actions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 275, Personnel records as implemented by Air Force Regulation (AFR) 35–13, Aviation Service, Aeronautical Ratings and Badges and Air Reserve Personnel Center Regulation 45–15, Disqualification of Rated Reserve Officers from Aviation Service.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To track each action taken until computer action is complete; reservist is informed and file copy is in master personnel record.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name or Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files for one year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, CO between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's identification.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from source documents prepared on behalf of the Air Force advanced personnel data system or supplied by reservist.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC F

SYSTEM NAME:

Biographical File.

SYSTEM LOCATION:

At Air Reserve Personnel Center, Denver, CO 80280. Ecclesiastical endorsing agencies if appropriate.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel assigned to but not limited to the Chaplain (HC) and Surgeon (SG) programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

Biographies provided by members, correspondence, orders and/or forms containing information as to individual name, rank, Social Security Number (SSN), service dates, date of birth, unit assignments, civilian employment, military and civilian education, military and civilian experience, program specialties, hobbies, and names of family members, religion of chaplains, professional expertise and appointments, membership in professional societies, civic activities and state of licensure.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 262, Purpose; 8067, Designation: Officers to perform certain professional functions as implemented by Air Force Regulation (AFR) 35–41, Vol I, Assignments Within the Reserve Components; AFR 35–41, Vol II, Reserve Training; Air Reserve Personnel Center Regulation (ARPCR) 45–10, Personnel Administration for Members of the Chaplain Candidate Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To select chaplains, legal, medical field reserve officer personnel for special duties according to specific expertise required. Chaplain records are used by Chaplains Office personnel, medical reservist records are used to provide the ARPC/SG, Surgeon General, Major Command surgeons, USAF/RE, and Reserve Regions an in-depth personal history of Reservist Medical Officer. Allow selection of members best qualified to meet specific program requirements and task assignments.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in note books/binders.

RETRIEVABILITY:

File alphabetically by name or by SSN.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties, and by commanders of medical centers and hospitals. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Request from individual should be addressed to Documentation Management Officer ARPC/DAD, Denver, CO 80280. Written request for information should contain full name of individual, SSN, current address and the case (control) number shown on correspondence received from Center. Records may be reviewed in Records Review Room ARPC, Denver, CO 80280, between 8:00 a.m. and 3:00 p.m. on normal workdays. For personal visits, the individual should provide current Reserve ID Card and/or drivers license and give some verbal information that could verify his/her military personnel record, his/her religion if in the Chaplain program.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Provided by individual Reservist.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 ARPC G

SYSTEM NAME:

Officer Promotions.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280; Washington National Records Center, Washington, DC 20409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force active duty officer personnel. Air Force Reserve and Air National Guard personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Proceedings, findings and related documents such as rosters, board membership and board support and orders announcing promotion.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8362, Commissioned officers: selection boards; 8366, Commissioned officers: promotion to captain, major, or lieutenant colonel; 8367, Commissioned officers: promotion to captain, major, or lieutenant colonel; selection board procedures; 8371, Commissioned officers: Air Force Reserve; promotion to colonel as implemented by Air Force Regulations (AFR) 36–11, Permanent Promotion of Regular and Reserve Officers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by promotion division personnel in preparation for promotion boards and by the actual promotion board when convened.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in note books/binders.

RETRIEVABILITY:

Filed by name or Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system, and by person(s) responsible for servicing the records system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms, protected by guards, and controlled by personnel screening.

RETENTION AND DISPOSAL:

Retained in office files for 2 years after annual cut-off, then retired to Washington National Records Center, Washington DC 20409, for permanent retention.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC).

NOTIFICATION PROCEDURE:

Requests from individual should be addressed to Documentation Management Officer, ARPC/DAD, Denver CO 80280. Written request for information should contain full name of individual, SSN (Social Security Number). Current address and the case (control) number shown on correspondence received from center. Records may be reviewed in records review room ARPC, Denver, CO 80280, between 8:00 a.m. and 3:00 p.m. on normal workdays. For personal visits, the individual should provide current reserve i.d. card and/or drivers license and give some verbal information that could verify his/her record.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from Documentation Management Officer, ARPC/DAD, Denver CO 80280, telephone area code (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents such as reports.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SAC A

SYSTEM NAME:

Navigator Background Information.

SYSTEM LOCATION:

Beale Air Force Base, CA 95903; Castle Air Force Base, CA 95342; Dyess Air Force Base, TX 79607; Ellsworth Air Force Base, SD 57706; Fairchild Air Force Base, WA 99011; Francis E Warren Air Force Base, WY 82001; Grand Forks Air Force Base, ND 58205; March Air Force Base, CA 92518; Minot Air Force Base, ND 59705; 6 Strategic Wing, APO Seattle 98737; 320 Bombardment Wing, Mather Air Force Base, CA 95655; 916 Air Refueling Squadron, Travis Air Force Base, CA 94535; 55 Strategic Reconnaissance Wing, Offutt Air Force Base, NE 68113.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Currently assigned staff-crew navigators at 15th Air Force bases.

CATEGORIES OF RECORDS IN THE SYSTEM:

Grade, name, SSN, flying time and experience, education, professional military education, and special navigation competition experience.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force; powers and duties; delegation by and Strategic Air Command (SAC) Regulation 55–65, Operations and Training Divisions—Functions.

ROUTINE USES OF RECORDS MAINTAINED IN HE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are used by the chief of the Bomb Navigation Branch to select navigators based on experience and training.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual; maintained in paper files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are controlled by personnel screening in a controlled area.

RETENTION AND DISPOSAL:

Retained in office files until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Bomb Navigation Branch at each base listed under "System Location" above.

NOTIFICATION PROCEDURE:

Chief, Bomb Navigation Branch. Requests to determine existence of record should include full name, grade, SSN, and approximate dates individual was assigned to SAC organizations listed under "System Location" above.

RECORD ACCESS PROCEDURES:

Gain assistance from Unit Chief, Bomb Navigation Branch at each base listed under "System Location" above.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information and changes are obtained from the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SAC B

SYSTEM NAME:

Officer Involuntary Administrative Separation File.

SYSTEM LOCATION:

Headquarters Strategic Air Command (SAC), Deputy Chief of Staff, Personnel, Quality Control Branch (DAPP), Offutt Air Force Base, NE 68113.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present Air Force active duty officers assigned to the Strategic Air Command who have Air Force Regulation (AFR) 36–2 or AFR 36–3 action pending or are resigning in lieu of court-martial.

CATEGORIES OF RECORDS IN THE SYSTEM:

SAC officers involuntary administrative separation discharge case file.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC Chapter 859, Separation from Regular Air Force for Substandard Performance of Duty; and Chapter 860, Separation from Regular Air Force for Moral or Professional Dereliction or in the Interest of National Security; AFR 36–2, Administrative Discharge Procedures (Unfitness, Unacceptable Conduct or in the Interest of National Security); AFR 36–3, Administrative Discharge Procedures (Substandard Performance of Duty); and AFR 36–12, Administrative Separation of Commissioned Officers and Warrant Officers of the Air Force.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The users are Strategic Air Command commander and his staff who exercise decision authority in the processing and determination of the officer involuntary separation actions. HQ SAC personnel use these files to process administrative discharge cases of officers assigned to Strategic Air Command.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual; maintained in paper files.

RETRIEVABILITY:

Filed by name and type of pending discharge action.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly identified and cleared for need-to-know. Records are stored in locked cabinets in a locked room.

RETENTION AND DISPOSAL:

Records are retained in the office files for one year after the cut-off-date, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Quality Force Management Division, DCS/Personnel, HQ SAC/DPAA, Offutt Air Force Base, NE 68113.

NOTIFICATION PROCEDURE:

Request from individuals for records should be addressed to the Chief, Quality Force Management Division, DCS/Personnel, HQ SAC/DPAA, Offutt Air Force Base, NE 68113. Specific information required to determine if there are records of the individual in the system must include the member's full name, military status, and grade, SSN, or service number. Visiting personnel must show positive proof of identity by providing a military ID card, a valid state driver's license, and two nationally recognized means of identification.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. The mailing address is in the Department of Defense Directory in the appendix to the Air Force systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force rules for contesting contents and for appealing initial determination are found in the Air Force Regulation 12–35.

RECORD SOURCE CATEGORIES:

Information obtained from automated systems interfaces: source documents (such as reports) prepared on behalf of the Air Force by boards, committees, and individuals; the member's commanders' Chief, Quality Force Management; consolidated Base Personnel Office; and the SAC Staff Judge Advocate office.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SAC C

SYSTEM NAME:

Public Affairs Personnel Background Record.

SYSTEM LOCATION:

Public Affairs (PA) offices at Headquarters Strategic Air Command (SAC/PA), Headquarters 8th Air Force (HQ 8 AF/PA), Headquarters 15th Air Force (HQ 15 AF/PA), and SAC bases (PA). Official mailing addresses are in the Air Force Address Directory.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Public Affairs and administrative personnel currently assigned to Public Affairs offices at SAC bases.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, rank, SSN, photograph, dates of rank, date of separation, assignment history, and military and civilian schooling degrees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by and Air Force Regulation (AFR) 90–1, Public Affairs Policies and Procedures, SAC Supplement.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Public Affairs functional managers as a locator and to determine degree, scope and level of experience of Public Affairs personnel for assignment purposes.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual; maintained in paper files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in file cabinets in locked offices.

RETENTION AND DISPOSAL:

Retained in office files until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Public Affairs at all SAC bases.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Official mailing addresses are

listed in the appendix to the Air Force Systems Notices.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Basic information and changes are received directly from the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SG A

SYSTEM NAME:

Application for Advanced Aeronautical Rating File (Senior and Chief Flight Surgeon).

SYSTEM LOCATION:

The Aerospace Medical Consultants Division, Air Force Medical Service Center (AFMSC/SGPA), Brooks AFB, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Flight Surgeons applying for Senior/Chief Flight Surgeon Rating.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual application, summary of contributions to the Aerospace Medicine Program, date of previous ratings, number of flying hours, and written professional examination (multiple choice type) if applicant is not a graduate of the Residency in Aerospace Medicine.

AUTHORITY OF MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by and 8067(f), Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Chief, Flight Medical Consultants and Chief, Aerospace Medicine Division, Office of the Surgeon General to determine professional qualification for award of Senior/Chief Flight Surgeon rating. Used to transmit application data by the individual and AFMSC/SGPA through appropriate command channels; evaluate and make appropriate recommendations concerning award of the advanced rating; and as authority for publication of Aeronautical Orders by appropriate orders issuing authority.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in visible file binders/cabinets.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and are stored in locked rooms.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Flight Medicine, HQ AFMSC/SGPA, Brooks AFB, TX 78235.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Required information is full name, rank and Social Security Number (SSN). Requester may visit Aerospace Medical Consultants Division, Office of the Surgeon General, Headquarters Air Force Medical Service Center, Brooks AFB, TX 78235. Proof of identity is by military ID card and personal recognition due to small number of officers involved.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions and from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SG B

SYSTEM NAME:

Medical Service Corps Personnel Files.

SYSTEM LOCATION:

Headquarters Air Force Medical Service Center, Brooks AFB, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All active duty and retired or separated medical service corps officers.

CATEGORIES OF RECORDS IN THE SYSTEM:

File contains personnel correspondence to and from individual medical service corps officers and forms relating to assignment, extension, Air Force Specialty Code, and other selected documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by; and 8067(d), Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information is used solely for the purpose of recommending individual for assignment, extension, statistical data, promotion or advanced training.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Records are retained in active file as long as officer is on active duty, in inactive file one year from date of retirement, resignation, or separation, and are then destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force, Washington DC 20332.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from educational institutions, from Senior Medical Service Corps officers, and from the Air Force Manpower and Personnel Center.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F035 SG C

SYSTEM NAME:

Veterinary Personnel Files.

SYSTEM LOCATION:

Headquarters United States Air Force, Washington, DC 20330 and AFMSC/SGB, Brooks Air Force Base, TX 78232.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All active duty and retired or separated veterinary officers.

CATEGORIES OF RECORDS IN THE SYSTEM:

File contains personal correspondence to and from individual veterinary officer and forms relating to assignment, extension, Air Force Specialty Code, promotion, and other selected documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by; and 8067(k) Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THIS SYSTEM, INCLUDING CATEGORIES OF USER AND THE PURPOSES OF SUCH USES:

Information is used solely for the purpose of recommending individual for assignment, extension or advanced training.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in active file as long as officer is on active duty and in inactive file one year from date of retirement, resignation, or separation. Then they are destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force, Washington, DC 20330.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from educational institutions, from Command, Air Force Veterinarians and Air Force Manpower and Personnel Center Records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F040 AFAA A

SYSTEM NAME:

Merit Promotion File.

SYSTEM LOCATION:

HQ Air Force Audit Agency, Norton Air Force Base, CA 92409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency civilian employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence and records incidental to the application and qualification for promotion and duty assignments. Records include, but are not limited to, Supervisory Appraisals, Training Information, Qualifications Profile Records, Personal Qualification Statements, Records of Placement Applications and Disposition, Assignment and Reassignment Records (Orders, Mobility Certificates, Shipments of Household Goods, Overseas Assignments), Position Descriptions, and Records of Personnel Actions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C., Chapter 33, Subchapter I—Examination, Certfication, and Appointment.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by the Command Section, AFAA, and the Directorate of Resources Management Staff to determine eligibility and relative competitive standing for promotion or other placement. Provides personnel data for management purposes, including location, changes of station, mobility, pay information, previous assignments, education and self-development, supervisory performance appraisals, results of competition for promotion or other placement action, descriptions of duties, and recognitions achieved.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Auditor General, Air Force Audit Agency (AFAA/AG), Norton Air Force Base, CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager and the Director of Personnel, HQ Air Force Audit Agency (AFAA/DP), Norton Air Force Base, CA 92409.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers; financial, educational, and medical institutions; trade associations,

automated system interfaces; police and investigating officers; state or local governments; international organizations; corporations; witnesses; source documents; and individual input and documents generated internally within the AFAA.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F045 ARPC A

SYSTEM NAME:

Air Force Reserve Application.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force active duty personnel, civilian employees and former employees, Air Force Reserve and Air National Guard personnel, dependents of military personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Copies of application for appointment as reserve of the Air Force and comparable forms, correspondence, and related papers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 275 Personnel Records, 672 Reserve Components General, 8358 Commissioned Officers original appointment; service credit, 8359 Commissioned Officers original appointment; determination of grade as implemented by Air Force Regulation (AFR) 36–15, Appointment In Commissioned Grades and Designation and Assignment in Professional Categories—Reserve of the Air Force and USAF (Temporary).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To determine if individual qualifies for appointment or commissioning in the Reserve of the Air Force. Medical applications are forwarded for approval to AFMPC/SG, Randolph Air Force Base, TX 78150.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in card files and file folders.

RETRIEVABILITY:

Filed by Social Security Number (SSN), by name, or case control number.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Destroy one year after approval or one year after individual declines appointment. Applications for EAD are destroyed after one year or when superseded, obsolete and no longer needed for reference or inactivation whichever is sooner. Documents destroyed by tearing, shredding, macerating, or pulping.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Request from individual should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written request for information should contain full name of individual, Social Security Number (SSN), current address and the case control number shown on any correspondence received from center. Records may be reviewed in records review room, ARPC, Denver, CO 80280, between 8:00 a.m. and 3:00 p.m. on normal workdays. For personal visits, the individual should provide current Reserve ID Card and/or driver's license and give some verbal information that could verify his/her identification, such as is on an application for a reserve appointment or EAD.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from Documentation Management Officer, ARPC/DAD, Denver, CO 80280, telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from individual applying for appointment in the reserve, applications for extended active duty, and statement of military who served in the Navy or Marine Corps.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F045 ARPC B

SYSTEM NAME:

Inactive Duty Training, Extension Course Institute (ECI) Training.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Authorization for inactive duty training, authorization for individual inactive duty training (for nonpay status only; for pay status authorization). Certificate of completion issued on completion of volume of a course.

CATEGORIES OF RECORDS IN THE SYSTEM:

Point credit source documents maintained on active Air Force Reserve member.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 1331, Age and service requirements; 1332, Computation of years of service in determining entitlement to retired pay; and 1333, Computation of years of service in computing retired pay as implemented by Air Force Regulation (AFR) 35–41, Vol II, Reserve Training.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To record completion of each volume of a correspondence course by a reservist and shows training performed for either paid or nonpaid status. Record is used by military personnel clerks to audit a reservist point credit account and as a cross check to insure accuracy of the reservists yearly point credit account as it pertains to his pay account.

POLICIES AND PRACTICES FOR STORING, RETREIVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in visible file binders/cabinets.

RETREVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards.

RETENTION AND DISPOSAL:

Inactive duty training documents are destroyed after 5 years. ECI certificates (duplicates) are filed in the Field Personnel Record if enlisted Professional Military Education and if audit adjustments are pending; ECI certificates (duplicates) are filed in history or current files and destroyed after 5 years by tearing into pieces, macerating, shredding, or burning.

SYSTEM MANAGERS AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Request from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, CO between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve Identification card and/or drivers license and some verbal information that could verify the person's identification.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DADP, Denver, CO 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from individual reservist, Air National Guard and Air Force Reserve unit.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 AF SG A

SYSTEM NAME:

Nursing Skill Inventory.

SYSTEM LOCATION:

Nursing office SGHN Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All nursing personnel on base.

CATEGORIES OF RECORDS IN THE SYSTEM:

List of skill proficiency each individual nurse has attained.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by; and 8067(e), Designation: officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Furnishes on-the-job training instructor skill level progress of each nurse.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 AFAA A

SYSTEM NAME:

Air Force Audit Agency Office Training File.

SYSTEM LOCATION:

Command Section, AFAA/AG, Norton AFB CA 92409; Directorate of Operations, AFAA/DO, Norton AFB CA 92409; Directorate of Plans, AFAA/XP, Norton AFB CA 92409; Directorate of Forces and Support, AFAA/FS, Norton AFB CA 92409; Directorate of Field Activities, AFAA/FD, Norton AFB CA 92409; Directorate of Support Services, AFAA/SU, Norton AFB CA 92409; Directorate of Personnel, AFAA/DP, Norton AFB CA 92409; Assistant Auditor General, AFAA/AI (Pentagon), Washington DC 20330; Central Audit Region, AFAA/FDC, Offutt AFB NE 68113; Eastern Audit Region, AFAA/FDE, Langley AFB VA 23665; European Audit Region, AFAA/FDU, APO NY 09012; Pacific Audit Region, Hickman AFB HI 96853; AFAA/FDW, McClellan AFB, CA 95652; Acquisition Audit Region/QLQ, Andrews AFB DC 20331; AFAA Area Audit Office, Barksdale AFB LA 71110; AFAA Area Audit Office, Bergstrom AFB TX 78743; AFAA Area Audit Office, Cannon AFB NM 88101; AFAA Area Audit Office, Carswell AFB TX 76127; AFAA Area Audit Office, P.O. Box 547, Dyess AFB TX 79607; AFAA Area Audit Office, Ellsworth AFB SD 57706; AFAA Area Audit Office, Grand Forks AFB ND 58205; AFAA Area Audit Office, Holloman AFB NM 88330; AFAA Area Audit Office, Little Rock AFB Jacksonville AR 72076; AFAA Area Audit Office, Bldg 349, Lowry AFB CO 80230; AFAA Area Audit Office, Minot AFB ND 58701; AFAA Area Audit Office, Offutt AFB NE 68113; AFAA Area Audit Office, McConnell AFB KS; AFAA Area Audit Office, Sheppard AFB TX 76311; AFAA Area Audit Office, Bdlg 1522, Stop 166, Andrews AFB DC 20331; AFAA Area Audit Office, Chanute AFB IL 61868; AFAA Area Audit Office, Charleston AFB SC 29404; AFAA Area Audit Office, Dover AFB DE 19901; AFAA Area Audit Office, Griffiss AFB NY 13441; AFAA Area Audit Office, Grissom AFB IN 46971; AFAA Area Audit Office, Homestead AFB FL 33039; AFAA Area Audit Office, Bldg 4330, Keesler AFB MS 39534; AFAA Area Audit Office, K I Sawyer AFB MI 49843; AFAA Area Audit Office, Langley AFB VA 23665; AFAA Area Audit Office/LA, MacDill AFB FL 33608; AFAA Area Audit Office ,McGuire AFB NJ 08641; AFAA Area Audit Office, Pease AFB NH 03801; AFAA Area Audit Office, Plattsburgh AFB NY 12903; AFAA Area Audit Office, Scott AFB IL 62225; AFAA Area Audit Office, Seymour Johnson AFB NC 27531; AFAA Area Audit Office, Shaw AFB SC 29152; AFAA Area Audit Office, Tyndall AFB

FL 32403; AFAA Area Audit Office, APO San Francisco 96334; AFAA Area Audit Office, Beale AFB CA 95903; AFAA Area Audit Office, Castle AFB CA 95342; AFAA Area Audit Office, APO San Francisco 96274; AFAA Area Audit Office, Davis-Mouthan AFB AZ 85707; AFAA Area Audit Office, P.O. Box 878, Elmendorf AFB AK 99506; AFAA Area Audit Office, P.O. Box 1313, Fairchild AFB WA 99011; AFAA Area Audit Office/LA, George AFB CA 92392; AFAA Area Audit Office, Hickam AFB HI 96853; AFAA Area Audit Office, APO San Franciso 96239; AFAA Area Audit Office, APO San Francisco 96264; AFAA Area Audit Office, Luke AFB AZ 85309; AFAA Area Audit Office, Mather AFB CA 95655; AFAA Area Audit Office, McChord AFB WA 98438; AFAA Area Audit Office, Mountain Home ID 83648; AFAA Area Audit Office, Nellis AFB NV 89191; AFAA Area Audit Office, APO San Francisco 96570; AFAA Area Audit Office/34AG, Norton AFB CA 92409; AFAA Area Audit Office, Travis AFB CA 94535; AFAA Area Audit Office, Peterson AFB CO 80914; AFAA Area Audit Office, Vandenberg AFB CA 93437; AFAA Area Audit Office, APO San Francisco 96328; AFAA Area Audit Office, APO New York 09238; AFAA Area Audit Office, APO New York 09223; AFAA Area Audit Office, APO New York 09283; AFAA Area Audit Office, APO New York 09132; AFAA Area Audit Office, APO New York 09109; AFAA Area Audit Office, APO New York 09179; AFAA Area Audit Office, APO New York 09012; AFAA Area Audit Office, APO New York 09057; AFAA Area Audit Office, APO New York 09194; AFAA Area Audit Office, Stop 226, Edwards AFB CA 93523; AFAA Area Audit Office, P.O. Box 1625, Eglin AFB FL 32542; AFAA Area Audit Office, Kirtland AFB NM 87117; AFAA Area Audit Office/ESD, Bldg 1716N, Stop 43, Hanscom AFB MA 01731; AFAA Area Audit Office, P.O. Box 92960, Worldway Postal Center, Los Angeles CA 90009; AFAA Area Audit Office, Patrick AFB FL 32925; AFAA Area Audit Office/ASD, Bldg 125, Rm 1401, Area B, Wright-Patterson AFB OH 45433; AFAA Area Audit Office, Hill AFB UT 84406; AFAA Area Audit Office, Kelly AFB TX 78241; AFAA Area Audit Office/LVAS, McClellan AFB CA 95652; AFAA Area Audit Office/AUDGN, Robins AFB GA 31098; AFAA Area Audit Office, Tinker AFB OK 73145; AFAA Area Audit Office/REP, Wright-Patterson AFB OH 45433; AFAA, Area Audit Office, Gunter AFS AL 36114; AFAA Area Audit Office, Denver CO 80279; AFAA Area Audit Office, Randolph AFB TX 78148

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency active duty and reserve officer and enlisted personnel, and civilian employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Training Control Record, Training Achievement Report, Certificate of Training, Record of Training or Certification of Equivalency, College Transcripts, General Military Training Record, Training Completion Notices, Training Progress Reports, Course Evaluation, Requests for Training/Tuition Assistance, Roster of Interns, Summary of Region/Division Training Requirements, Memorandums of Training Approvals, Roster of Personnel Scheduled for Training.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8032(b)(1), General duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Air Force Audit Agency headquarters personnel, Area Audit Office Chiefs, supervisory auditors, training officers, and region/division chiefs to schedule training and evaluate training progress and results.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGERS AND ADDRESS;

The Auditor General, Air Force Audit Agency, Norton AFB CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from educational institutions and from automated system interfaces.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 AFAA B

SYSTEM NAME:

Employee Training and Career Development File.

SYSTEM LOCATION:

AFAA/DPA, Norton Air Force Base, CA 92409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Audit Agency military and civilian employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records include but are not limited to: correspondence and application documents requesting, approving, disapproving, recommending and coordinating the assignment of personnel to: long-term, full-time training programs; short-term government and non-government schools, seminars, short courses and symposiums; certified public accounting review courses; certified internal auditor review courses; non-government job-related, off-duty training, and the grades, completion certificate, and budget information related thereto. Includes information on prior academic achievements.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8032(b)(1), General duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Provides basis for determining those selected for training programs; record of individuals who applied for the programs; progress reports of those in the programs; and history of the training received by employees. Information is given to the Office of Personnel Management through the Air Force

Civilian Personnel Management Information System, and, in the case of CPA candidates, to state boards of accountancy. Internal users include the AFAA command section, Directorate of Personnel, and Executive Development Council.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, and on computer and computer output products.

RETRIEVABILITY:

Filed by name, course name or course number.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Auditor General, Air Force Audit Agency (AFAA/AG), Norton Air Force Base, CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager and the Director of Personnel (AFAA/DP), Norton Air Force Base, CA 92409.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from individual, source of training, school, and automated system interface.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 ARPC A

SYSTEM NAME:

Professional Military Education (PME).

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records concerning school (PME) quotes, school selection boards results selecting a reservist to attend a PME course.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C 262, Purpose as implemented by Air Force Manual (AFM) 50–5, USAF Formal Schools Catalog, Vol. I (Policy, Responsibilities and General Procedures), Vol. II (Course Announcements); Air Force Regulation (AFR) 35–41. Vol. II, Reserve Training; and AFR 53–8, USAF Officer Professional Military Education System.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to monitor, manage and comply with the requirements to fulfill the quotas allocated to reservist by the office of primary responsibility at ARPC.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders/note books/binders.

RETRIEVABILITY:

Filed by name or Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are protected by guards and controlled by personnel screening.

RETENTION AND DISPOSAL:

Retaianed in office files for one year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC), Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, CO 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, CO between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's identification.

RECORD ACCESS PROCEDURE:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, CO 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from master personnel record and individuals application.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 ESC A

SYSTEM NAME:

208XX Voice Processor Student History.

SYSTEM LOCATION:

Director of Assignments (DPR), Headquarters Electronic Security Command (ESC), San Antonio, TX 78243.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

208XX Language students and assigned personnel in training/performing language duties.

CATEGORIES OF RECORDS IN THE SYSTEM:

Computer records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by as implemented by Air Force Manual (AFM) 50–5, USAF Formal Schools Catalog, Volume I, Chapter 3, and AFM 30–3, Mechanized Personnel Procedures.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Government use.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer magnetic disk storage.

RETRIEVABILITY:

Filed by Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are controlled by computer system software.

RETENTION AND DISPOSAL:

Retained by computer disk storage until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by removing from disk storage.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Assignments (DPR), Headquarters Electronic Security Command (ESC), San Antonio, TX 78243.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Advanced personnel data system.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 ESC B

SYSTEM NAME:

Training Progress.

SYSTEM LOCATION:

Electronic Security Command (ESC), NCO PME Center, Goodfellow Air Force Base, TX 76908.

CATEGORIES OF INDIVIDUAL COVERED BY THE SYSTEM:

Air Force active duty enlisted personnel assigned to the ESC NCO PME Center.

CATEGORIES OF RECORDS IN THE SYSTEM:

In-processing forms.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties: delegation by as implemented by Air Force Regulation (AFR) 50–39, Noncommissioned Officer Professional Military Education and Civilian Initial Supervisory Training.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Use by military training instructors to evaluate student progress.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Destroyed 10 years after student completes training by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

ESC NCO PME Center, Goodfellow Air Force Base, TX 76908.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from educational institutions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 MAC A

SYSTEM NAME:

Training Instructors (Academic Instructor Improvement/Evaluation).

SYSTEM LOCATION:

Chief, Academic Training Branch, 1550th Technical Training Squadron, Kirtland Air Force Base, NM 87117.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Academic instructors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Forms for evaluating instructor performance in the classroom.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Basic for instructor improvement.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in offfice files until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Academic Training Branch, 1550th Technical Training Squadron, Kirtland Air Force Base, NM 87117.

NOTIFICATION PROCEDURE:

Requests from individuals should be adressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Supervisors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 MAC B

SYSTEM NAME:

Training Progress (Permanent Student Record).

SYSTEM LOCATION:

1380th School Squadron (MAC Noncommissioned Officer Academy-West), Norton Air Force Base, CA 92409 and 1381st School Squadron (MAC Noncommissioned Officer Academy-East), McGuire Air Force Base, NJ 08641.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Enlisted personnel who are graduates of the Academy.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, grade, Social Security Number, duty title, security clearance, marital status, organization assigned, education level, photograph, date of birth, Airman Qualification Examination, evaluation of academic progress.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To record student achievement.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in card files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in file cabinets.

RETENTION AND DISPOSAL:

Destroy ten years after individual completes or discontinues a training course by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

1380th School Squadron (MAC Noncommissioned Officer Academy-West), Norton Air Force Base, CA 92409 and 1381st School Squadron (MAC Noncommissioned Officer Academy-East), McGuire Air Force Base, NJ 08641.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

From Consolidated Base Personnel Offices and from evaluation of student progress.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 MAC C

SYSTEM NAME:

Training Systems Research and Development Materials.

SYSTEM LOCATION:

1550th Aircrew Training and Test Wing, Deputy Commander for Operations, 1550th Technical Training Squadron, Kirtland Air Force Base, NM 87117.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students who have completed training.

CATEGORIES OF RECORDS IN THE SYSTEM:

Training and effectiveness questionnaires for supervisors and graduates, flying instructor and academic instructor improvement and evaluation, evaluation coordination sheet.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To evaluate and analyze training effectiveness.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name, rank, Social Security Number and class number.

SAFEGUARDS:

Records are accessed by custodian of the record system. Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are accessed by authorized personnel who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGERS AND ADDRESS:

Chief, Evaluation and Analysis, 1550th Aircrew Training and Test Wing, Kirtland Air Force Base, NM 87117.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES;

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from assigned personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 SAC A

SYSTEM NAME:

ADP Training Management System.

SYSTEM LOCATION:

Headquarters Strategic Air Command, Deputy Chief of Staff, Data Systems (HQ SAC/AD), Offutt Air Force Base, NE 68113.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Military and Civilian personnel currently assigned to HQ SAC/AD.

CATEGORIES OF RECORDS IN THE SYSTEM:

Training Summary Files: Records are maintained for each student listing training courses completed and scheduled. Computer Based Training (CBT) Management: For students enrolled in Computer Assisted Instructions (CAI) courses, maintains record of student progress and responses to lesson material.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to validate prerequisites for projected training, track student progress in CAI courses, monitor enrollment processing actions, and generate statistical information on training trends within HQ SAC/AD.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, and on computer and computer output products.

RETRIEVABILITY:

By name, course, date, or organization.

SAFEGUARDS:

Records are accessed by personnel responsible for servicing the record system in performance of official duties. Students have access only to their own file by grant of specific "permissions." Hard copies of records are stored in locked rooms and cabinets.

RETENTION AND DISPOSAL:

Retained until reassigned from HQ SAC/AD, then computer files are erased or overwritten and hard copies are destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff, Data Systems, Training Branch (ADXRT), Headquarters Strategic Air Command, Offutt Air Force Base, NE 68113.

NOTIFICATION PROCEDURE:

Deputy Chief of Staff, Data Systems (HQ SAC/ADXRT), Offutt Air Force Base, NE 68113. Requests to determine existence of record should include full name, grade and whether currently assigned to HQ SAC/AD.

RECORD ACCESS PROCEDURES:

Access to all records is controlled by HQ SAC/ADXRT, Offutt Air Force Base, NE 68113.

CONTESTING RECORD PROCEDURES:

The Air Force rules for access to records and for contesting and appealing initial determination by the individuals concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from individual and graduation certificates.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

FO50 SAC B

SYSTEM NAME:

Instructional Systems Development (ISD) Evaluation.

SYSTEM LOCATION:

93 Bombardment Wing (93 BMW) Instructional Systems Development Division (DO5), Castle Air Force Base, CA 95342.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Strategic Air Command (SAC) aircrew members (B–52 G/H pilots, copilots, navigators, radar navigators, electronic warfare officers, aerial defense gunners; KC–135 pilots, copilots, navigators, inflight refueling operators)who are attending, or have attended, a course of instruction conducted by the 93 BMW, Castle Air Force Base, CA after 1 June 81.

CATEGORIES OF RECORDS IN THE SYSTEM:

Computerized information file compiled from questionnaires about training accomplished while attending a course of instruction, the respondee's base of assignment and subjective assessment of the training conducted.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by; Air Force Requlation (AFR) 50–8, Instructional Systems Development; and AFR 50–38, Field Evaluation of Formal School Graduates.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to tabulate and compare data; and to identify strengths and weaknesses of the training programs. Will also be used to score trainee within-course test performances. Identification of specific respondees in the records will only be used by the custodian to evaluate and assess quality of Air Force Training Programs.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, and on computer and computer products.

RETRIEVABILITY:

Retrieved by Social Security Number (SSN). Information may also be retrieved by groupings of data from such elements as type airframe, course attended, crew position, or base assignment.

SAFEGUARDS:

Records are accessed by custodian of the record system and personnel responsible for servicing the record system in performance of their official duties. Records are stored on diskettes kept in a locked room whenever office is not manned. Original questionnaire responses will be maintained in a locked container when the office is not manned.

RETENTION AND DISPOSAL:

Paper records are destroyed by tearing into pieces, shredding, burning, macerating, or pulping, and diskettes will be destroyed by degaussing, when superseded or when the individual is reassigned from SAC.

SYSTEM MANAGER(S) AND ADDRESS:

Education Specialist or ISD System Manager, 93 BMW/DO5 Secientific Advisory Branch (DO5S), Castle Air Force Base, CA 95342.

NOTIFICATION PROCEDURE:

Education Specialist or ISD System Manager, 93 BMW/DO5S, Castle Air Force Base, CA 95342. Requests to determine existence of record should include full name, and grade, SSN and approximate dates individual attended a course of instruction conducted by 93 BMW, Castle Air Force Base, CA subsequent to 1 June 1981.

RECORD ACCESS PROCEDURE:

Access to all records is controlled by 93 BMW/DO5S, Castle Air Force Base, CA 95342.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is obtained from questionnaires completed by 93 BMW students, graduates or SAC Squadron Training Flight Instructors, and current combat crew training instructors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 SAC C

SYSTEM NAME:

SAC Operations Personnel Training Management System.

SYSTEM LOCATION:

At Air Force (AF) installations, Deputy Commander for Missile Operations within the Strategic Air Command (SAC) and Deputy Chief of Staff, Director of Missile Operations at SAC Headquarters.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Strategic Air Command military personnel currently assigned to missile operations.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains computerized data and manual files related to training/evaluation accomplishment, crew number, type training/evaluation, discrepancies noted, evaluation scores, name, grade, date of birth, unit assigned, date of separation, date arrived station.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by; Strategic Air Command Intercontinental Ballistic Missile Traning; and Strategic Air Command Regulation 55–66, Volume II, Intercontinental Ballistic Missile Combat Crew Standardization and Evalatuion.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To develop a record source of operations personnel, at unit level, in order to determine overall job qualifications, capabilities, and historical data for analysis by unit and Major Air Command personnel responsible for maintaining a training program and to document and certify/decertify an individual's qualification. The files will provide a source of data to help insure weapon system currency and future training requirements.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, and on computer and computer output products.

RETRIEVABILITY:

Retrieved by name or unique system identification number.

SAFEGUARDS:

Records are accessed by custodian of unit files and by personnel responsible for servicing the record system in performance of official duties. The computer file is maintained on computer disc/tape by computer operations personnel. This computer file is kept in locked rooms or drawers.

RETENTION AND DISPOSAL:

Computerized and manual files are destroyed when superseded, or on reassignment from missile operations duties or separation of the individual. Destruction of manual files is accomplished by burning, shredding, tearing, pulping or macerating. Computer tapes are destroyed by overwriting within 30 days after member is reassigned, transferred or separated.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff, Director of Missile Operations, Deputy Chief of Staff/Operations, HQ Strategic Air Command, Offutt Air Force Base, NE 68113 and at Strategic Air Command missile bases, the Deputy Commander for Operations.

NOTIFICATION PROCEDURE:

Information as to whether the record system contains information on an individual may be obtained from Director of Missile Operations, Strategic Air Command, Offutt Air Force Base, NE 68113. Requester should be able to provide sufficient proof of identity such as name, Social Security Number, duty station, place of employment, or other information verifiable in the record itself.

RECORD ACCESS PROCEDURE:

Access to files is controlled and must be authorized by Director of Missile Operations, Deputy Chief of Staff/Operations, HQ SAC, or at organizational level by the Deputy Commnander for Operations. Requests from individuals should be addressed to the missile Wing Deputy Commander for Operations or his representative.

CONTESTING RECORD PROCEDURES:

The Air Force rules for access to records and for contesting and appealing initial determination by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents such as reports and individual's performance during training/evaluation.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F050 SAC D

SYSTEM NAME:

SAC Space Operations Personnel Training Management.

SYSTEM LOCATION:

Director of Operations at Air Force installations within the Strategic Air Command (SAC) and Deputy Chief of Staff for Space, Warning and Surveillance at Strategic Air Command Headquarters. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Strategic Air Command military personnel currently assigned to operational duties with Space, Warning and Surveillance Systems equipment.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to qualifications, training/evaluation accomplishment, crew alphanumeric identifier, type training/evaluation, scores, name, grade, unit assigned, and dates of training or evaluation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by Strategic Air Command Regulation 55–30, Space Warning and Surveillance System Unit Standardization and Evaluation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To develop a record source of operations personnel qualifications, capabilities and historical data at unit level to determine individual overall job qualifications; and to develop historical data for analysis by unit and Strategic Air Command Headquarters personnel responsible for maintaining the space operational systems training program. The files will provide a source of data to help insure weapon system currency and adequacy of future training requirements.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Retrieved by name.

SAFEGUARDS:

Records are accessed by custodian of unit files and by personnel responsible

for servicing the record system in performance of official duties. File folders are stored in locked rooms or drawers.

RETENTION AND DISPOSAL:

Manual files are destroyed when superseded or upon reassignment from space, warning and surveillance operations duties. Destruction is by burning, shredding, tearing, pulping, or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff, Space, Warning and Surveillance Systems, Directorate of System Management, Standardization/Evaluation and Training Division, Headquarters Strategic Air Command or Director of Operations at Strategic Air Command bases with a space, warning or surveillance mission.

NOTIFICATION PROCEDURE:

Deputy Chief of Staff, Space, Warning and Surveillance Systems, Headquarters Strategic Air Command or Director of Operations at Strategic Air Command bases. Requests to determine existence of record should include full name, grade and approximate dates individual was assigned to Strategic Air Command space, warning and surveillance duties after 1 March 1981.

RECORD ACCESS PROCEDURE:

Access to manual files is controlled by Deputy Chief of Staff, Space, Warning and Surveillance Systems at Headquarters Strategic Air Command and by Director of Operations at each Strategic Air Command organization with a space, warning or surveillance mission.

CONTESTING RECORD PROCEDURES:

The Air Force rules for access to records and for contesting and appealing initial determination by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information will be obtained from the individual and from instructors of Standardization Evaluators.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F051 MAC A

SYSTEM NAME:

Air Crew Instruction Records.

SYSTEM LOCATION:

1550th Aircrew Training and Test Wing, Kirtland Air Force Base, NM 87117; 34th Technical Training Squadron, Student Administration Branch (TTB), Little Rock Air Force Base, AR 72076.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Students and instructors undergoing training; students who completed academic training.

CATEGORIES OF RECORDS IN THE SYSTEM:

Academic completion records, flying training records, training aids usage records and simulator student training records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To report student performance and completion of academic training.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and date of completion of training.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Training summaries are destroyed after one year. Training aids activity case files are destroyed when purpose has been served or after three years, whichever is sooner. Training system research and development material is destroyed when superseded, obsolete, or no longer needed, whichever is sooner. Training aids usage documents are destroyed three months after completion of training phase, provided required flying time is posted on individual flight records. Destruction is by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Commander for Operations, 1550th Aircrew Training and Test Wing, Kirtland Air Force Base, NM 87117; School Register, 34th Technical Training Squadron, Little Rock Air Force Base, AR 72076.

NOTIFICATION PROCEDURE:

Requests from individuals should be directed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from the individals, from instructors, instructor supervisors, and personnel involved in the evaluation and analysis of training effectiveness, and from special orders and messages.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F051 SAC A

SYSTEM NAME:

SAC Aircrew Resource Management System (SACARMS).

SYSTEM LOCATION:

Headquarters Strategic Air Command (SAC), Deputy Chief of Staff, Operations (HQ SAC/DOTF); SAC Numbered Air Force Headquarters, Director of Operations (DO); and all SAC Tactical Wings, Director of Operations (DOTF) offices. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's system notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All SAC personnel on active flying status maintaining currency in operational aircraft.

CATEGORIES OF RECORDS IN THE SYSTEM:

Mission accomplishment reports for ground and flying training events by individual/crew position, aircraft and unit. This report depicts scheduled, accomplished, reliability, required, remaining, and date of accomplishment for ground or air training activity.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by, and Air Force Regulation (AFR) 60–1, Flight Management.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The purpose is to evaluate and monitor the Air Force aircrew continuation training program for flying personnel. The users are Wing, Numbered Air Force and Major Command flight managers, squadron training flights, and mission development officers. The data is used for mission development and aircrew resource management.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, and on computer and computer output products.

RETRIEVABILITY:

Filed by name and specific system identifier. A computerized index is used to retrieve individual data.

SAFEGUARDS:

Access of records is by custodian of the record system and person(s) responsible for servicing the record system in performance of their official duties. Paper records are stored in locked cabinets or rooms. Computer records are maintained in a classified document environment. Access is controlled by personal recognition or means of restricted area access.

RETENTION AND DISPOSAL:

Retained in office files for one year after monthly close-out, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Computer magnetic tapes are obliterated by recording over existing data or degaussing.

SYSTEM MANAGER(S) AND ADDRESS:

Headquarters Strategic Air Command, Operations System Management (SAC/DOTF), Offutt Air Force Base, NE 68113; or Director of Operations at SAC Numbered Air Force Headquarters and SAC Tactical Wings.

NOTIFICATION PROCEDURE:

Address individual request to the System Managers. Requests should include the name and system identifier of the individual in the system. Information is released on a need-to-know basis.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Addresses are listed in the Department of Defense Directory in the appendix to the Air Force's system notices.

CONTESTING RECORD PROCEDURES:

The Air Force rules contesting contents and for appealing initial determination are in Air Force Regulation 12–35.

RECORD SOURCE CATEGORIES:

Information is received from aircrew members, flight schedulers, mission review panels, and squadron operation officers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F066 SAC A

SYSTEM NAME:

ICBM Maintenance Standardization and Evaluation Program.

SYSTEM LOCATION:

Headquarters Strategic Air Command (SAC), Headquarters Eighth and Fifteenth Air Force; all SAC missile wings/divisions; 3901 Strategic Missile Evaluation Squadron. Official mailing addresses are in the Department of Defense directory in the Appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Intercontinental Ballistics Missile (ICBM) maintenance personnel assigned to Missile Maintenance, Munitions, and Communications on SAC bases who have been designated by local maintenance managers as being in the evaluation program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Evaluation records on technical proficiency, including manual summaries of task performance. Administrative records of Evaluation Review Panels, including comments on substandard task performance, required corrective action or training, and follow-up actions.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by and Strategic Air Command Regulation 66—12, Volume V, Quality Control and the Maintenance Standardization and Evaluation Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To record individuals maintenance task performance results. This information is used by SAC to determine, rate, and evaluate individual maintenance performance as it contributes to the unit maintenance effort.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in paper files.

RETRIEVABILITY:

Retrieved by name, team number, team type, date.

SAFEGUARDS:

Records are accessed by person(s) in performance of official duties. Records are stored in locked rooms or cabinets.

RETENTION AND DISPOSAL:

Retained on file until superseded, obsolete, or no longer needed for reference. Destroyed when individual permanently leaves duties assigned in evaluation program. Current records may be forwarded to gaining unit if assigned to another SAC unit. Destroyed by tearing into pieces, shredding, pulping, burning or macerating.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Missile Maintenance, Headquarters Strategic Air Command, Offutt Air Force Base, Nebraska 68113. Functional Area Managers in addition to Director of Missile Maintenance are: Director of Munitions and Director of Communications-Electronics. Field evaluation and statistical analysis of evaluation results are performed by 3901 Strategic Missile Evaluation Squadron, Vandenberg Air Force Base, California 93437. System Managers at installation level are: Chief of Maintenance in Missile Maintenance, Communications, and Munitions Squadrons on SAC bases.

NOTIFICATION PROCEDURE:

Requests for individuals should be addressed to the system manager of unit to which assigned. Request information by name, grade, and unit of assignment.

RECORD ACCESS PROCEDURE:

Individual can obtain access from the System Manager of unit to which assigned.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents (such as forms and reports) prepared by or on behald of the Air Force by boards, committees, panels, auditors, instructors, inspectors, evaluators, and so forth.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F076 MAC A

SYSTEM NAME:

Passenger Reservation and Movement System.

SYSTEM LOCATION:

Headquarters Military Airlift Command (MAC), Scot AFB, Illinois; Aerial Ports of Embarkation and Debarkation, military airfields or installations (all Services), certificated air carriers at civil (commercial) airports, and any activity or agency responsible for initiating or receiving a request for the movement of personnel and their baggage; manifesting, tracing and billing actions; and satistical data collection. Official mailing addresses are in the Department of Defense directory or the current United States Government manual. Commercial air carrier addresses are listed in the Official Airlines Guide.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Military, civilian, statutory, congressional and others sponsored by the Secretary of Defense of Military Service Secretaries. The Executive Office, Executive departments, independent agencies, Legislative Branch and Judicial Branch.

CATEGORIES OF RECORDS IN THE SYSTEM:

Travel order, transporatation authorizations, and passenger name records. Categories of information in the passenger name record include but are not limited to: name, grade, seats required; reservation identification code (RIC) which is assigned by a requesting activity or individual passengers and is the social security number or other unique identifier; origin, destination, requested travel dates, routing indicator (identifies the activity/installation requesting the reservation), cancellation and type standby codes (identifies the reason the passenger did not depart as scheduled); flight number, departure date and reporting time, and other administrative codings as determined by a Service activity or MAC to facilitate the completion of travel to include baggage tracer and billing actions. The passenger name record is a complete listing of all transportation related administrative actions related to individual passengers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Passenger name records are used to prepare aircraft manifests for passenger identification processing and movement on military aircrat, commercial contract (charter) aircraft, and on seats reserved (blocked) on regularly scheduled commercial aircraft at military and civilian airports. Records in this system are also used to: (a) Develop billing data to the user Military Services or other organizations; (b) determine passenger movement trends; (c) forecast future travel requirements; and (d) identify, research, and resolve transportation related problems. In addition, records may also be used as the basis of disciplinary action initiated by the requesting activity; and the conduct of official investigations. Records from the system are routinely disclosed to other Federal agencies and offices provided transportation, and to civilian airlines and airports for transportation services.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, notebooks/binders, card files, computer paper printouts, computer magnetic tapes, disks, microfiche or rolled microfilm.

RETRIEVABILITY:

Records on this system may be retrieved by any of the following means: by name—RIC (SSN) channel, flight number, movement channel, type transaction, type travel, special passenger category, type standby code, passenger cancellation reason code.

SAFEGUARDS:

Records are stored in locked cabinets, rooms or buildings. Records are accessed by the custodian and person(s) responsible for servicing the record system in performance of their official duties. Access controlled by the manager and restricted to authorized personnel and exective software sign-on procedures control access to the computer data base.

RETENTION AND DISPOSAL:

Transportation authorizations and orders are retained in office files for two years after the annual cut-off, then destroyed. Other records in the system are retained in ofice files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed. These records are destroyed by one of the following means: by tearing into pieces, shredding, pulping, macerating, burning, or degaussing in the case of magnetic computer media.

SYSTEM MANAGER(S) AND ADDRESS:

Director of Terminal Operations, Deputy Chief of Staff, Air Transportation, Headquarters Military Airlift Command, Scott AFB, Illinois 62225.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Full name, reservation identification code, and movement channel are required for inquiries.

RECORD ACCESS PROCEDURE:

Individuals can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from military transportation and personnel activities, individuals requesting air travel or from other agencies designated to arrange air passenger reservations.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F090 SAC A

SYSTEM NAME:

Unaccompanied Personnel Quarters Assignment/Termination.

SYSTEM LOCATION:

All Strategic Air Command bases. Located in the Base Billeting Operations office and in the respective Squadron Orderly Room. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Currently assigned unaccompanied military personnel who: (1) Apply for or who are entitled to occupy unaccompanied quarters, (2) accept or decline unaccompanied on-base quarters, (3) reside off-base at their own expense, (4) accept inadequate quarters, and/or (5) are identified as authorized to reside off-base with prescribed quarters allowance.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to application, assignment, acceptance, declination, or termination of unaccompanied quarters; authorization for unaccompanied personnel to reside off-base at their own expense; voluntary acceptance of inadequate quarters; and/or authorization to reside off-base with prescribed quarters allowance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by; Air Force Regulation (AFR) 90–9, Bachelor and Transient Quarters and Strategic Air Command Supplement.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To effectively manage unaccompanied personnel quarters; establish and maintain a record of application for unaccompanied personnel quarters assignment; terminate assignment to unaccompanied quarters; and grant authorization to reside off-base with or without specified quarters allowance.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual; maintained in paper files.

RETRIEVABILITY:

Retrieved by name.

SAFEGUARDS:

Records are accessed bay custodian of unit files and by personnel responsible for servicing the record system in performance of official duties. File folders are stored in locked rooms and drawers.

RETENTION AND DISPOSAL:

Records are destroyed by tearing into pieces, shredding, burning, macerating, or pulping when superseded or when individual is reassigned.

SYSTEM MANAGER(S) AND ADDRESS:

Base Billeting Manager and Commanders of Strategic Air Command Squadrons on SAC bases.

NOTIFICATION PROCEDURE:

Individuals may contact the Base Billeting Manager or Commanders of Strategic Command Squadrons on SAC bases. Requests to determine existence of record should include full name, grade, and approximate dates individual was assigned to or serviced by the Billeting Operation function on Strategic Air Command bases, subsequent to 1 July 1981.

RECORD ACCESS PROCEDURES:

Access is controlled by Base Billeting Manager at base level or by Squadron Commanders at squadron level.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is obtained from individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 AF JA A

SYSTEM NAME:

Legal Assistance Administration.

SYSTEM LOCATION:

Headquarters United States Air Force, Washington, DC 20330. Headquarters of major commands and at all levels down to and including Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty and retired military personnel, and their dependents.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal letters and documents furnished by person seeking advice and legal assistance record.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8072, Judge Advocate General: appointment and duties.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records kept to render proper advice for continuing assistance. Used by attorney and client with attorney-client relationship to assist in personal legal problems.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and card files.

RETRIEVABILITY:

File by name.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

All Legal Assistance Officers.

NOTIFICATION PROCEDURE:

Requests from individuals should be adressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information furnished by client.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 AF JA B

SYSTEM NAME:

Litigation Records (Except Patents)

SYSTEM LOCATION:

At Headquarters United States Air Force, Washington, DC 20330. At Headquarters of Major Commands and all levels down to and including Air Force installations worldwide. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals who have brought suit against, or been involved in litigation with, the United States or its officers or employees concerning matters related to the Department of the Air Force; or persons against whom litigation has been filed under 28 U.S.C. 134b, 31 U.S.C. 71, 951–3, 42 U.S.C. 2651–3, 46 U.S.C. 741–52, 4781–90.

CATEGORIES OF RECORDS IN THE SYSTEM:

Pleadings, motions, interrogatories, orders, letters, messages, forms, reports, surveys, contracts, bids, photographs, legal opinions, answers, complaints, memoranda; personnel, finance, medical, business records; audits, summons, English translations of foreign documents, other evidentiary material,

court orders and rulings; other documents including but not limited to: Environmental Impact Statements, contract determinations, witness statements, law enforcement agency investigative reports, administrative reports, engineering and technical reports and surveys; some records may be security classified.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C.8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by USAF personnel tasked with supervisory and reporting responsibilities in connection with civil litigation; to enable the United States and its officers, employees, members, and parties to the litigation upon which suits at law can be prosecuted or defended in civil domestic or foreign litigation; used by Department of Justice and its officers and employees in the actual litigation of cases involving matters concerning the Department of the Air Force and in some instances the Department of Defense; to provide to Congress informantion upon which a reply to Congressional inquiries can be made; used by the Veteran's Administration and its officers and employees to adjudicate claims; to obtain from the Surgeon General and the military and civilian medical consultants thereto medical opinions upon which litigation decisions can be made by The Judge Advocate General and the Department of Justice; to provide information to the Court of Claims on legislative referral of private relief bills; used by law enforcement agencies, such as the Federal Bureau of Investigation, and their officers and employees in the conduct of background investigations and criminal investigations; used by the Air Force Audit Agency in conducting audits; used by the Board for the Correction of Military Records; used by the Air Force Accounting and Finance Center and its officers and employees for the adjudication of claims; when the Department of Defense or a military department is involved, civil litigation files are provided to any agency of the Department of Defense having a need for such files; provide litigation files to the legal staffs of the armed forces for the purpose of training of legal, paralegal and administrative personnel.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name of litigant and year of litigation.

SAFEGUARDS:

Records are accessed by authorized personnel in the course of their duties. Records are stored in locked containers or rooms and controlled by personnel screening.

RETENTION AND DISPOSAL:

Files at the Office of the Judge Advocate General, HQ USAF, are retired permanently at Washington National Records Center, Washington, DC 20409, other levels destroy after two years upon completion of agency action; destroy after two years if files under 42 U.S.C. 2651–3. Destroy by tearing into pieces, shredding, macerating, pulping, or burning. Other records are retained in office files for two years after annual cut-off, then retired to Washington National Records Center, Washington, DC 20409, for permanent retention.

SYSTEM MANAGERS AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force, Washington, DC 20330. Subsystems Managers are the Staff Judge Advocate at concerned subordinate command or installation for foreign civil litigation records.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager or Subsystems Managers as appropriate.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager or Subsystems Managers as appropriate.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Court records, correspondence initiated by parties to litigation, reports prepared by or on behalf of the Air Force, reports of Federal, state, local or foreign government agencies and information obtained from the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 AF JA C

SYSTEM NAME:

USAF Foreign Criminal Jurisdiction Cases.

SYSTEM LOCATION:

Headquarters United States Air Force, Washington DC 20330. Also at headquarters of major commands and at all levels of command in overseas areas down to and including Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All those USAF personnel, US nationals employed by the USAF, and dependents of the foregoing who become involved with foreign law enforcement authorities or who are subject to trial in foreign courts for serious criminal offenses.

CATEGORIES OF RECORDS IN THE SYSTEM:

Serious incident reports, security police blotters, summons, indictments, reports of investigations, judgments and other court orders, English translations of foreign documents, trial observer reports, status reports, prison visitation and confinement reports, congressional and other official inquiries, requests for counsel or bail, official correspondence pertaining to the case, and other documents, messages, memos or materials related to the case.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by USAF personnel tasked with the supervision of foreign criminal jurisdiction cases; used in perparation of statistical and other reports; in answering inquiries from the President, Congress, the Department of Defense, the individual involved and members of his family; in trials by courts-martial and administrative or other personnel actions when information in the files is germane to the proceedings; by USAF commanders and personnel officials in making duty and assignment decisions; by the Board for the Correction of Military Records and the Veteran's Administration when pertinent to the matters before them; and when there is evidence of violations of international agreements or the unfair treatment of the accused individuals at the hands of

foreign authorities, it is used by the Office of the Secretary of Defense and Diplomatic missions for preparing the appropriate response or protest.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties, records, stored in safes, locked cabinets or secure rooms.

RETENTION AND DISPOSAL:

Retained in office files for two years after annual cut-off, then retired to Washington National Records Center, Washington DC 20409, for permanent retention.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, International Law Division, Office of The Judge Advocate General, Pentagon, Washington DC 20330 or Staff Judge Advocate of the concerned subordinate command or installation.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Furnish full name, SSN, year and country of involvement. Visit may be made to AF/JACI, Pentagon, Washington DC 20330. Valid identification card, driver's license or equivalent must be presented.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determination by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers, financial institutions, reports, foreign law enforcement authorities and judicial officials, the individual, his personnel record and other official sources.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 JA A

SYSTEM NAME:

Freedom of Information Act Appeals.

SYSTEM LOCATION:

Office of The Judge Advocate General, General Litigation Division, Headquarters United States Air Force (HQ USAF/JACL), Washington, DC 20330.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All those who have appealed to the Secretary of the Air Force from denials of Freedom of Information Act, 5 U.S.C. 552, requests for information or records and those to whom the requested information or records apply.

CATEGORIES OF RECORDS IN THE SYSTEM:

Letters, memoranda, legal opinions, reports, messages, forms, miscellaneous documents.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 552, Freedom of Information Act.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information is collected to evaluate appeals to the Secretary of the Air Force from denials of requests for records or information sought pursuant to the Freedom of Information Act; used by General Litigation Division members in preparing legal opinions and recommendations for the Secretary of the Air Force concerning the determination of appeals brought under the Freedom of Information Act; used by the Department of Justice in litigation; used by the Air Force Audit Agency to conduct audits; used by members of Congress and members of their staffs for the resolution of constituent inquiries;l used by Air Force agencies to provide guidelines and precedents.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Retired records are accessed through the General Litigation Division by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are controlled by personnel screening.

RETENTION AND DISPOSAL:

Retained in office files for two years, then transferred to the General Services Administration where they will be destroyed after three additional years by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Requesters must submit the following information: Name, Grade (if applicable); requester may visit the Office of The Judge Advocate General, General Litigation Division, Room 5E425, The Pentagon, Washington, DC. Requester must present valid identification card or driver's license.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from police and investigating officers, medical institutions, international organizations, witnesses, and from source documents (such as reports) prepared on behalf of the Air Force by boards, committees, panels, auditors, and so forth.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 JA B

SYSTEM NAME:

Invention, Patent Application and Patent Application Security, and Patent Files.

SYSTEM LOCATION:

At Headquarters United States Air Force, AF/JACP, Washington, D.C. 20324. At HQ USAF/JACPD Wright-Patterson Air Force Base, OH 45433; at HQ USAF/JACPB , 424 Trapelo Road, Waltham, MA 02154.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All military and civilian government inventors who have submitted an invention to the Air Force Patent Proceeding for or for a determination of government rights; all applicants for U.S. Patents; all Air Force contractor inventors; all non-government inventors who have submitted an invention to the Air Force for an evaluation toward patent processing at Air Force expense.

CATEGORIES OF RECORDS IN THE SYSTEM:

Correspondence, invention disclosures, search reports, drawings, technical literature, patents, technical reports, photographs, patent applications, patented files and the papers relating thereto including licenses, assignments, declarations, power of attorneys, amendments, patent office actions, notices of appeal, appeal briefs, examiner's answers, declaration of interferences, interference motions, among others; determination of rights, forms, secrecy orders, notices of recision, memorandums, legal opinions; security reviews, petitions to modify secrecy orders, petitions for foreign filing, petitions for rescinding secrecy orders, modifications of secrecy orders, foreign patent applications and related papers, permits, forms, rescinding orders.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

35 U.S.C. 181–185, Secrecy of Certain Inventions and Filing Applications in Foreign Countries; Pub. L. 96–517, December 12, 1980; Executive Orders 10096 and 10930; 5 U.S.C. 4502, General provisions; 10 U.S.C. 1124, Cash awards for suggestions, inventions, or scientific achievements; Department of Defense Directive 5535.2, October 16, 1980; Mutual Security Act of 1954; NATO Intellectual Property Group Agreement, February 1980; 12 UST 43; TIAS 4672; 394 UNTS 3.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to support the filing and prosecution by the Air Force of Patent Applications on inventions disclosed by military and civilian personnel as well as subject inventions reported by contractors under Air Force research and development contracts for obtaining government patent protection; to permit the determination of the government rights and employee rights in employee inventions; to document and record the patent rights of the government obtained as a result of the Air Force contracting and patent prosecution effort; to enable the Air Force to administer Patent Secrecy act; used by the Air Force and the Commissioner of Patents and Trademarks in determination of rights; by the Air Force to evaluate inventions and patent inventions most important to the Air Force mission; by General Accounting Office and its officers and employees to conduct audits and other statutory functions; by the Air Force to recommend government employee invention and patent awards to their local incentive award boards; by the Air Force to document and record government patent rights; by the Federal Council for Science and Technology as statistical data for an annual report on government patent policy; by Air Force, Armed Services Advisory Board, and Commissioner of Patents and Trademarks to administer Patent Secrecy Act.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Retrievable by name of inventor, title of invention, invention number, serial number of U.S. patent application.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the reccord system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in security file containers/cabinets and safes, and controlled by personnel screening.

RETENTION AND DISPOSAL:

Invention disclosures retained in office files for five years after evaluation completed, then retired to Washington National Records Center, Washington, D.C. 20409, for retention up to 15 years thereafter, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Patent application and patented files retained in office files for three years after cases abandoned or after issued into a patent, then retired to Washington National Records Center, Washington, D.C. 20409, for retention up to 17 years thereafter, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Licenses and assignments retained in office files for 20 years after executed, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Security records on patent applications are retained in office files for three years after secrecy orders rescinded, then retired to Washington National Records Center, Washington, D.C. 20409, for retention up to 9 years, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Chief Patents Division, Office of The Judge Advocate General, JACP, individual requesting information from records should supply full name, title of invention, Air Force invention number, if known, and serial number of U.S. Patent Application; requesting individual may visit Patents Division, Office of The Judge Advocate General, 1900 Half Street, SW, Washington, DC 20324 to obtain information about this records system; upon visit individual must present verification of identity as inventor of the invention, or invention covered by the patent application, about which information is requested, including full name, driver's license or other photo identity card.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from Chief, Patents Division, Office of The Judge Advocate General, JACP, Washington, DC 20324.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from inventors; Air Force and government technical personnel; other government departments and agencies; Air Force contractors; U.S. Patent and Trademark Office; the work product of Air Force Patents Division, JACP, JACPD, JACPB; security reviews conducted by Department of Air Force personnel having military classification authority; owners of patent applications; foreign governments; Armed Services Patent Advisory Board; and Air Force Foreign Intelligence Personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 JA C

SYSTEM NAME:

Judge Advocate Personnel Records.

SYSTEM LOCATION:

At Office of The Judge Advocate General At Headquarters United States Air Force, Washington, DC 20330.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Air Force active duty judge advocates, Air Force Reserve mobilization augmentees attached to Headquarters USAF, Office of The Judge Advocate General, Air Force civilian attorneys employed in classification series GS-905 and GS-1222, active duty Air Force applicants for Funded Legal Education Program and Excess Leave Program, and civilian applicants for direct appointment program.

CATEGORIES OF RECORDS IN THE SYSTEM:

Educational background, certificate of admission to the bar, career management questionnaire, career objective statement, active duty and reassignment orders, correspondence relating to the individual, Military Personnel Center computer data, classification/on-the-job training actions, Judge Advocate General Reserve Personnel Questionnaire, Headquarters USAF active duty and attachment orders, training reports, authorizations for inactive duty training, civilian personal qualifications statement, notification of personnel actions, statement of good standing before the bar, transcript of law school record, statement of availability for Air Force civilian attorney vacancies, actions by Ad Hoc Selection Committee and Air Force Civilian Attorney Qualifying Committee, Judge Advocate interview, letter of acceptance from an American Bar Association accredited law school, application and agreement, LSDAS report, transcript of all undergraduate and graduate education, letters of recommendation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 3301, Civil service; generally; 10 U.S.C. 261, Reserve Components named; 806, Judge advocates and legal officers; 2004, Detail of commissioned officers of the military departments as students at law schools; 8072, Judge Advocate General: appointment and duties; 62 Stat. 1014; Executive Order 10577.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are used by The Judge Advocate General, Assistant Judge Advocate General, Executive, and Career Management Personnel in evaluating and selecting judge advocates for specific assignments, training, and advanced education; mobilization augmentee records are also used by the Reserver Advisor to The Judge Advocate General, Division Chiefs, Office of The Judge Advocate General in monitoring and evaluating reservists training assignments and in preparing performance evaluations; civilian records are used by the Executive Secretary and members of Ad Hoc and Air Force Civilian Attorney Qualifying Committees in evaluating and selecting civilian attorneys for appointment to Air Force position vacancies and promotions; Funded Legal Education and Excess Leave Program records are used by The Judge Advocate General, Assistant Judge Advocate General, Career Management personnel, and selection board members in monitoring, evaluating and selecting the best qualified applicants for the programs.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and card files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Judge Advocate Officer Personnel records and Funded Legal Education and Excess Leave Program records are retained in office files for three years after the individual terminates military service, or until no longer needed for reference, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Other records: Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Request from individuals should be addressed to the System Manager. Full name and SSN must be furnished. Visits may be made to HQ USAF/JAEC, Pentagon, Washington, DC 20330. Valid identification card, driver's license or equivalent must be presented.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers, educational institutions, automated system interfaces, state or local governments, source documents, and from Air Reserve Personnel Center.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F110 JA D

SYSTEM NAME:

Patent Infringement and Litigation Records.

SYSTEM LOCATION:

Headquarters United States Air Force, AF/JACPI, Washington DC 20324; Office of The Judge Advocate General Patents Division JACP, Washington DC 20324; AF/JACPI, Wright-Patterson Air Force Base, Dayton, OH 45433.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All claimants or petitioners who have alleged unlicensed use of their patents by the Air Force or who have brought suit against the United States concerning patent, trademark or copyright matters related to the Department of the Air Force.

CATEGORIES OF RECORDS IN THE SYSTEM:

Letters; messages; forms; reports; contracts; bids; photographs; legal opinions; petitions; answers; discovery documents; memoranda; infringement studies; validity studies; procurement information; license agreements; other documents including but not limited to: contract determinations, witness statements, and engineering and technical reports. Some records are under military classification.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 2386, Copyrights, patents, designs; 22 U.S.C. 2356, Foreign Assistance, Acquisition; 28 U.S.C. 1498, Patent and copyright cases; 35 U.S.C. 183, Right to compensation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Purpose of the collection of information is to enable the United States and its officers and employees to investigate claims and/or defend the legal interests of the United States because of claims for compensation and litigation involving patents, trademarks and copyrights. Used by the Department of Justice and its officers and employees in the litigation of cases involving patent or copyright matters concerning the Department of the Air Force and in some instances the Department of Defense. Used by the Department of the Air Force, its officers and employees to resolve claims for compensation involving patent, trademark or copyright matters. Used by other Government Departments and agencies, such as the Departments of the Army, Navy, and Defense, to resolve claims for compensation involving patent, trademark, or copyright matters. Used in research for preparation of Air Force replies in response to Congressional inquiries.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Retrievable by name of claimant or litigant.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in security file containers/cabinets/safes and controlled by personnel screening.

RETENTION AND DISPOSAL:

Retained in office files for three years after the end of year in which the case was closed, then retired to Washington National Records Center, Washington, D.C. 20409, for retention up to twelve years thereafter, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information received from the individual, contractors, other government agencies, individual corporations (non-contractors) and from source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F111 AF JA A

SYSTEM NAME:

Automated Military Justice Analysis and Management System (AMJAMS).

SYSTEM LOCATION:

Headquarters, of the United States Air Force, major commands and major subordinate commands.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All persons subject to the Uniform Code of Military Justice (UCMJ) (10 U.S.C. 802) who receive Article 15 punishment or against whom courtmartial charges are preferred.

CATEGORIES OF RECORDS IN THE SYSTEM:

Article 15 records included personnel background information, nature of offenses involved, punishment imposed and results of appeals filed and subsequent actions taken affecting the punishment. Court-martial records include personnel background information, offenses charged, pretrial proceedings, results of trial or other disposition of case, sentence, action of convening authority and results of appellate review.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8072, Judge Advocate General: Appointment; Duties; and Articles 6(a), Judge Advocates and Legal Officers, and 67(g), Review by the Court of Military Appeals; Uniform Code of Military Justice, 10 U.S.C. 806(a), 867(g).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records are maintained in order to preserve an accurate statistical accounting of courts-martial and Article 15 activities for use in assisting The Judge Advocate General and Field Staff Judge Advocates in the management and administration of military justice, and for conducting statistical studies which measure disciplinary rates and trends and evaluate military justice involvement as it affects the quality of the force and the ability of the Air Force to carry out its mission.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer magnetic tapes and on computer paper printouts.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in vaults or locked cabinets or rooms and controlled by personnel screening.

RETENTION AND DISPOSAL:

Records are retained in active office files at HQ USAF and major air command levels for three years. Records at major air commands are then purged and destroyed by degaussing and those at HQ USAF are retired as permanent history at HQ Command/ACD, Bolling AFB, Washington, DC 20332.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force. Major Command Staff Judge Advocates.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Information required will be full name, SSN unit of assignment and date of trial or imposition of Article 15 punishment. Requester may visit the Military Justice Division, Office of The Judge Advocate General, 1900 Half St., SW, Washington, DC 20324, and must present valid identification card or driver's license.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from automated system interfaces, and from records of trial by court-martial and Article 15 punishment actions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F111 AF JA B

SYSTEM NAME:

Court-Martial and Article 15 Records.

SYSTEM LOCATION:

At Headquarters United States Air Force, Washington, D.C. 20330. At Air Force Military Personnel Center, Randolph Air Force Base, TX 78148. At National Personnel Records Center, Military Personnel Records, 9700 Page Boulevard, St. Louis, MO 63132. At Washington National Records Center, Washington, D.C. 20409. At headquarters of the United States Air Force, major commands and major subordinate commands. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice. At headquarters of major commands and at all levels down to and including Air Force installations. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All persons subject to the Uniform Code of Military Justice (UCMJ) (10 U.S.C. 802) who are tried by court-martial or upon whom Article 15 punishment is imposed.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records of trial by court-martial and records of Article 15 punishment.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 815(g), Commanding officer's non-judicial punishment; 854, Record of Trial; 865, Disposition of records after review by the convening authority.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Records of trial by court-martial are used for review by the convening authority, Military Appellate Courts, The Judge Advocate General, corrections and probation authorities, the Secretary of the Air Force and the President; individual records may be transferred to other components within the Department of Defense, the Department of Justice, the Veteran's Administration, or state and federal courts for determination of rights and entitlements of individuals concerned or the government; used to formulate responses to inquiries concerning individual cases made by the Congress, the President, the Department of Defense, the individual involved or other persons or agencies with a legitimate interest in the court-martial proceedings; portions of the record in every case are transmitted to Air Force personnel authorities for use in evaluating the individual's overall performance and inclusion in their military master personnel record; if conviction results, a record thereof can be introduced at a subsequent court-martial trial involving the same individual; also used as source documents for collection of statistical information. Article 15 records are used for review of legal sufficiency and action on apppeals or applications for correction of military records filed before appropriate Air Force authorities; used to formulate responses to inquiries concerning individual cases made by the Congress, the President, the Department of Defense, the individual involved or other persons or agencies with a legitimate interest in the Article 15 action; used by Air Force personnel authorities in evaluating the individual's overall performance and inclusion in the individual's military master personnel record; may be used for introduction at a subsequent court-martial trial involving the same individual; used as source documents for collection of statistical information by The Judge Advocate General.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name, Social Security Number (SSN), Military Service Number, or by other identification number or system identifier.

SAFEGUARDS:

Records are accessed by custodian of the record system and person(s) who are properly screened and cleared for need-to-know. Records are stored in vaults and locked cabinets or rooms. Records are protected by guards, and controlled by personnel screening and by visitor registers.

RETENTION AND DISPOSAL:

Court-Martial records are retained in office files for two years following date of final action and then retired as permanent. All general and special court-martial records are retired to the Washington National Records Center, Washington, D.C. 20409. Article 15 records are retained in office files for one year or until no longer needed, whichever is sooner, and then retired as permanent. Summary courts-martial and Article 15 records are forwarded to the Air Force Military Personnel Center, Randolph AFB, TX 78148 and filed in the individual's master personnel record.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force. Staff Judge Advocate at all levels of command and the Military Personnel Records Division, Directorate of Personnel Data Systems, Air Force Military Personnel Center (AFMPC/DPMDR)

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice. Information required will be full name, SSN, service number if different than SSN, unit of assignment, date of trial and type of court, if known, or date punishment imposed in the case of Article 15 action. Requester may visit the Office of The Judge Advocate General, Forrestal Bldg Washington, D.C. and must present valid identification card or driver's license.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from almost any source can be included if it is relevant and material to the Article 15 or court-martial proceedings.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

Fill SAC A

SYSTEM NAME:

Military Justice Administration.

SYSTEM LOCATION:

Beale Air Force Base, CA 95903; Castle Air Force Base, CA 95342; Dyess Air Force Base, TX 79607; Ellsworth Air Force Base, SD 57706; Fairchild Air Force Base, WA 99011; Francis E Warren Air Force Base, WY 82001; Grand Forks Air Force Base, ND 58205; Malmstrom Air Force Base, MT 59402; March Air Force Base, CA 92518; Minot Air Force Base, ND 59705; 46 AERODW, Peterson Air Force Base, CO 80914.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force active duty personnel currently assigned to Air Force bases identified above, who may be nominated to serve on general court martials on those bases.

CATEGORIES OF RECORDS IN THE SYSTEM:

Grade, Name, SSN, organization, and base of assignment, military experience, duty assignment and courts-martial experience.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by; and Subchapter V-Composition of Courts-Martial and Manual for Courts-Martial, United States, and the Uniform Code of Military Justice.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by commanders to select court martial members.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Manual, maintained in paper files.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person (s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files until reassignment or separation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGERS AND ADDRESS:

Headquarters 15 Air Force Staff Judge Advocate, March Air Force Base, CA 92518, and the Staff Judge Advocate at the bases identified under "System Location" above.

NOTIFICATION PROCEDURE:

Address the System Manager at bases identified under "System Location" above.

RECORD ACCESS PROCEDURES:

Obtain assistance from the System Manager at bases identified under "System Location" above.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Managers.

RECORD SOURCE CATEGORIES:

Record information and changes are obtained from the individual.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F112 AF JA A

SYSTEM NAME:

Claims Administrative Management Program (CAMP).

SYSTEM LOCATION:

Headquarters United States Air Force, Washington, D.C. 20330. Headquarters of major commands and at all levels down to and including Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All military personnel and civilians filing administrative claims against the Air Force or against whom the Air Force has filed an administrative claim.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual claim record.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by The Judge Advocate General (JAG) for claim budgeting, management of claims processing to insure worldwide consistency, and establishment of manpower authorization based on claims workload. Used by the JAG and Department of Justice for verification that administrative action has been attempted before litigation action is initiated.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, on computer and computer output products, and microform.

RETRIEVABILITY:

Filed by name or claim number.

SAFEGUARDS:

Records are accessed by custodian of the record system by person(s) responsible for servicing the records system in performance of their official duties. Records are stored in security file containers/cabinets and in vaults.

RETENTION AND DISPOSAL:

At HQ USAF retained in office files for 10 years, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. At other than HQ USAF, retained in office files for five years, then destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager, HQ USAF/JACC, 1900 Half Street, SW, Washington, D.C. 20324.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from claimants and government agencies involved.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F112 AF JA B

SYSTEM NAME:

Claims Records.

SYSTEM LOCATION:

Headquarters United States Air Force, Washington, DC 20330. Headquarters of major commands and at all levels down to and including Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All military personnel and civilians filing administrative claims against the Air Force or against whom the Air Force has filed an administrative claim.

CATEGORIES OF RECORDS IN THE SYSTEM:

Individual claim record.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To provide a legal basis for administrative payment, collection, or non-collection of claims for and against the government, by Judge Advocates and the Secretary of the Air Force; and when required, with the concurrence of the Justice Department; to provide evidence upon which suits at law can be defended or prosecuted by the Justice Department; to provide information upon which to reply to Congress or Congressional inquiries or to make reports to the General Accounting Office and Congress on legislative payment of claims; to effect management and collection of claims arising out of movement of household goods and effects, records are provided Air Force transportation officers, Air Force Finance officers, the General Accounting Office, the Interstate Commerce Commission and the individual carrier, warehouseman, or packer involved; to obtain medical opinions from the Office of The Surgeon General, USAF, upon which claims and litigation decisions can be made by Judge Advocates and the Justice Department; on request medical records are furnished to military personnel, dependents, retired personnel, or other individuals whose records are included in the claim file; Finance officers are also provided pertinent portions of any claim file forwarded for payment; a copy of the adjudicated claim is furnished upon request by the claimant for the purpose of submitting a tax return for a casualty loss or in support of a private relief bill; to provide evidence before the Court of Claims on legislative referral of private bill claims; when the Department of Defense is involved, claim files are provided to any agency of that department involved; claim files are submitted to foreign governments for adjudication under applicable status of forces agreements; documentary evidence may be furnished to foreign courts in connection with litigation involving the United States or its personnel; referral of claim files may be made to the Armed Forces Institute of Pathology or the Office of Special Investigations when appropriate; when required claim files may be referred to the Department of Labor with regard to employment and duty status; and to provide claim files to the legal staffs of the Armed Forces for the purpose of training of legal, paralegal and administrative personnel.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties. Records are stored in security file containers/cabinets.

RETENTION AND DISPOSAL:

Retained in office files for three months after monthly cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Retained in office files for one year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Held one or two years depending upon claim then destroyed after four additional years at staging area; after agency action completed others are held one, three or five years then destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Judge Advocate General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

HQ USAF/JACC, 1900 Half Street, SW, Washington, D.C. 20324. Requests from individuals should be addressed to the System Manager. Full name, date of incident, date of claim, type of claim, claim number, location of incident; HQ USAF/JACC, 1900 Half Street, SW, Washington, D.C. 20324; drivers license, military ID, birth certificate or equivalent must be presented for personal visit.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. HQ USAF/JACC, 1900 Half Street, SW, Washington, D.C. 20324.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions, police and investigating officers, the public media, bureaus of motor vehicles, state or local governments, witnesses, and source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F160 AF SG A

SYSTEM NAME:

USAF Hearing Conservation Record System.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics; USAF Occupational and Environmental Health Laboratory (OEHL), Brooks Air Force Base, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Air Force military or civilian employees who are entered in the Hearing Conservation Program due to working in noise hazard areas.

CATEGORIES OF RECORDS IN THE SYSTEM:

DD Forms 2215 and 2216 which documents name; Social Security Number; military grade or rank, or Civil Service grade; date of birth; sex; USAF specialty or job code; the organization to which the individual is assigned complete with address and duty phone number; whether military or civilian; time, day of week, date of audiometric test; hours since last noise exposure; whether hearing protection was used during last noise exposures, whether ear problem existed at time of test, type of audiometer used, i.e., manual or automatic, date of last audiometer calibration, hearing threshold levels for 500, 1000, 2000, 3000, 4000 and 6000Hz frequencies in each ear including results of current audiometric examination, his reference or initial examination and any shift between these two examinations in each ear; whether or not earplugs were issued at time of audiometric examination or have been previously

issued; type of earplug and size for each ear; if noise ear muff issued; if individual wears glasses; any pertinent remarks relative to the individual, noise exposure, hearing, etc.; and the audiometric examiner's name, Air Force Specialty Code, Social Security Number, and office symbol. File also contains information on AF Form 1621, Evaluation of Individual Noise Exposure, which is used to document data and observations relating to an individual's exposure to occupational noise and an AF Form 1672, Hearing Conservation Diagnostic Center Referral, which contains follow-up audiometric examination data similar to that in DD Forms 2215 and 2216.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

29 CFR, Part 1910.95, Occupational Safety and Health Standards. Public Law 91–596, The Occupational Safety and Health Act; Executive Order 12196, Occupational Safety and Health Program for Federal Employees, as implemented by Air Force Regulation (AFR) 161–35, Hazardous Noise Exposure.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE(S) OF SUCH USES:

Used by USAF Occupational and Environmental Health Laboratory (OEHL) to provide continuing review of the Air Force Hearing Conservation Program by updating damage-risk criteria, modifying monitoring audiometry program procedures, validating personnel disposition procedures relating to occupationally induced hearing losses, evaluating hearing protective devices and procedures, at the specific request of a USAF Medical Facility to provide an historical record of the results of an individual's monitoring audiometric test results. Also used by USAF School of Aerospace Medicine for Research Associated with noise induced hearing losses. Used by base Medical Personnel to monitor employees health status for occupational health programs, to use in formulating recommendations to supervisors on requirements to remove individual from further exposure, to determine need for investigation of workplace environment for abnormal exposure conditions. Used by supervisors to determine whether employee can continue to work in the exposure situation, to determine relative risk of various work tasks, to improve safety of noise exposure procedures. Used by Bureau of Employees Compensation for Information relating to individuals' claims relating to occupationally induced hearing losses.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and on computer magnetic tapes.

RETRIEVABILITY:

Filed by name, Social Security Number (SSN), date of birth, and Air Force Specialty Code/Job Code.

SAFEGUARDS:

Records are accessed by commanders of medical centers and hospitals, by custodian of the record system, and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are controlled by computer system software.

RETENTION AND DISPOSAL:

At Occupational and Environmental Health Laboratory (OEHL), retained in computer until no longer needed; at bases, retained as part of medical record for fifty years after date of latest document, then destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Air Force Medical Service Center, Aerospace Medical Consultants Division, Directorate of Professional Services (HQ AFMSC/SGPA, Brooks Air Force Base, TX 78235).

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F160 AF SG B

SYSTEM NAME:

Medical Professional Staffing Records.

SYSTEM LOCATION:

At Air Force medical centers, hospitals, and clinics; all health facilities where graduate health education programs are conducted.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Practitioners, who are, or have been, members of the USAF Medical Service or Civil Service Employees (including civilian consultants who engage in direct patient care) and who are assigned to, employed by, or practice in the Air Force medical facility for the purpose of providing health services for eligible beneficiaries; United States Air Force Medical Service personnel pursuing graduate health education programs.

CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Credential review files: Contains curriculum vitae, list of approved privileges, copies of diplomas and certificates, records of continuing health education training, letters of evaluation, summaries of special activities or other information furnished or solicited in order to fully evaluate the professional qualifications of individuals. (2) Health education records: applications for training, training reports, Faculty Board reports, photograph or negative, and personnel documents related to training.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC Chapter 55, Medical and Dental Care; 8067(f) Designation: officers to perform certain professional functions; 8207, Regular Air Force: Commissioned officers on active duty; medical specialists, as implemented by Air Force Regulation (AFR) 160–41, Credentials Review of Health Care Providers.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The information contained in credential review files is used to award inpatient and ambulatory clinical privileges to all categories of health practitioners. The information may also be released to a governmental board or agency or health care professional society or organization if such record of document is needed to perform licensing or professional standards monitoring related to health care practitioners who are or were formerly members or

employees of the Armed Forces, and to medical institutions or organizations wherein such member or employee has applied for or been granted authority or employment to provide health care services if such record or document is needed to assess the professional qualifications of such member or employee. Health education records are used to permit evaluations of individuals in training, by program directors, in managing the individual in training; by the record maintenance personnel, to document changes to the individual's personnel record maintained by the servicing Consolidated Base Personnel Office (CBPO).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and visible file binders/cabinets.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system, by person(s) responsible for servicing the record system in performance of their official duties; by commanders of USAF medical centers hospitals and clinics (credential review files); by program directors, trainees and personnel managers with the need to know (health education records).

RETENTION AND DISPOSAL:

(1) Credential review files are retained in the office files of the medical facility the practitioner is assigned or employed. Following separation, resignation, or retirement, the files are retained at the location of the last duty assignment for a period of 3 years and then are destroyed. (2) Health education files are retained by the director of health education until training is completed, files are then kept by the health facility for 30 years and then destroyed by tearing into pieces, shredding, pulping, macerating, or burning; if facility is deactivated, the records are retired to the Washington National Records Center, Washington, DC 20409 to be retained until the 30-year period has expired at which time they will be destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters, United States Air Force; Commanders of medical centers, hospitals, clinics. For health education records, individuals should give full name, military status, Social Security Number, when they entered training and completed training, and what corps within the medical service they are a member. Individuals may visit either the health facility maintaining the records or the Office of the Surgeon, Air Force Manpower and Personnel Center, Randolph Air Force Base, Texas to learn if the record system contains their records. When visiting either of these locations, the individual must provide a valid drivers license or equivalent identification containing a photograph to establish identity.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

For credential review files, individual may obtain assistance in gaining access from the System Manager. For health education records, individual may obtain assistance by writing or presenting themselves in person to the health facility where the records are maintained. Official mailing addresses are in the Department of the Air Force Directory in the appendix to the Department of the Air Force system notices.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Credential review files: Basic information submitted by the practitioner. Additional information may be solicited from other sources in order to permit the credentials committee to best judge the capabilities of the practitioner. Health education records: Previous employer, educational institutions, master personnel record, information provided by the individual concerned.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F160 ARPC A

SYSTEM NAME:

Physical Examination Reports Suspense File.

SYSTEM LOCATION:

Air Reserve Personnel Center, Denver, CO 80280

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Air Force Reserve personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Incomplete reports of physical examinations, correspondence to and from reservists/individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 275, Personnel Records as implemented by Air Force Regulation (AFR) 60–43, Medical Examination and Medical Standards and Air Reserve Personnel Center Regulation 45–7, Annual Survey.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Information in files is used to provide control of reservists/individual medical status.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system, by person(s) responsible for servicing the record system in performance of their official duties and by commanders of medical centers and hospitals. Records are protected by guards.

RETENTION AND DISPOSAL:

Retained in suspense file until completed, then filed in the individual health record.

SYSTEM MANAGER(S) AND ADDRESS:

Commander Air Reserve Personnel Center (ARPC) Denver, CO 80280.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280. Written requests for information should contain full name, SSN, current mailing address and, if known, the case (control) number on correspondence received from ARPC. Records may be reviewed in the Records Review Room, Air Reserve Personnel Center, Denver, Colorado between 8:00 a.m. and 3:00 p.m. on normal workdays. Visitors wishing to see their records should provide a current Reserve identification card and/or drivers license and some verbal information that could verify the person's identification.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the Documentation Management Officer, ARPC/DAD, Denver, Colorado 80280; telephone (303) 370–4667.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information from examining facilities, physicians (military and civilian, and summary of physician's evaluation).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

SYSTEM NAME:

Aircrew Standards Case File.

SYSTEM LOCATION:

HQ AFMSC/SGPA, Brooks Air Force Base, TX 78235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This record system is maintained on all Air Force members who have been considered for medical waiver for flying duty due to conditions defined as serious illness or for waiver for flying training.

CATEGORIES OF RECORDS IN THE SYSTEM:

The record system contains mambers' Report of Medical Examination, Report of Medical History, Narrative Summary, Aeromedical Evaluation, Electrocardiographic Record, Clinical Record Consultation Sheet, and USAF School of Aerospace Medicine Evaluation Report (if accomplished).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by, as implemented by Air Force Regulation (AFR) 160–43, Medical Examination and Medical Standards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to determine if a previous action has been taken, if a precedent exists for granting a waiver for a specific medical condition, and to provide a scientific basis to justify and improve waiver policies.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in microform and on computer.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by persons responsible for servicing the record system in performance of their official duties.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

HQ AFMSC/SGPA, Brooks Air Force Base, TX 78235.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F161 AF SG A

SYSTEM NAME:

Air Force Aerospace Physiology Training Programs.

SYSTEM LOCATION:

Chamber Flight Records located at USAF School of Aerospace Medicine, Physiological Education Branch (USAFSAM/EDB), Brooks Air Force Base, TX 78235. Physiological Training Monthly Report at each AF Physiological Training Unit (PTU), HQ USAFSAM/EDB, Brooks Air Force Base, TX 78235; Physiological Training Records at AF PTUs; Individual Physiological Training Records for aircrews, Individual Physiological Training Records for non-aircrew personnel at Air Force Medical Service Center major command headquarters, consolidated flight record custodians at Air Force installations and National Personnel Records Center, Military Personnel Records, 9700 Page Boulevard, St. Louis, MO 63132.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Aircrew and non-aircrew personnel required to fly on Air Force aircraft.

CATEGORIES OF RECORDS IN THE SYSTEM:

Used for records accounting and research. Contains data on attendance at formal training, type of course received, quality performance, training flight profiles, location of training, age, height, weight and sex of trainees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by, as implemented by Air Force Regulation (AFR) 50–27, Air Force Aerospace Physiological Training Program and AFR 160–40, Administration of the Aerospace Physiological Training Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Authenticate type of training, location and trainees performance during course. Flight profiles (altitude chamber) and any reactions occurring during flight are maintained by each PTU for future authentication of training. Additional authentication is provided flight managers and scheduling officers and copies of flight profiles and reaction data are provided USAFSAM for research. A compilation of select data is forwarded to appropriate Command Coordinator for Physiological Training for management purposes, USAFSAM/EDB and the Test Support Branch (USAFSAM/BRR) for analysis and research, and to the Air Force Medical Service Center, HQ AFMSC/SGPA, Brooks Air Force Base, Texas 78235 for management and research. Data for specific reactors to low pressure are handled as medical records with additional distribution to appropriate MAJCOM Surgeon/SGP for information and possible corrective action, to USAFSAM/EDB/VNT for research and analysis, and to HQ AFMSC/SGPA for policy/management/statistical/research analysis.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Record of training, records of individuals in a given class, altitude flight profiles, combined data of all individuals trained each month, and data on technicians providing the training are maintained in file folders, and in visible file cabinets.

RETRIEVABILITY:

Data relative to reactors to low pressure, management analysis procedures filed by SSN. Authentication of training filed by name.

SAFEGUARDS:

Records are assessed by commanders of medical centers and hospitals and by custodian of the record system.

RETENTION AND DISPOSAL:

Chamber Flight Record at USAFSAM retained until entered into computer files, until superseded, obsolete, no longer needed for reference, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Physiological Training Monthly Report (original) at HQ Air Force Medical Service Center retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Copies at other than HQ AFMSC retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Physiological Training Record after 6 years; Individual Physiological Training Records for non-flying personnel retained as a part of individual medical record until member separates from active or Reserve duty. For flying personnel, record is retained in flight records and turned over to individual after discharge, separation, retirement.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Air Force Medical Service Center.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Attention Chief Aerospace Physiology HQ AFMSC/SGPA, Brooks Air Force Base, Texas 78235. Students should provide full name, military status, approximate date and last location of training; officers and technicians assigned AF Aerospace Physiology Programs provide full name and location of last training. Requesters may visit Air Force Medical Service Center. Proof of identity is by government ID Card for active/retired, driver's license for others.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Physiological Training Unit (PTU).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F161 AF SG B

SYSTEM NAME:

USAF Compression Chamber Operation.

SYSTEM LOCATION:

Treatment Records (original) retained in individual health records at Air Force hospitals, medical centers and clinics as part of health record or National Personnel Records Center, Civilian Personnel Records, 111 Winnebago Street, St. Louis, MO 63118. First copy retained at USAF School of Aerospace Medicine, Hyperbaric Medicine Division (USAFSAM/HM), Brooks Air Force Base, TX 78235. Other copies at Air Force Medical Service Center, major command headquarters, and individual Physiological Training Unit (PTU) having Compression Therapy capability. Compression Chamber Operations Record is retained at PTUs having Compression Therapy capability; Compression Chamber Reactor Case Report (original) at Air Force hospitals, medical centers and clinics as part of health record or National Personnel Records Center, Civilian Personnel Records, 111 Winnebago Street, St. Louis, MO 63118. First copy retained at USAFSAM/HM. Other copies Headquarters Air Force Medical Service Center, major command headquarters, and individual PTUs having Compression Therapy capabilities, Oxygen Sensitivity Tolerance/Pressure Test National Personnel Records Center, at Air Force hospitals, medical centers and clinics as part of health record or Civilian Personnel Records, 111 Winnebago Street, St. Louis, MO 63118.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Officers/technicians performing treatments (normally medical doctors, aerospace physiologists/physiological training technicians); patients who are Active duty military personnel, retired Air Force military personnel, dependents of military personnel, dependents of retired military and civilians treated on an emergency basis.

CATEGORIES OF RECORDS IN THE SYSTEM:

Treatment records of patient and records of personnel conducting treatment. Records of exposure to high pressure profiles are maintained for patient and personnel conducting treatment. Records of training dives are maintained on officers and technicians performing treatment dives as well as their physical capability/tolerance to perform in subsequent treatment dives/procedures.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC 8012, Secretary of the Air Force: powers and duties; delegation by; and Chapter 55, Medical and Dental Care, as implemented by Air Force Regulation (AFR) 161–21, Use of Hyperbaric (Compression) Chambers for Therapy and AFR 161–27, Hyperbaric Chamber Operations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Provide an exact record for a patient treated by compression therapy and documents reactions of the patient's response to high pressure. Protects the patient by insuring that overexposure to high pressure does not occur. Records are maintained on persons performing treatments because they are exposed to the same treatment profiles as their patients and to insure their capability of performing treatment and to determine in advance that they are not physiologically susceptible to potential hazards of treatment. Category of user: Physicians, aerospace physiologists and technicians. Records are also provided to USAF Compression Therapy Center, USAFSAM/HM, Brooks Air Force Base, TX and the Air Force Medical Service Center, HQ AFMSC/SGPA, Brooks Air Force Base, Texas for research and statistical analysis, and management effectiveness. Records maintained on technicians/officers conducting procedures are maintained at treatment site to insure overexposure to high pressure does not occur and to determine professinal adequacy to participate in treatment dives. Records involving officers/technicians

performing treatment are proivded MAJCOM/SGP, USAF School of Aerospace Medicine, Physiological Education Branch (USAFSAM/EDB) and HQ AFMSC/SGPA for statistical analysis, research and management effectiveness considerations.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and visible file binders/cabinets.

RETRIEVABILITY:

Patients records filed chronologically by subject.

SAFEGUARDS:

Records are accessed by commanders of medical centers and hospitals and by custodian of the record system.

RETENTION AND DISPOSAL:

Treatment Records (original) retained in individual health record for fifty years after date of latest document and then destroyed. First copy and other copies at USAFSAM, HQ AFMSC and MAJCOMs retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed. Other copies at PTUs destroyed after 3 years; Compression Chamber Operation Record at PTUs Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed. Compression Chamber Reactor Case Report (original) retained in individual health record for fifty years after date of latest document, then destroyed. First copy at USAFSAM and other copies at HQ AFMSC and MAJCOMs retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed. Copies at PTU retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed. Oxygen Sensitivity Tolerance/Pressure Test retained in individual health record for fifty years after date of latest document, then destroyed. All records are destroyed by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Air Force Medical Service Center, Brooks Air Force Base, Texas.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Required information for military/ex-military is full name, Social Security number; civilian should provide name, Social Security Number, location of treatment, and approximate date of treatment. Requester may visit Air Force Medical Service Center. Proof of identity is by government ID card for active/retired militay, driver's license for civilians.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Physicians regarding diagnosis/treatment.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F161 AF SG C

SYSTEM NAME:

USAF Master Radiation Exposure Registry.

SYSTEM LOCATION:

USAF Occupational and Environmental Health Laboratory (AFSC), Brooks Air Force Base, TX 78235; Air Force medical centers, hospitals and clinics; Air Force operating locations and installations using sources of ionizing radiation. Official mailing addresses are contained in the Air Force Address Directory.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All personnel currently enrolled in or having been monitored under the USAF's Personnel Dosimetry Program or on whom the Air Force has performed a bioassay for radioactive materials since 1960. This includes Air Force military and civilian employees; military and civilian employees of other Components and the Department of Defense; and some employees of other federal agencies and civilian contractors.

CATEGORIES OF RECORDS IN THE SYSTEM:

Personal radiation dosimetry (film badge or thermoluminescent dosimeter) results in monthly and lifetime cumulative periods and results of bioassays for radioactive materials in the body.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Part 20.401(a) and (c), Title 10, Chapter 1, Code of Federal Regulations (10 CFR 20.401(a)(c)) as directed by Executive Order 12196, 29 CFR 1910.96(b)(2)(iii), (n) and (o), implemented by Air Force Regulation (AFR) 161–28, Personnel Dosimetry Program and the USAF Master Radiation Exposure Registry.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

USAF Occupational and Environmental Health Laboratory (OEHL)—To maintain a cumulative record of occupational exposure to ionizing radiation on each radiation worker monitored under the USAF's personnel dosimetry program as required by Public Law: to provide a copy of an individual's record to any future employer of that individual who makes a proper request for it as provided for by law; to provide individuals a copy of their Air Force occupational radiation exposure history; to provide information about an individual's ionizing radiation exposure history to medical personnel responsible for radiation safety and the individual's health care, and the individual's supervisor; to provide information about radiation exposures resulting from radiation accidents or incidents to authorized investigators of such events and the Nuclear Regulatory Commission (NRC) or Department of Labor, Occupational Safety and Health Administration (DOL/OSHA); for use in epidemiological and statistical studies to determine the effectiveness of Air Force-wide radiological health programs, trends in exposure doses, exposure experiences of selected occupational groups and similar studies.

Medical personnel—To determine the requirements for occupational physical examinations and assess whether an individual's medical condition may be related to his or her radiation exposure; to use in formulating recommendations to supervisors on requirements to remove or limit an individual from further work with ionizing radiation sources; to determine the need for investigation of workplace environments for abnormal radiation exposure conditions; to formulate recommendations for modifications of facilities, equipment or procedures to limit worker's radiation exposures to as low as reasonably achievable; to assist in developing worker education programs on local radiation hazards.

Employees' supervisors—To determine whether employee can continue to work in a given radiation environment; to determine radiation exposures to personnel associated with

a given task; to implement improvements in facilities, equipment, or procedures to reduce worker exposures to as low as reasonably achievable; to assist in local worker education about occupational radiation hazards.

Individuals—To be aware of their lifetime radiation exposures and aid in making personal judgments about the occupational radiation hazards of their environment and in fulfilling their individual responsibilities for radiation safety.

Investigators of radiation accidents or incidents —To assist in determining the possible causes of such an event and recommended measures to prevent recurrence; to determine the severity of the event and possible long term consequences to individuals involved in it or future similar events.

NRC and DOL/OSHA—To use in formulating or enforcement of national policies and regulations for protection of workers from ionizing radiation sources in their occupational environment.

Future employers—To use as the basis for continuing the lifetime cumulative record on individuals as required by Public Law and to use for all purposes for which the current employer uses these records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

At USAF OEHL, on computer disks and computer paper printouts; at installation level, on computer paper printouts provided by USAF OEHL.

RETRIEVABILITY:

Filed by Social Security Number (SSN); retrievable by name or SSN.

SAFEGUARDS:

Records at USAF OEHL are accessed by custodian of the record system and persons responsible for servicing the record system in performance of their official duties and are controlled by computer system software and personnel screening. Records at installations are accessed by medical personnel in performance of their official duties. Records are controlled by personnel screening.

RETENTION AND DISPOSAL:

Records are permanent at USAF OEHL. Latest cumulative history entered in an individual's medical record is retained for the life of the medical record. Records retained by installation medical personnel and supervisors for one year, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Air Force Medical Service Center, Aerospace Medicine Consultants Division, Directorate of Professional Services (HQ AFMSC/SGPA, Brooks Air Force Base, TX 78235).

NOTIFICATION PROCEDURE:

Requests from individuals or persons to whom release of records is authorized should be addressed to USAF OEHL/RZD, Brooks Air Force Base, TX 78235. Information required for identification of an individual record is: full name, SSN and Service Number(s) if different from SSN. If the request is from other than the individual to whom the records pertain, a signed authorization by the individual to release the records to the requester is required.

RECORD ACCESS PROCEDURE:

The Air Force rules for contesting contents and appealing initial determinations are in Air Force Regulation 12–35, and may be obtained from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from previous employers; other components and civilian or government agencies responsible for conducting a radiation protection program and personnel dosimetry at an individual's workplace; and medical institutions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F162 AF SG A

SYSTEM NAME:

Dental Health Records.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics; other authorized medical units serving military personnel and/or dependents; Air Force Military Personnel Center, Randolph Air Force Base, TX 78148; National Personnel Records Center, Military Personnel Records, 9700 Page Blvd, St. Louis, MO 63132, National Personnel Records Center, Civilian Personnel Records, 111 Winnebago Street, St. Louis, MO 63118.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty and retired Air Force military personnel; Air Force Academy nominees/applicants; family members of military and retired personnel; foreign Nationals residing in the United States; American Red Cross personnel; other DOD civilian employees, Peace Corps and State Department personnel; Exchange Officers.

CATEGORIES OF RECORDS IN THE SYSTEM:

Chronological record of all care received in military dental facilities. This is primarily a record of all treatment received on an outpatient basis with supporting documentation such as consultations, dental history, laboratory, and x-ray reports; the record also includes temporary copies of appointment slips and attendance records until entered in the record.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 USC, Chapter 55, Medical and Dental Care.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Chronological record of patient's dental health while authorized care in a military dental facility. Used by patient for further dental care, other uses such as insurance requests or compensation claims as specifically authorized by the patient. Used by dentist for further dental care of the patient, research, teaching. Used by other Patient Care Providers within the hospital for further medical/dental care of the patient, research, teaching. Used by Hospital and Dental Staff for evaluation of dental staff performance in the dental care rendered; dental research; teaching; hospital accreditation; preparation of statistical reports. Used by Army-Navy-VA-PHS-any other hospital, clinic, for further dental care of the patient if he is currently undergoing treatment there. Attorneys and courts for litigation purposes. Record is released only upon receipt of the patient's signed authorization or a court order. Insurance companies require the patients' written consent for release. Used for establishing insurance benefits or payments of benefits. Used by other Air Force Agtencies such as Central Tumor Registry which maintains files on all patients in whom a malignancy has been diagnosed. Used by other Federal and State Agencies such as the Veterans' Administration and Department of Labor (workmen's compensation) for adjudication of claims; reporting communicable disease or other conditions required by law.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, note books/binders, visible file binders/cabinets, card files, on x-ray film, and as photographs.

RETRIEVABILITY:

Filed by name, social Security Number (SSN), or Military Service Number.

SAFEGUARDS:

Records are accessed by commanders of medical centers and hospitals, custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms, protected by guards, and controlled by personnel screening.

RETENTION AND DISPOSAL:

Records for military personnel are retained for fifty years after date of last document; for all others, twenty-five years. While on active duty, the Health Record of a U.S. military mamber is maintained at the dental unit at which the person receives treatment. On separation/retirement the records are forwarded to National Personnel Records Center (NPRC/MPR) or other designated depository; such as Air Reserve Personnel Center, if reservist; to appropriate state National Guard unit, if National Guard member, to appropriate Veterans Administration Regional Office, if VA claim has been filed. Records of other personnel may be handcarried or mailed to the next military medical facility at which treatment will be received, or the records are retained at the treating facility for a minimum of 1 year after date of last treatment then retired to NPRC or other designated depository, such as but not limited to, Commandant (G–PO) U.S. Coast Guard, Washington, DC 20593 for Coast Guard active duty members; Medical Director, American Red Cross, Washington, DC 20006 for Red Cross Personnel.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force. Assistant Surgeon General for Dental Services USAF; commanders of medical centers, hospitals, clinics, medical aid stations.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the Systems Manager. Complete name, social security number of individual through whom eligibility for care is established, year in which treatment was received, location treatment was received, whether treatment was on an inpatient or outpatient basis. Above SYSMANAGERS or in the case of Air Force medical facilities, the Registrar's office of the hospital. An appropriately signed authorization for the release of the information is required. Individual's complete name and social security number of individual through whom eligibility for care is established.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the Systems Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the Systems Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F162 AF SG B

SYSTEM NAME:

Dental Professional Activities.

SYSTEM LOCATION:

Headquarters United States Air Force and major command headquarters. Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals who are or have been associated with the Air Force Dental Service.

CATEGORIES OF RECORDS IN THE SYSTEM:

General Correspondence relating to dental professional activities; for example, but not limited to correspondence from ASD (HA), ADA Council on Scientific Sessions—Table Clinics, Professional Academies, Professional Associations, Professional Societies, Specialty Boards; and Academic Reports, Teaching Reports, and Dental Service Report.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by and 8067(b), Designation; officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Supporting documentation for Air Force Staff for establishing policies and procedures of professional personnel activities for the Air Force Dental Service. Other persons or agencies as specifically authorized by the individual concerned.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, note books/binders and visible file binders/cabinets.

RETRIEVABILITY:

Filed by name, Social Security Number (SSN), institution attended and date.

SAFEGUARDS:

Records are accessed by commanders of medical centers and hospitals, by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms, protected by guards and controlled by personnel screening.

RETENTION AND DISPOSAL:

Records are retained in active file for three years or until purpose has been served, then destroyed, by tearing into pieces, shredding, pulping, macerating or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force. Assistant Surgeon General for Dental Services HQ USAF.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURE:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions and source documents.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F162 SG A

SYSTEM NAME:

Dental Personnel Actions.

SYSTEM LOCATION:

U.S. Air Force Surgeon General, Office of the Assistant Surgeon General for Dental Services, Bolling AFB, Washington DC 20332. (HQ USAF/SGD).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All individuals who are or have been associated with the Air Force Dental Service.

CATEGORIES OF RECORDS IN THE SYSTEM:

General Correspondence relating to dental personnel actions; including but not limited to awards and decorations, letters of appreciation or congratulation, favorable or unfavorable communications, promotion letters, retirement letters, resignation letters, specialty board certificates, chief dentists badge selection board, moonlighting program, military assistance program, Air Forces personnel listing, AFSC Prefix Awards (A&W), Dental Consultant program, Uniformed Services University of Health Sciences (USUHS), administration of office personnel.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by and 8067(b), Designation; officers to perform certain professional functions.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Supporting documentation for Air Staff for establishing policies and procedures on professional personnel activities for the Air Force Dental Service.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, note books/binders, visible file binders/cabinets, card files and on computer paper printouts.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are screened and cleared for need-to-know. Records are stored in locked cabinets or rooms, protected by guards and controlled by personnel screening.

RETENTION AND DISPOSAL:

Record are retained in active file for two years or until purpose has been served, then destroyed, by tearing into pieces, shredding, pulping, macerating or burning

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force. Assistant Surgeon General for Dental Services HQ USAF. Official mailing addresses are in the appendix to the Air Force's systems notices.

NOTIFICATION PROCEDURES:

Requests from individuals should be addressed to the System Manager and should show complete name, Social Security Number and military status of individual requesting information.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical insititutions, automated system interfaces and source documents (such as reports) prepared on behalf of the Air Force by boards, committees, panels, auditors, and so forth.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F163 AF SG A

SYSTEM NAME:

Veterinary Records.

SYSTEM LOCATION:

Air Force installations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty and retired military personnel; Air Force civilian employees; dependents of military personnel.

CATEGORIES OF RECORDS IN THE SYSTEM:

Forms relating to animal bite/health records and food inspection and disease investigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C., Chapter 55, Medical and Dental Care; and 8012, Secretary of the Air Force: powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Record animal health care procedures and investigation of diseases of animal and food origin.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and card files.

RETRIEVABILITY:

Filed by Name.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force, Washington, DC 20330.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURE:

Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from medical institutions, police and investigating officers, and from state or local governments.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F168 AF SG A

SYSTEM NAME:

Automated Medical/Dental Record System.

SYSTEM LOCATION:

At Air Force medical centers, hospitals and clinics, major command headquarters and separate operating agency headquarters, Air Force Data Service Center, Air Force Medical Service Center, USAF School of Aerospace Medicine, and USAF School of Health Care Sciences. Official mailing addresses are in the Department of Defense directory in the appendix of the Air Force's Systems notice.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any individual who is hospitalized in, is dead on arrival at, or has received medical or dental care at an Air Force medical treatment facility. Individuals who have received medical care at other DOD or civilian medical facilities but whose records are maintained at or processed by Air Force medical facilities. Any military active duty member who is on an excused-from-duty status, on quarters, on subsistence elsewhere, on convalescent leave, meets Medical Evaluation Board (MEB) or a Physical Evaluation Board (PEB) on an outpatient basis or who is hospitalized in a nonfederal hospital and for whom an Air Force medical facility has assumed administrative responsibility. Any individual who has undergone medical or dental examinations at any Air Force medical facility (or who has undergone medical examinations at other medical facilities and whose records are maintained or processed by the Air Force), e.g., preemployment examinations and food handlers examinations, or who has otherwise had medical or dental tests performed at any Air Force medical facility.

CATEGORIES OF RECORDS IN THE SYSTEM:

Files consist of automated records of treatment received and medical/dental tests performed on an inpatient/outpatient basis in military medical treatment facilities and of military members treated in civilian facilities. These records may include radiographic images and reports, electrocardiographic tracings and reports, laboratory test results and reports, blood gas analysis reports, occupational health records, dental radiographic reports and records, automated cardiac catheterization data and reports, physical examination reports, patient administration and scheduling reports, pharmacy prescriptions and reports, food service reports, hearing conservation tests, cardiovascular fitness examinations and reports, reports of medical waivers granted for flight duty, and other inpatient and outpatient data and reports. They may contain information relating to medical/dental examinations and treatments, innoculations, appointment and scheduling information, and other medical and/or dental information. Subsystems of the Automated Medical/Dental Data System include: Air Force Clinical Laboratory Automation System (AFCLAS)/TRILAB I; Automated Cardiac Catheterization Laboratory System (ACCLS); Computer Assisted Practice of Cardiology (CAPOC) System; DATA STAT Pharmacy System (Formerly PROHECA); Occupational Health and Safety System; Patient Appointment and Scheduling System (PAS); Tri-Laboratory System (TRILAB); Tri-Pharmacy System; Tri-Radiology System (TRIRAD); Health Evaluation and Risk Tabulation (HEART).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. Chapter 55, Medical and Dental Care.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used as a record of patient's medical/dental health, diagnosis, and treatment and disposition while authorized care. Used to help determine individual's qualification for duty, for security clearances and for assignments. Used by an individual or his legal representative for further medical care, legal purposes, or other uses such as insurance requests or compensation claims when specifically authorized by the patient. Used by physicians/dentists and other health care providers for further care of the patient, research, teaching, and legal purposes. Used by medical treatment facility staff for evaluation of staff performance in the care rendered; for preparation of statistical reports; for reporting communicable diseases and other conditions required by law to federal and state agencies. Used by Army, Navy, Veterans Administration, Public Health Service or civilian hospitals for continued medical care of the patient. Used by insurance companies (only with the patient's written consent for release); for arbitrating insurance claims. Used by other Federal agencies such as Veterans Administration and Department of Labor (Workmen's Compensation) for adjudication of claims; for reporting communicable diseases or other conditions required by law. Used to provide input to other DOD medical records systems including the Medical Records System (F168 AF SG C), the Dental Health Records System (F162 AF SG A) and other DOD agencies (e.g., Army and Navy) when such agency is normally by the primary source or repository of medical information about the individual.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Data maintained primarily on magnetic tape or disks. May also be maintained: in file folders, on computer paper printouts or punched cards, on roll microfilm or microfiche.

RETRIEVABILITY:

Filed by Social Security Number (SSN) of the individual or his/her sponsor in combination with the Family Member Prefix (FMP). The FMP describes the relationship of the patient to his sponsor, e.g., second oldest dependent child, spouse, self, etc. May also be retrieved by the individual's name or by other identification or system number such as inpatient register number, laboratory accession number, or pharmacy prescription number.

SAFEGUARDS:

Records are accessed by medical records custodians or other person(s) responsible for maintaining the record system in performance of their official duties, by commanders of Air Force medical treatment facilities or by personnel authorized by the medical records custodian(s), i. e., administrative employees, Peer Review and Utilization Review committees, etc. Records are controlled by computer system software including the use of pass words or other user identification system, and by limiting physical access to the computer and computer terminals. Except when under direct physical control of authorized individuals, records will be stored in locked rooms or in locked cabinets. Records are accessed by authorized personnel who are properly screened and cleared for a need to know.

RETENTION AND DISPOSAL:

Computer files are retained for variable lengths of time depending upon the type of information involved and the size and mission of the medical treatment facility. Retention time may vary from one day to ten years. Records are disposed of by erasure of the magnetic computer records and destruction of the computer related worksheets on paper, film, or other media by tearing, shredding, pulping, burning or other destructive methods. Identical medical/dental information may be retained for longer periods of time in other medical records systems (such as inpatient or outpatient charts), including the Medical Records System (F168 AF SG C) and Dental Health Records (F162 AF SG A).

SYSTEM MANAGER(S) AND ADDRESS:

Major command and separate operating agency headquarters and Air Force Medical Service Center, commanders of USAF medical centers, hospitals, and clinics. USAF School of Health Care Sciences, Aerospace Medical Division, Brooks AFB, Texas, and the USAF School of Aerospace Medicine, Brooks AFB, Texas. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force Systems notice.

NOTIFICATION PROCEDURE:

Requests from individuals should be directed to the System Manager. Requests should include complete name (including maiden name), sponsor's name, Social Security Number or Service Number of person through whom eligibility is established, category of records desired, year in which treatment was provided, whether treatment was inpatient or outpatient. If the individual establishes eligibility through a sponsor other than self, the request should include the relationship to the sponsor, e.g., spouse, second oldest child, parent, etc.

RECORD ACCESS PROCEDURE:

Address requests to the System Manager. Official mailing addresses are in the Department of Defense Directory in the appendix to the Department of Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is obtained directly from the individual whenever practical and possible, from other individuals when necessary, e.g., when the patient is a child or is in coma, from other medical institutions, from automated systems interfaces, from medical records, and from patient interactions with physicians and other health care providers.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F168 AF SG B

SYSTEM NAME:

Child Advocacy Case Files.

SYSTEM LOCATION:

At Headquarters United States Air Force, Office of the Surgeon General; Headquarters Air Force Medical Service Center, Directorate of Professional Services, Clinical Consultants Division, Brooks Air Force Base, San Antonio, TX 78235; Major Command Surgeon's Office; and Air Force Hospitals, medical centers and clinics. Official mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All children entitled to care at Air Force medical and dental facilities whose abuse or neglect is brought to the attention of appropriate authorities and all persons suspected of abusing or neglecting such children.

CATEGORIES OF RECORDS IN THE SYSTEM:

Medical records of suspected and established cases of child abuse or neglect, investigative reports, correspondence, child advocacy committee reports, follow-up and evaluative reports, and any other supportive data assembled relevant to individual child advocacy program files.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by as implemented by Air Force Regulation (AFR) 160–38, Air Force Family Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used in the performance of official duties relating to health and medical treatment of members and former members of the uniformed services, civilians, and dependents receiving medical care under Air Force auspices; performance of research and compilation of statistical data. Used by other components of the Department of Defense and other Departments and agencies of government in the performance of official duties relating to the coordination of child advocacy programs, medical care and research concerning child abuse and neglect. Used by the Attorney General of the United States or his authorized representatives in connection with litigation, or other matters under the direct jurisdiction of the Department of Justice. Used by federal, state or local governmental agencies when appropriate in the counseling and treatment of individuals or families involved in child abuse or neglect, or when appropriate or necessary for civil or criminal law enforcement. Used by private organizations and individuals for health research in the interest of the federal government and the public, and by authorized surveying bodies for professional certification and accreditation.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records may be stored in file folders, microfilm, or computerized or machine readable media.

RETRIEVABILITY:

Records are retrieved by name of the abused or neglected child and the Social Security number of the sponsor or guardian.

SAFEGUARDS:

Records are maintained in various kinds of filing equipment in specified monitored or controlled access rooms or areas. Records are accessible only to authorized personnel that are properly screened and trained, and on a need-to-know basis only. Computer terminals are located in supervised areas with access controlled by password or other user code system.

RETENTION AND DISPOSAL:

Retained in office files for five years after the end of year in which case was closed, retired to National Personnel Records Center (Civilian), 111 Winnebago Street, St Louis, Missouri 63118 for an additional 20 years.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General; Headquarters Air Force Medical Service Center; Major Command Surgeons; commanders of medical centers, hospitals, and clinics.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager at Air Force Hospitals, medical centers and clinics. Requests should include name,

Social Security number of sponsor, and location of incident.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Reports from physicians and other medical department personnel; reports and information from other sources including educational institutions, medical institutions, law enforcement agencies, public and private health and welfare agencies, and witnesses.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Parts of this system may be exempt under 5 U.S.C. 552a(k) (2) and (5), as applicable. For additional information contact the System Manager.

F168 AF SG C

SYSTEM NAME:

Medical Record System.

SYSTEM LOCATION:

HQ USAF/SG, medical centers, hospitals and clinics, medical aid stations, National Personnel Record Centers, Air National Guard activities, and Air Force Reserve units. Official mailing addresses are in the Air Force Directory in the appendix to the Air Force systems notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Persons treated in an Air Force medical facility and active duty members for whom primary care is provided.

CATEGORIES OF RECORDS IN THE SYSTEM:

Inpatient and outpatient records of care received in Air Force medical facilities. Documentation includes, but is not limited to, patient's medical history, physical examination, treatment received; supporting documentation such as laboratory and x-ray reports, cover sheets and summaries of hospitalization, diagnoses, procedures or surgery performed; administrative forms which concern medical conditions such as Line of Duty Determinations, physical profiles, Medical Recommendations for Flying Duty. Secondary files are maintained such as patient registers, nominal indices, x-ray and laboratory files, indices and registers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. Chapter 55, Medical and Dental Care, 10 U.S.C. 8012, Secretary of the Air Force; powers and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By patient or legal representative for further medical care, legal, or other purposes. By hospital, medical staff and providers of care for further medical care of patient, determination of suitability or eligibility for benefits for various programs, statistics and research, teaching, professional certification, evaluation of care rendered and staff performance. By Army, Navy, Veterans Administration, Public Health Service, any other hospital, clinic, etc., for further medical care of the patient if currently undergoing treatment. By authorized agencies for professional certification and accredidation. By other federal, state and local agencies, as Veterans Administration and Department of Labor (Workmen's Compensation) for adjudication of claims; for preventive medicine programs, reporting births, deaths and communicable disease or other conditions required by law. By tumor or similar registries for treatment or followup. By research organizations and individuals for authorized health research in the interest of the Federal Government or public. When not relevant to the study, patient identification shall be eliminated from records used for research studies. Records in this system which reveal the identity, diagnosis, prognosis or treatment of any individual for drug or alcohol abuse may only be disclosed in accordance with 21 USC 1175 for those records relating to drug abuse and 42 USC 4582 for those relating to alcohol abuse. The blanket routine uses published by the Department of the Air Force for its systems of records do not apply in these cases. Disclosure within the Air Force is limited to those individuals who need the records in connection with programs relating to abuse treatment, rehabilitation, research, health or assignment to duty. Disclosure is also authorized to other components of the Armed Forces and to the Veteran's Administration when these provide health care to identified individuals whether present or former members.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, in card files, notebooks or binders and in machine-readable form.

RETRIEVABILITY:

By name, Social Security Number (SSN) or by Military Service Number or other identification or system identifier (as Register No. for inpatient records).

SAFEGUARDS:

Records are accessed by commanders of medical centers, hospitals, and clinics, by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms and controled by personnel screening.

RETENTION AND DISPOSAL:

While on active duty, the Health Record of a U.S. military member is maintained at the medical unit at which the person receives treatment. On separation or retirement, records are forwarded to National Personnel Records Center/Military Personnel Records (NPRC/MPR) or other designated depository, such as Commandant, U.S. Coast Guard for that agency's personnel, to appropriate Veterans Administration Regional Office if VA Claims has been filed. Records of outpatient treatment of non-active duty personnel may be handcarried or mailed to the next military medical facility at which treatment will be received or the records are retained at the treating facility for a minimum of 1 year after date of last treatment then retired to NPRC or other designated depository, such as, but not limited to, Medical Director, American Red Cross, Washington, DC 20006 for Red Cross Personnel. At NPRC records for military personnel are retained for 50 years after date of last documents; for all others, 25 years. (Records at NPRC are destroyed by burning or shredding).

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force. Chief of Air Force Reserve, Headquarters United States Air Force. Director of Air National Guard, Headquarters United States Air Force. Commanders of medical centers, hospitals, clinics, medical aid stations; Commander, Air Force Manpower and Personnel Center;

See Air Force Directory in the appendix to Air Force system notices.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager. Requester must submit full name, Social Security Number (or Military Service Number) through whom eligibility for care is established, date (at least year) treatment was provided, name of facility providing treatment, whether treatment was as inpatient or outpatient.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager. Mailing addresses are in the Air Force Directory in the appendix to the Air Force system notices.

CONTESTING RECORD PROCEDURES:

The Air Force rules for contesting contents and for appealing initial determinations are in Air Force Regulation 12–35.

RECORD SOURCE CATEGORIES:

Physicians and other patient care providers such as nurses, dietitians, physicians assistants. Administrative forms completed by appropriate official, military or civilian.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F168 AF SG D

SYSTEM NAME:

Medical Service Accounts.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty military personnel, retired military personnel, dependents of active duty, retired and deceased military personnel, and civilians treated in emergencies.

CATEGORIES OF RECORDS IN THE SYSTEM:

Hospital Invoice/Receipt/Accounts Receivable Records showing charges for subsistence and medical service.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by, as implemented by Air Force Regulation (AFR) 168–4, Administration of Medical Activities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by the Medical Service Account officer as a record of cash receipts, as a basic instrument for posting to the cash and sales journal and as an account receivable record. Used by Food Service Officer as a receipt for cash collected and truned in to the Medical Service Account officer.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders at Clinics, Hospitals, and Medical Centers.

RETRIEVABILITY:

Filed by name and invoice receipt number.

SAFEGUARDS:

Records are accessed by custodian of the record system, by person(s) responsible for servicing the record system in performance of their official duties and Air Force auditors.

RETENTION AND DISPOSAL:

Retained in office files for one year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Medical Service Account Officers at all Clinics, Hospitals, Medical Centers.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from source documents such as records, reports and accounts maintained by medical facilities.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F168 AF SG E

SYSTEM NAME:

Nursing Service Records.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty and retired military personnel, Air Force civilian employees; Air Force Reserve and National Guard personnel; Air Force Academy cadets; dependents of military personnel; Foreign Nationals residing in the United States; American Red Cross personnel; Peace Corps and State Department personnel; Exchange Officers, anyone admitted to inpatient status in Air Force Medical Facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

File contains 24–hour nursing reports, listings of ward patients and registers containing information of operations performed.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. Chapter 55, Medical and Dental Care; 10 USC 8067(e), Designation: officers to perform certain professional functions, as implemented by Air Force Regulation (AFR) 168–4 Administration of Medical Activities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Chief Nurse and other management personnel to determine nursing care work loads and allocate resources.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, note books and binders.

RETRIEVABILITY:

Filed by name, dates of admission and discharge from medical facility, date of operation.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files for three months after montly cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Operation registers destroyed after five years.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force. Chief Nurses of Medical Centers and Hospitals.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to record and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

From medical records and personal observations of Nursing Service Personnel.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F168 AF SG F

SYSTEM NAME:

Air Force Blood Program.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Active duty and retired military personnel, dependents of military personnel, government employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

Emergency blood donor list, donor record cards, and a roster/list by blood type and Rh factor.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

42 U.S.C. 262, Regulation of biological products, as implemented by Air Force Regulation (AFR) 160–26, Air Force Blood Program.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used by Air Force medical centers, hospitals and clinics to control, coordinate and process request for blood donors.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders and in card files.

RETRIEVABILITY:

Filed by name. Rosters/lists are filed chronologically.

SAFEGUARDS:

Records are accessed by person(s) responsible for servicing the record system in performance of their official duties, and by commanders of medical centers, hospitals and clinics. Records are stored in security file containers/cabinets.

RETENTION AND DISPOSAL:

Retained in office files until superseded, obsolete, no longer needed for reference, or on inactivation, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning. Donor record cards are retained in office files for seven years.

SYSTEM MANAGER(S) AND ADDRESS:

The Surgeon General, Headquarters United States Air Force.

NOTIFICATION PROCEDURE:

Request from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Mailing addresses are in the Department of Defense directory in the appendix to the Air Force's systems notice.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Documents prepared by the Air Force.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F175 AFAA A

SYSTEM NAME:

Air Force Audit Agency Management Information System—Report File.

SYSTEM LOCATION:

HQ Air Force Audit Agency, The Auditor General (AFAA/AG), Norton Air Force Base, CA 92409.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Audit office chiefs issuing audit reports and auditors-in-charge of performing audits.

CATEGORIES OF RECORDS IN THE SYSTEM:

Reports of audit.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: power and duties; delegation by.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Used to evaluate audit coverage by an auditor. Used to develop expertise listing by auditor. All other accesses of the file are for statistical data and records not pertaining to individuals. The purposes of this file are to provide a research capability on past audit findings reported in audit reports and to provide a history of audit coverage to support organizational planning and management. The above listed retrievals constitute the only retrievals made using the individual's name as the key, all others are keyed on subject or report indicative data. All levels of AFAA management use this information.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained on computer and on computer paper printouts, microfiche, and card files.

RETRIEVABILITY:

Audit report data is retrieved by individual name. Filed by office, by report type, and report number.

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in locked cabinets or rooms and are controlled by computer system software.

RETENTION AND DISPOSAL:

Retained in computer files or on magnetic tape for six years and then destroyed by tape reuse or tape destruction.

SYSTEM MANAGER(S) AND ADDRESS:

AFAA/AG, Norton Air Force Base, CA 92409.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Reports of Audit and annotated information. Report notification data generated internally within the AFAA.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F177 AF SG A

SYSTEM NAME:

Control Logs.

SYSTEM LOCATION:

Air Force hospitals, medical centers and clinics.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Dependents of military personnel and all personnel authorized treatment in a military medical facility.

CATEGORIES OF RECORDS IN THE SYSTEM:

Controls for payment of supplemental medical care and civilian medical, dental and veterinary care.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation by, as implemented by Air Force Regulation (AFR) 168–10, Obtaining Medical, Dental and Veterinary care from Civilian Sources.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

To insure duplication of payment to provider is not made.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in file folders, note books/binders, and in card files.

RETRIEVABILITY:

Filed by name and Social Security Number (SSN).

SAFEGUARDS:

Records are accessed by custodian of the record system and by person(s) responsible for servicing the record system in performance of their official duties. Records are stored in locked cabinets or rooms.

RETENTION AND DISPOSAL:

Retained in office files for one year after annual cut-off, then destroyed by tearing into pieces, shredding, pulping, macerating, or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Medical Service Account Officers at all Clinics, Hospitals, Medical Centers.

NOTIFICATION PROCEDURE:

Requests from individuals should be addressed to the System Manager.

RECORD ACCESS PROCEDURES:

Individual can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information obtained from financial and medical institutions, and from source documents such as records, reports prepared on behalf of the Air Force.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

F210 ESC A

SYSTEM NAME:

Historical Research and Retrieval System (HORRS).

SYSTEM LOCATION:

Command Historical Office, Headquarters Electronic Security Command (HQ ESC), San Antonio, TX 78243.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Military and civilian members of ESC, including active, retired, and deceased personnel. Primarily, names of key personnel, such as commanders, operations officers, and other staff personnel mentioned in command histories and special studies, are filed in this system and are retrievable by name.

CATEGORIES OF RECORDS IN THE SYSTEM:

Coded abstracts of command history items or extracts from other documents retained for historical purposes. Will include name, rank, unit assigned, position occupied, and any historically noteworthy achievements of individuals reflected in the document from which information was extracted.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 8012, Secretary of the Air Force: powers and duties; delegation as implemented by Air Force Regulation (AFR) 210–1, regulation for Air Force Historians.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Research reference file used by HQ ESC Historical Office to satisfy requests for Air Force Special Intelligence (SI) historical information received from individuals within the DOD and other government agencies. Information is also used as research material for preparing special studies and monographs, and to answer requests for information under the Freedom of Information Act.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Maintained in bound, paper copies; jacketed microfiche; and computer magnetic tapes, discs, and computer products.

RETRIEVABILITY:

Filed by name.

SAFEGUARDS:

Records are accessed by custodian of the record system and by persons responsible for servicing the record system in performance of their official duties who are properly screened and cleared for need-to-know. Records are stored in security file containers. The computer file is kept in a locked room.

RETENTION AND DISPOSAL:

Microfiche and paper copies of records, including ADP products, are retained in office files until no longer needed for reference, then destroyed by burning or pulping. Computer tapes are destroyed by overwriting.

SYSTEM MANAGER(S) AND ADDRESS:

Command Historian, HQ ESC/HO, San Antonio, TX 78243.

NOTIFICATION PROCEDURE:

Information as to whether the record system contains information on an individual may be obtained from the System Manager.

RECORD ACCESS PROCEDURES:

Individuals can obtain assistance in gaining access from the System Manager.

CONTESTING RECORD PROCEDURES:

The Air Force's rules for access to records and for contesting and appealing initial determinations by the individual concerned may be obtained from the System Manager.

RECORD SOURCE CATEGORIES:

Information is obtained from command histories, special studies, monographs, end-of-tour reports, oral histories, and other reference material.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82-30219 Filed 11-3-82; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

Privacy Act of 1974; Amendments to Systems of Records Notices

AGENCY: Department of the Army, DoD.

ACTION: Proposed deletion of and amendments to notices for systems of records.

SUMMARY: The Department of the Army proposes to delete three and amend four notices for systems of records subject to the Privacy Act of 1974. Following identification of the changes, the amended notices are printed in their entirety below.

DATES: Actions shall be effective December 6, 1982.

ADDRESS: Comments may be submitted to Headquarters, Department of the Army, ATTN: DAAG-AMR-S, Room 1146, Hoffman Building 1, 2461 Eisenhower Avenue, Alexandria, VA 22331.

FOR FURTHER INFORMATION CONTACT: Mrs. Dorothy Karkanen, Office of The Adjutant General, Department of the Army at the above address; telephone: 703/325-6163.

SUPPLEMENTARY INFORMATION: The Department of the Army's inventory of system notices as required by the Privacy Act of 1974, Title 5, U.S.C. § 552a (Pub. L. 93-579; 44 Stat. 1896 *et seq.*) appears in the following editions of the **Federal Register** at:

FR Doc. 82-674 (47 FR 2544), January 18, 1982
FR Doc. 82-5277 (47 FR 8610), March 1, 1982
FR Doc. 82-11002 (47 FR 17324), April 22, 1982
FR Doc. 82-12993 (47 FR 20654), May 13, 1982
FR Doc. 82-16040 (47 FR 25780), June 15, 1982
FR Doc. 82-16228 (47 FR 25987), June 16, 1982
FR Doc. 82-20786 (47 FR 33314), August 2, 1982
FR Doc. 82-23089 (47 FR 36880), August 24, 1982
FR Doc. 82-27594 (47 FR 44379), October 10, 1982

System notices being amended to not require a report of an altered system pursuant to 5 U.S.C. 552a(o).

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

October 28, 1982.

Deletions

AO703.06bDAPC

System name:

Officer Candidate School Application File (44 FR 73857), December 17, 1979.

Reason:

Records are covered in system notice AO703.01aDPC, Military Personnel Action file, being amended in this **Federal Register.**

AO722.07DACH

System name:

Religious Education Directors (44 FR 73899), December 17, 1979.

Reason:

Records are covered by OPM/GOVT-5 system of records.

A1012.03hDASG

System name:

Academy of Health Sciences—Nonresident Instruction Files (44 FR 73959), December 17, 1979.

Reason:

Records are described in proposed amended system notice A1012.03gDASG, appearing in this **Federal Register.**

Amendments

AO102.13DAPC

System name:

Office Military Personnel Files (46 FR 6462), January 21, 1982.

Changes:

System name:

Change "Office" to "Administrative"; change "Files" to "Records".

System location:

Delete entry; substitute therefor: "HQDA Staff, major commands field operating agencies, installations and activities performing unit level administration for military personnel, whether active, inactive (reservist), MOBDES), and including the National Guard."

Categories of individuals covered by the system:

After "dependants", delete remainder of paragraph and substitute therefor: "at the local supervisory level (i.e., company, platoon/squad, or comparable office size) when the individual's MPRJ is maintained elsewhere."

Categories of records in the system:

Change entry to read: "Records/documents of a temporary nature which are needed in the day-to-day administration/supervision of the individual."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Add: "hard copy, magnetic disk or tape".

Safeguards:

Add: "Where information exists on word processing disk/diskettes, tapes or in automated media, the administrative, physical, and technical requirements of Army Regulation 380-380 must be assured to preclude improper use or inadvertent disclosure."

Retention and disposal:

Change "1 year" to "30 days".

System Manager(s) and address:

Change to read: "Commander, US Army Military Personnel Center, ATTN: DAPC-ALS, 200 Stovall Street, Alexandria, VA 22332."

AO703.01aDAPC

System name:

Military Personnel Action Files (44 FR 73855), December 17, 1979.

Changes:

System location:

Delete "Decentralized Segments: * * * commands."; add: "Army installations and commands may maintain some records in this system."

Categories of individuals covered by the system:

Delete entry; add: "Individuals applying for appointment in the US Army or US Army Reserves".

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entries and substitute the following: "By the Army, to satisfy administrative and management requirements concerning acceptability of applicants. Information may be disclosed to other branches of the Armed Forces when relevant to an individual's application for transfer or duty with another Service."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retention and disposal:

Change entry to read: "Records are retained from 3 months to 3 years depending on the type document, following which they are destroyed."

AO708.07DAPE

System name:

Unfavorable Information Files (44 FR 73873), December 17, 1979.

Changes:

Categories of individuals in the system:

Change period to comma and add: "to include appeals and petitions for removal or transfer of such information from the individual performance record".

Categories of records in the system:

After "Individual's response", add "or appeal"; after "summary of consideration of response", add: "or appeal".

Record source categories:

After "individual's response to the Board;", insert the following: "individual appeals or petitions to the Board; summary of consideration of response on appeal/petition; . . .".

A1012.03gDASG:

System name:

Academy of Health Sciences, Student Affiliated Academic Records (44 FR 73958), December 17, 1979.

Changes:

System Identification:

Delete "DASG"; substitute therefor: "HSC".

Categories of individuals covered by the system:

Delete entry; add: "Resident and correspondent students enrolled in courses at the Academy."

Categories of records in the system:

Delete entry; substitute therefor: "Name of student Social Security Number, grade/rank, academic qualifications, progress reports, academic grades, ratings attained, and relevant information."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entry; add the following: "By the Department of the Army to determine eligibility for enrollment/attendance, monitor student progress, and record accomplishments."

"Information may be released to colleges or universities or medical institutions which accredit the Academy's instruction."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Delete entry; substitute therefor: "Paper records, microfiche, cards, magnetic tape and/or disk, and computer printouts."

A0102.13DAPC

System name:

Administrative Military Personnel Records.

System location:

HQDA Staff, major commands, field operating agencies, installations and activities performing unit level administration for military personnel, whether active, inactive (reservist, MOBDES), and including the National Guard.

Categories of individuals covered by the system:

Military personnel (and in some instances, their dependents) at the local supervisory level (i.e., company, platoon/squad, or comparable office size) when the individual's MPRJ is maintained elsewhere.

Categories of records in the system:

Records/documents of a temporary nature which are needed in the day-to-day administration/supervision of the individual.

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 provide supervisors a ready source of information for day-to-day operations and administrative determinations pertaining to assigned/attached personnel.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Hard copy, microfiche, index cards, magnetic tape or disk.

Retrievability:

By individual's surname.

Safeguards:

Information is stored in locked rooms or buildings with access restricted to individuals whose duties require a need-to-know. Where information exists on word processing disk-diskettes/tapes or in automated media, the administrative, physical, and technical requirements of Army Regulation 380–380 must be assured to preclude improper use or inadvertent disclosure.

Retention and disposal:

Records are destroyed not later than 30 days after transfer/separation of member.

System manager(s) and address:

Commander, US Army Military Personnel Center, ATTN: DAPC–ALS, 200 Stovall Street, Alexandria, VA 22332.

Notification procedure:

Individuals desiring to know whether this system contains information on them should inquire of their immediate supervisor.

Record access procedures:

Requests should be made of the custodian of the record at the location assigned/attached; individual must provide full name, SSN, and particulars which enable finding the record.

Contesting record procedures:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

Record source categories:

Copy of documents in one's OMPF, MPRJ, or CMIF; from the individual; his/her supervisor; other Army records and reports.

Systems exempted from certain provisions of the act:

None.

A0703.01aDAPC

SYSTEM NAME:

Military Personnel Action Files.

SYSTEM LOCATION:

Primary: US Army Military Personnel Center (MILPERCEN), 200 Stovall Street, Alexandria, VA 22332.

Army installations and commands may maintain some records in this system.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals applying for appointment in the US Army Reserves.

CATEGORIES OF RECORDS IN THE SYSTEM:

Officer candidate applications; individual application for appointment as a warrant or commissioned officer, waivers, recommendations, evaluation reports, test papers, interview records; relevant board determinations on applications; emergency data regarding next-of-kin and survivor benefits; supplemental information regarding qualifications, efficiency, duty assignment, grade, date of rank; transitory adverse suitability information concerning nonsupport, debts, and similar acts of wrongdoing; (adverse suitability information that is supported, substantiated, or otherwise determined to be true is transferred into the official military personnel file); and similar information used by offices exercising administrative jurisdiction as reference records of routine actions.

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:

By the Department of the Army to satisfy administrative and management requirements concerning acceptability of applicants. Information may be disclosed to other branches of the Armed Forces when relevant to an individual's application for transfer or duty with another Service.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders; microfiche.

RETRIEVABILITY:

By individual's surname.

SAFEGUARDS:

Records are maintained in controlled areas accessible only to authorized persons have official need therefor.

RETENTION AND DISPOSAL:

Records are retained from 3 months to 3 years depending on the type document, following which they are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, US Army Military Personnel Center, 200 Stovall Street, Alexandria, VA 22332.

NOTIFICATION PROCEDURE:

Individuals desiring to know whether or not this system of records contains information on them should inquire of the Army installation to which application was sent, or to the System Manager. Individual should furnish complete name, Social Security Account Number, date of application, place to which sent, and any other information that will assist in locating record.

RECORD ACCESS PROCEDURES:

Individuals should submit a written request as specified under "Notification procedure".

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

From the individual; extracts from personnel records; forms, documents, and related papers originated by or received in Army offices.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

A0708.07DAPE

SYSTEM NAME:

Unfavorable Information Files.

SYSTEM LOCATION:

Primary: Department of the Army Suitability Evaluation Board, Office of the Deputy Chief of Staff for Personnel, The Pentagon, Washington, DC 20310.

Secondary: Suitability Evaluation Board at Major Commands; addresses appear in the appendix to the Army's inventory of system notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Army personnel (active, reserve, National Guard) on whom unfavorable information has been discovered, considered, referred to individual, and disposed of, to include appeals and petitions for removal or transfer of such information from the individual's performance record.

CATEGORIES OF RECORDS IN THE SYSTEM:

Summary of unfavorable information, copy of letter of notification to individual, individual's response or appeal, summary of consideration of response or appeal, disposition determination, and voting record of Board members.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 3012.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

By the Suitability Evaluation Board to record Board action and to provide pattern of subsequent unfavorable information. Information filed in the performance portion of the OMPF is also used by DA promotion/selection boards when the individual has been afforded due process.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders.

RETRIEVABILITY:

By individual's surname.

SAFEGUARDS:

Records are maintained in areas accessible only to authorized personnel having official need for the information. Buildings are secured at all times.

RETENTION AND DISPOSAL:

Records are retained by the Suitability Evaluation Board for 20 years, following which they are destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Deputy Chief of Staff for Personnel (ATTN: DAPE–MPD), Headquarters, Department of the Army, The Pentagon, Washington, DC 20310.

NOTIFICATION PROCEDURE:

Individuals desiring to know whether or not information exists on them may inquire of the System Manager. Inquirer should furnish his/her full name, Social Security Account Number, sufficient details concerning time and place of event to insure location of the records, and signature.

RECORD ACCESS PROCEDURES:

Individuals seeking access should provide information in "Notification procedures."

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

RECORD SOURCE CATEGORIES:

Suitability Evaluation Board case summary of unfavorable information; letter of notification/request for comment to the individual; individual's

response to the Board; individual appeals or petitions to the Board; summary of consideration of response on appeal/petition; final determination case summary by the Board.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

A1012.03gHSC

SYSTEM NAME:

Academy of Health Sciences: Academic Records.

SYSTEM LOCATION:

Academy of Health Sciences, Ft Sam Houston, TX 78234.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Resident and correspondent students enrolled in courses at the Academy.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name of student, Social Security Number, grade/rank, academic qualifications, progress reports, academic grades, ratings attained, and relevant information.

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:

By the Department of the Army to determine eligibility for enrollment/attendance, monitor student progress, and record accomplishments.

Information may be released to colleges or universities or medical institutions which accredit the Academy's instruction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records, microfiche, cards, magnetic tape and/or disk, and computer printouts.

RETRIEVABILITY:

By individual's name, SSN, student number.

SAFEGUARDS:

Information is accessed only by individuals having need therefor in the performance of official duties; automated data are protected further by assigned passwords.

RETENTION AND DISPOSAL:

Academic records are maintained 40 years at the Academy of Health Sciences. Except for the master file, automated data are erased after the fourth updating cycle.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Health Services Command, Ft Sam Houston, TX 78234.

NOTIFICATION PROCEDURE:

Individuals desiring to know whether this system contains information about them may inquire of the Registrar, Academy of Health Sciences, Ft Sam Houston, TX. Inquirers should furnish full name, SSN, date attended/enrolled, current address, and signature.

RECORD ACCESS PROCEDURES:

Written requests should be sent to the Superintendent, Academy of Health Sciences, Ft Sam Housaton, TX 78234 and include the information in "Notification procedure".

CONTESTING RECORD PROCEDURES:

The Army's rules for access to records and for contesting contents and appealing initial determinations are contained in Army Regulation 340–21 (32 CFR Part 505).

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82–30218 Filed 11–3–82; 8:45 am]

BILLING CODE 3710–08–M

Defense Communications Agency

Schedule for Awarding Senior Executive Service Bonuses

AGENCY: Defense Communications Agency, DOD.

ACTION: Notice of schedule for awarding senior executive service bonuses.

NOTICE: Under guidelines issued by the Office of Personnel Management, agencies must publish a notice in the **Federal Register** of their schedule for awarding Senior Executive bonuses at least 14 days prior to the date on which the bonuses will be paid. In accordance with these guidelines, the Defense Communications Agency gives notice of the intention to award Senior Executive Service bonuses for the performance rating period July 1, 1981 through June 30, 1982. Bonuses will be paid not earlier than Novembr 19, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Terry McCleary, Program Development and Evaluation Divison, Assistant Deputy Director for Civilian Personnel, Personnel and Administration Directorate, Defense Communications Agency, Washington, D.C. 20305, (703) 692–2794.

Lawrence Layman,

Rear Admiral, USN, Vice Director.

[FR Doc. 82–30385 Filed 11–3–82; 8:45 am]

BILLING CODE 3610–05–M

Corps of Engineers, Department of the Army

Notice of Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Palm Beach County, Florida Beach Erosion Control Study

AGENCY: Army Corps of Engineers, DoD.

ACTION: Notice of intent to prepare a Draft Environmental Impact Statement.

SUMMARY: The Jacksonville District, U.S. Army Corps of Engineers intends to prepare an Environmental Impact Statement on the feasibility of providing beach erosion control measures for the entire oceanfront shoreline of Palm Beach County, Florida.

The following alternative actions are under consideration:

a. No action.
b. Beach fill.
c. Beach fill with offshore breakwater.
d. Rubble revetment.
e. Nonstructural plans.

Borrow sites offshore of Palm Beach County are being studied for suitable beach fill material. Requests for comments in August 1981 from interested citizens, local, state, and Federal organizations on significant ecological, cultural, esthetic, or socio-economic resources has solicitated no response. A scoping meeting is not planned.

In accordance with the Fish and Wildlife Coordination Act, participation in the planning process has been initiated with the U.S. Fish and Wildlife Service and participation will also be solicited from the National Marine Fisheries Service and the State of Florida. Coordination will be accomplished in accordance with Section 7 of the Endangered Species Act and the Archeological and Historic Preservation Act. Discharge of dredged material into waters of the United States will be specified by application of the criteria of Section 404 of the Federal Water Pollution Control Act.

It is anticipated that the DEIS will be available for public comment late 1983.

Questions concerning the proposed action and DEIS should be directed to: Mr. Paul C. Schmidt, SAJPD–ES, U.S. Army Corps of Engineers, Jacksonville District, P.O. Box 4970, Jacksonville, Florida 32232. Telephone: (904) 791–2202 (FTS 946–2202).

Dated: October 21, 1982.

Alfred B. Devereaux, Jr.,

Colonel, Corps of Engineers, District Engineer.

[FR Doc. 82–30348 Filed 11–3–82; 8:45 am]

BILLING CODE 3710–AJ–M

Department of the Navy

Privacy Act of 1974; Addition of Systems of Records

AGENCY: Department of the Navy, DOD.

ACTION: Addition of a notice for system of records.

SUMMARY: The Departmemt of the Navy proposes to add a new system of records to its inventory of systems of records subject to the Privacy Act of 1974.

DATES: The proposed action will be effective without further notice on December 6, 1982, unless comments are received which would result in a contrary determination.

ADDRESS: Any comments, to include written data, views or arguments concerning the action proposed should be addressed to the system manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. Gwendolyn R. Aitken, Privacy Act Coordinator, Office of the Chief of Naval Operations (OP–09B1P), Department of the Navy, The Pentagon, Washington, D.C. 20350. Telephone 202/694–2004.

SUPPLEMENTARY INFORMATION: The Department of the Navy inventory of systems of records notices as prescribed by the Privacy Act have been published in the **Federal Register** at:

FR Doc. 81–674 (47 FR 2574) January 18, 1982
FR Doc. 81–9204 (47 FR 14944) April 7, 1982
FR Doc. 82–9844 (47 FR 15636) April 12, 1982
FR Doc. 82–12593 (47 FR 25041) May 10, 1982
FR Doc. 82–15596 (47 FR 25041) June 9, 1982
FR Doc. 82–23533 (47 FR 37948) August 27, 1982

The Navy submitted a new system report for this system under the provisions of 5 U.S.C. 552a(o) on September 20, 1982. Portions of this correctional system are exempted from certain provisions of the Privacy Act in accordance with 5 U.S.C. 552a(j)(2). See 32 CFR Part 701. (SECNAV Instruction 5211.5c).

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

October 28, 1982.

N01640–1

SYSTEM NAME:

Individual Correctional Records.

SYSTEM LOCATION:

United States Navy Brigs and United States Marine Corps Correctional Facilities. Official mailing addresses are in the Department of Defense Directory; and/or may be obtained from Naval Military Personnel Command, Washington, D.C. 20370.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any military member confined in a naval facility as a result of or pending trial by court-martial; any member sentenced to three days bread and water or diminished rations; and any military member awarded correctional custody to be served in a correctional custody unit.

CATEGORIES OF RECORDS IN THE SYSTEM:

File contains documents related to the administration of individual prisoners in the Department of the Navy confinement and correctional custody facilities—courts martial orders; release orders; confinement orders; medical examiners' reports; requests and receipts for health and comfort supplies; reports and recommendations relative to disciplinary actions; clothing and equipment issue records; mail and visiting lists and records; personal history records; individual prisoner utilization records; requests for interview; initial interview; spot reports; prisoner identification records; parolee agreements; inspection record of prisoner in segregation; personal funds records; valuables and property record; daily report of prisoners received and released; admission classification summary; social history; clemency recommendations and actions; parole recommendations and actions; restoration recommendations and actions; psychiatric, psychological, and sociological reports; certificate of parole; certificate of release from parole; requests to transfer prisoners; disciplinary action data cards showing name, grade, SSN, sex, education, sentence, offense(s), sentence computation, organization, ethnic group, discharge awarded, length of unauthorized absence, number and type of prior punishments, length of service, and type release; weekly status report (each member's legal status, offense charged, length of time confined). On tape, the same data as the disciplinary action data card, except name, computation of sentence.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 951.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Commanding officers, officers-in-charge, and chief petty officers-in-charge of Navy brigs and Marine Corps correctional facilities and staff members: To determine initial custody classification; to determine when custody grade change is appropriate; to gauge member's adjustment to confinement or correctional custody; to identify areas of particular concern to prisoners and personnel in correctional custody; to determine work assignment; to determine educational needs; serves as the basis for correctional treatment; serves as a basis for recommendations for clemency, restoration, and parole.

Portions disclosed to Departments of Defense, Justice, and Naval staff agencies and commands; state and local criminal justice agencies established by law. Disclosure to law enforcement and investigative agencies is for investigation and possible criminal prosecution, civil court actions or regulatory order. Disclosure to confinement/correctional system agencies is for use in the administration of correctional programs to include custody classification; employment, training and educational assignments; treatment programs; clemency, restoration to duty, and parole actions; verifications concerning military offenders or military criminal records, employment records and social histories.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper records in file folders; on punch cards and computer tapes.

RETRIEVABILITY:

Paper records filed alphabetically by last name of prisoner. Information from computer tapes is retrieved using the SSN of the individual.

SAFEGUARDS:

Records are maintained in areas accessable only to authorized personnel who are properly screened, cleared, and trained. Computer tape information at

NMPC accessed only by authorized personnel.

RETENTION AND DISPOSAL:

Logs and disciplinary action data cards are transferred to National Personnel Records Center, St. Louis, MO 63132 two years after release of prisoner. Other records are held at confinement facilities/correctional custody units for two years and destroyed. Transfer of a prisoner from one naval facility to another is not construed as a release. In such cases, the file accompanies the prisoner.

SYSTEM MANAGER(S) AND ADDRESS:

Commander, Naval Military Personnel Command (NMPC–84) Washington, D.C., 20370; Commandant of the Marine Corps (Code MPH) Washington, D.C. 20380.

NOTIFICATION PROCEDURE:

Information should be obtained from the system manager. Requesting individuals should specify their full names. Visitors should be able to identify themselves by any commonly recognized evidence of identity. Written requests must be signed by the requesting individual.

RECORD ACCESS PROCEDURES:

The agency's rules for access to records may be obtained from the system manager.

CONTESTING RECORD PROCEDURES:

The agency's rules for contesting contents and appealing initial determinations by the individual concerned may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

Military personnel records; military financial and medical records; military and civilian investigative and law enforcement agencies; courts-martial proceedings; records of non-judicial administrative proceedings; United States military commanders; staff members and cadre supply information relative to service member's conduct or duty performance; and other individuals or organizations which may supply information relevant to the purpose for which this system was designed.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Parts of this system may be exempt under 5 U.S.C. 552a(j)(2). See 32 CFR Part 701 (SECNAV Instruction 5211.5c).

[FR Doc. 82-30202 Filed 11-3-82; 8:45 am]

BILLING CODE 3810-01-M

Privacy Act of 1974; Amendment to a System of Records

AGENCY: Department of the Navy, DOD.

ACTION: Amendment to a notice for a system of records.

SUMMARY: The Department of the Navy proposes to amend the notice for system of records to its inventory of systems of recorded subject to the Privacy Act of 1974.

DATE: The proposed action will be effective without further notice on December 6, 1982, unless comments are received which would result in a contrary determination.

ADDRESS: Any comments should be addressed to the system manager identified in the system notice.

FOR FURTHER INFORMATION CONTACT: Mrs. Gwendolyn R. Aitken, Privacy Act Coordinator, Office of the Chief of Naval Operations (OP–90BIP), Department of the Navy, The Pentagon, Washington, D.C. 20350. Telephone: 202/694–2004.

SUPPLEMENTARY INFORMATION: The Department of the Navy inventory of systems of records notices as prescribed by the Privacy Act have been published in the **Federal Register** at:

FR Doc. 81–674 (47 FR 2574) January 18, 1982
FR Doc. 81–9204 (47 FR 14944) April 7, 1982
FR Doc. 82–9844 (47 FR 15636) April 12, 1982
FR Doc. 82–12593 (47 FR 20018) May 10, 1982
FR Doc. 82–15596 (47 FR 25041) June 9, 1982
FR Doc. 82–23533 (47 FR 37948) August 27, 1982
FR Doc. 82–27420 (47 FR 44134) October 6, 1982
FR Doc. 82–27692 (47 FR 44381) October 7, 1982

The changes do not require an altered system report under the provisions of 5 U.S.C. 552a(o).

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

October 28, 1982.

N12771–1

System name:

Employee Grievances, Complaints, and Adverse Action Appeals (47 FR 2735) January 18, 1982

Changes:

System name:

Insert the word "Discrimination" before the word "Complaints".

System location:

Delete the entire entry and substitute with the following: "Employee Appeals Review Board, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203".

Categories of records in the system:

Delete the phrase: "* * * Official Personnel Folders * * *" "* * * OCMM, NAVCOMPT * * *" and "* * * CSC * * *" After the words: "* * * made to, * * *" delete the acronym: "* * * CSC; CSC * * *" and subsitute with the acronym: "* * * EEOC; EEOC * * *"

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the second sentence after the acronym "* * * SYSCOMS, * * *" delete the phrase: "OCMM, CAPSO–N and ROCMMS * * *" and substitute with the acronyms: "* * * CNO and NCPC,* * *" In the beginning of the third sentence, delete the acronym: "CSC * * *" and substitute with the acronym: "EEOC * * *" In the fourth sentence, insert the phrase: "* * * 5 U.S.C. * * *" before the phrase: "* * * 552a(b)(9), * * *" and delete the phrase: "* * * Pub. L. 93–579 * * *" In the seventh sentence after the phrase "* * * SECNAV decisions * * *" delete the period (.) and add the phrase: "* * * and Examiner's reports."

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Safeguards:

Delete the entire entry and substitute with the following: "Classified material kept in locked safe. Other materials are kept in file cabinets within the EARB administrative offices. Access during business hours is controlled by board personnel. The office is locked at the close of business; the building in which the office is located employs security guards."

Retention and disposal:

In the first sentence, delete the phrase: "GSA Federal Records Centers * * *" and substitute with the following: "* * * Washington National Records Center, 4205 Suitland Road, Suitland, Maryland 20409." Delete the second sentence in its entirety, i.e., "* * * Official Personnel * * *" In the last sentence, delete the acronym: "CSC * * *" and substitute with the acronym: "EEOC * * *"

System manager(s) and address:

Delete the entire entry and substitute with the following: "Director, Naval Council of Personnel Boards, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203."

Notification procedures:

Delete the entire entry and substitute with the following: "Information may be

obtained from the Director, Naval Council of Personnel Boards, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203. Must provide full name, employing office and appropriate identification card."

Record source categories:

Delete the entire entry and substitute with the following: "Information in the file is obtained from former and present civilian employees of the Department of the Navy, applicants for employment with the Department of the Navy, employing activities, EEOC and NCPC."

N12771-1

SYSTEM NAME:

Employee Grievances, Discrimination Complaints, and Adverse Action Appeals.

SYSTEM LOCATION:

Employee Appeals Review Board, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Former and present civilian employees of the Department of the Navy, and applicants for employment with the Department of the Navy.

CATEGORIES OF RECORDS IN THE SYSTEM:

The case files contain background material on the act or situation complained of; the results of any investigation including affidavits and depositions; records of personnel actions involved; transcripts of hearings held; Examiners' reports of findings and recommended actions; advisory memoranda from CNO, BUPERS, DOD, SYSCOMS, SECNAV decisions; reports of actions taken by local activities; comments by EARB or local activities on appeals made to EEOC: EEOC decisions, Court decisions, Comptroller General decisions. Brief summaries of case files are maintained on index cards.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 1301, 3301, 3302, 7151–7154, 7301, and 7701.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

This information is used by the EARB to adjudicate cases. SYSCOMS, CNO, and NCPC are internal users for informational/implementational purposes. EEOC is the other Governmental agency using this information. Pursuant to 5 U.S.C. 552a(b)(9), committees or subcommittees of either House of Congress are furnished the above information upon request. Individual members acting on behalf of the individual involved are supplied with copies of decisions and other appropriate background material. Grievants and appellants are furnished SECNAV decisions, with copies to their representatives. EEO complainants are furnished SECNAV decisions, with copies of the hearing transcripts and Examiners' reports; complainant's representatives are provided copies of SECNAV decisions and Examiners' reports. Activities involved are provided with copies of SECNAV decisions on grievances and appeals. Activities involved in EEO complaints are provided copies of SECNAV decisions, hearing transcripts, and Examiners' reports.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

File folders and index cards.

RETRIEVABILITY:

Name.

SAFEGUARDS:

Classified material kept in locked safe. Other materials are kept in file cabinets within the EARB administrative offices. Access during business hours is controlled by board personnel. The office is locked at the close of business; the building in which the office is located employs security guards.

RETENTION AND DISPOSAL:

Case files maintained for one year and sent to the Washington National Records Center, 4205 Suitland Road, Suitland, Maryland 20409 and maintained for four years. EEOC dicisions and index cards are retained indefinitely.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Naval Council of Personnel Boards, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203.

NOTIFICATION PROCEDURE:

Information may be obtained from the Director, Naval Council of Personnel Boards, Ballston Tower 2, 801 North Randolph Street, Arlington, Virginia 22203. Must provide full name, employing office and appropriate identification card.

RECORD ACCESS PROCEDURES:

The agency's rules for access to records may be obtained from the system manager.

CONTESTING RECORD PROCEDURES:

The agency's rules for contesting contents and appealing initial determinations by the individual concerned may be obtained from the system manager.

RECORDS SOURCE CATEGORIES:

Information in the file is obtained from former and present civilian employees of the Department of the Navy, applicants for employment with the Department of the Navy, employing activities, EEOC and NCPC.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 82-30225 Filed 11-3-82; 8:45 am]

BILLING CODE 3810-01-M

Office of the Secretary

Security of Military Post Office (MPO) Mail Overseas; Correction

AGENCY: Office of the Secretary (Military Postal Service), DOD.

ACTION: Notice Correction.

SUMMARY: On Thursday, October 21, 1982, the Department of Defense published a notice in the **Federal Register** (47 FR 46976) which was based on a notice published in the **Federal Register** on April 6, 1982 (47 FR 14864), which announced a proposed agreement between the United States Postal Service (USPS) and the Department of Defense. The actual policy portion (general operating procedures) of this agreement was inadvertently omitted, although the public comments that resulted from the April 6, 1982, notice were fully addressed in the October 21, 1982, notice under **SUPPLEMENTARY INFORMATION.** The full policy statement follows.

EFFECTIVE DATE: November 20, 1982.

FOR FURTHER INFORMATION CONTACT: Thomas C. Wright, Office of the General Counsel, Department of the Army, Room 2E729, Washington, D.C. 20310, (202) 695-2253.

Policy Statement

Genral Operating Procedures at Military Post Offices

A. Purpose

This chapter prescribes operating procedures for military post offices. Procedures outlined in this chapter apply except when in conflict with policies established by serving postmasters.

B. General

The MPS shall operate in agreement with postal laws of the United States, USPS regulations and instructions, and directives issued by MPSA.

C. Standing Operating Procedures (SOPs)

Responsible commanders shall ensure SOPs are developed and maintained to provide detailed instructions for each functional area of postal operations not specifically covered by USPS or DoD regulations and directives. At a minimum, SOPs shall be issued to address:

1. Security to include protection of mail and postal effects, access to MPO working areas, and mail transportation requirements.

2. Emergency destruction of USPS funds and accountable paper.

3. Emergency destruction of mail and postal equipment.

D. Military Post Office Facility and Structural Standards

E. Service Standards

1. *Improving Service to Customers.* Postal personnel can improve service by advising their customers to:

a. Inform correspondents and publishers of correct mailing addresses, and include post office receptacle numbers, as applicable (see Section 122.8, DMM, for address samples).

b. Submit change of address cards, currently in use by each Military Service, or PS Form 3575, "Change of Address Order (Card)," immediately when a new address is known after receipt of reassignment orders.

c. Notify the responsible mailclerk, mail orderly, or PSC when departing on leave or temporary duty.

d. Report to the Postal Officer or MPO supervisor any instance when inadequate mail service or other MPO problems are noted.

2. *Postal Complaints and Inquiries.*

a. Customers shall be encouraged to report instances of loss, rifling, and other mistreatment of mail, even though there may be no provision for payment or indemnity. USPS forms to be used when assisting customers are outlined in Part 255, POM.

b. Complaints shall be given prompt attention and resolution, when possible. Major commanders shall establish local procedures for monitoring and processing customer complaints. USPS forms shall be used for this purpose.

c. When inquiries of a congressional or other high-level interest are referred by MPSA to commanders for investigation, the following information shall be included as a minimum in the response:

(1) Summary of an interview with person(s) involved, outlining any difficulty experienced in receiving or sending mail, to include all circumstances.

(2) Any special circumstances which may have affected mail service.

(3) Evidence of other individuals experiencing similar difficulties.

(4) If the individual presently receives mail from correspondents and specifically from the person registering the complaint.

(5) When complaints involve a specific item of mail, if that item was received.

(6) Correct mailing address of the person involved.

(7) Average transit time for all classes of mail to and from the address of mailing.

(8) Statement concerning the quality of mail service.

(9) Any additional information which will assist in making a reply.

3. *Customer Information.* As a minimum, MPO personnel shall ensure that the most current copies of the following are readily available or posted in plain view for use by postal customers.

a. USPS Publication 2, Packaging for Mailing.

b. USPS Publication 65A, National ZIP Code & Post Office Directory.

c. USPS Poster 103, Domestic Postage Rates, Fees, and Information.

d. USPS Poster 51, International Postal Rates and Fees.

e. USPS Poster 74, Packing Tips From Your U.S. Postal Service.

f. USPS Form 4314–C, Consumer Service Card.

g. Example of a properly completed change of address card.

h. Example of a correct mailing address to be used by customers.

i. Hours of operation.

j. Mail collection and closeout times.

k. Customs information.

Note.—If all services are not provided at your facility, you need only maintain those USPS publications, forms, notices, and posters that apply.

F. Acceptance and Treatment of Mail

1. *Mail Classification and Rates.*

a. Mail classification and rates are contained in the DMM (reference (e)). Postage shall be rated according to the service selected by the mailer and conform with postal requirements.

b. Domestic mail means mail transmitted within, among, and between the United States, its territories and possessions, and military post offices, and for delivery to the United Nations, New York, NY.

c. The rate of postage for zone-rated mail transported between the United States, Puerto Rico, U.S. possessions or territories, and MPOs, or among the latter, shall be the applicable zone rate for mail between the place of mailing or delivery and the city of the postmaster to which the MPO is an extension (New York, San Francisco, Miami, or Seattle) for that MPO. An exception to this general rule is that MPOs served through San Francisco or Seattle, except Alaskan MPOs, shall use local to zone two, as appropriate, for mail addressed to Hawaii.

d. The rate of postage for zone-rated mail which is mailed at or addressed to MPOs and which is transported directly to or from MPOs at the expense of the Department of Defense, without transiting the 48 contiguous States (including the District of Columbia), will be the local zone rate.

2. *Acceptance, Handling, and Treatment of Mail.*

a. The acceptance, handling, and treatment of mail shall be in accordance with instructions contained in the DMM and POM, other USPS instructions, as applicable, and DoD implementing documents.

b. Packing and wrapping shall be in accordance with the DMM and the IMM (reference (e)), as applicable. Mail which is insufficiently packaged to withstand normal handling shall not be accepted for mailing. The responsibility for proper packing rests with the sender, but must be judged by the accepting clerk (see Subchapter 120, DMM).

c. All mail should bear the name and address of the actual sender. For mail which must bear a return address, see Section 122.13, DMM.

d. Mail collection, postmarking, and sorting procedures are contained in Chapter 9.

e. Mail deposited for mailing at MPOs overseas bearing the return address of persons or activities not authorized MPS privileges shall be returned to sender endorsed "SENDER NOT AUTHORIZED MPO PRIVILEGES." (See subsection F.12. for an exception to this procedure.) Mail received for delivery at MPOs overseas bearing the address of persons or activities not authorized MPS privileges shall be returned to sender endorsed "ADDRESSEE NOT AUTHORIZED MPO PRIVILEGES."

f. Parcels posted at the priority or parcel airlift (PAL) rates shall be appropriately marked before the actual sale of stamps or affixing of postage meter tapes.

g. Parcels which bear address labels shall have postage affixed as required by Section 122.24, DMM

h. *Recall of Mail by the Mailer.* (See Section 152.7, DMM.)

3. *Special and Supplemental Mail Services.* Special delivery, special handling, certificates of mailing, return receipts, and restricted delivery shall be processed in accordance with Parts 915, 916, 932, and 933, and Subchapter 930, DMM, respectively.

4. *Sales and Cancellations for Philatelic Purposes.* (See Part 244, POM, and Part 164, DMM.)

a. Philatelic services must be accomplished within the resources of the post office and shall not be provided if they interfere with regular business. Limit covers to private (personal) use with a maximum of five from each collector. Covers falling within one or more of the following categories shall be returned to sender with a letter of explanation. These covers shall not have a postmark or cachet applied.

(1) Receipt of more than five covers from any one collector.

(2) Covers received after the established deadline date.

(3) Covers bearing insufficient or foreign postage.

b. To protect the interest of philatelists and the authenticity of their collection, the cachet stamp described in Section 244.6, POM, shall be destroyed immediately after all eligible covers have been processed and, in any event, no later than midnight of the day of the event being commemorated.

5. *Accountable Mail (Insured, Certified, and Registered).*

a. Customers presenting parcels containing jewelry, watches, and other high-dollar value items should be advised to use registered or insured mail; however, neither is required. When mailed to international addresses, such articles should, when appropriate, be insured (not registered), to provide customers maximum protection against loss or damage.

b. Insured mail provides indemnity claims coverage up to $400 for an article that is lost, rifled, or damaged. Procedures outlined in Part 913, DMM, and the IMM apply to acceptance and processing of insured mail. Military postal clerks shall recommend registration, except when international mail is used, for items valued in excess of $400, or for those items considered to be irreplaceable.

c. Certified mail service provides for a mailing receipt and record of delivery at the office of address only. Procedures outlined in Part 912, DMM, apply to acceptance and processing of certified mail. Certified mail service is not available for international mail or for mailings having intrinsic value.

d. Insured mail receipts, PS Forms 3813, "Receipt For Domestic Insured Parcel," and 3813–P, "Receipt For Insured Mail-Domestic/International," shall be completed by the postal clerk to include MPO number and unit designation, when applicable.

e. Processing and handling of registered mail is contained in Part 911, DMM.

f. For guidance on claims procedures, see subsection G.6.

6. *Collect on Delivery (CoD) Mail.*

a. MPOs shall not accept CoD mail (Part 914, DMM).

b. While U.S. civil post offices are not authorized to accept CoD mail addressed to an MPO, such articles, if received, shall be delivered. Designate an individual to deliver CoD articles, if received. The postal clerk designated to deliver CoD articles shall collect the CoD charges, plus the fee for a money order. If the MO fee reflected on the CoD tag is not the amount charged MPO customers, amend the tag accordingly. The CoD tag shall be signed by the addressee or the addressee's authorized agent. The postal clerk shall also sign the tag and complete the back. After delivery, a MO in the amount of the CoD charges shall be issued (Section 914.621, DMM), and remitted to the sender. PS Form 3827 shall be sent to the postmaster of the mailing office, advising that acceptance of CoD mailings to MPO addresses is prohibited.

7. *General Delivery Service.*

a. Information pertaining to each individual served through general delivery shall be included in the directory file.

b. If the host country does not object, dependents may be provided general delivery service when separated from their sponsor due to a military situation. This extends to: (1) Dependents who are command sponsored but, due to assignment of the sponsor to a noncommand sponsored area within the command, must reside apart from the sponsor and be served by a different MPO, and (2) dependents who reside in the oversea command when their sponsor is involuntarily reassigned from that area to a short-tour area.

8. *Business Reply Permits.* Business reply permits (Part 917, DMM) are not authorized for issue at MPOs. However, business reply mailings for domestic mailings shall be accepted without prepayment of postage. Business reply mailings to international addresses shall not be accepted without prepayment of postage.

9. *Free Mailing Privilege (39 U.S.C. 3401).*

a. The free mailing privilege is authorized for members of the U.S. Armed Forces on duty in combat areas specifically designated by the President. When in force, the privilege applies equally to persons no longer in a combat area but, due to a wound, disease, or other injury incident to service in the designated combat area, are hospitalized in any Armed Forces or Veterans Administration medical center.

b. Letter mail or sound-recorded communications having the character of personal correspondence posted under this privilege must have the word "FREE" written or printed by the mailer in the upper right hand corner where postage would ordinarily be placed.

c. For international mail posted under this privilege, the mechanically printed or rubber stamped word "POSTAGE PAID" and "PORT PAYEE" must appear instead of "FREE" in the upper right corner of the envelope (address side). This endorsement shall normally be affixed at the MPO of dispatch by use of a rubber stamp. Under no circumstances shall it be handwritten.

d. Mobile units that do not have post offices may dispatch FREE mail originating in a designated combat area through postal facilities located outside the designated area when necessary. Eligible mail shall be marked "FREE" and tied out separately and bear a facing slip with the notation "CERTIFIED TO BE FREE MAIL ORIGINATING IN A COMBAT ZONE" with the signature of the mailclerk or mail orderly.

10. *Absentee Balloting Material (Section 137.5, DMM.* This category of mail shall be accorded the most expeditious handling and transmission possible, and shall be processed as personally addressed official mail. Ballots and other voting material in card or letter form shall be postmarked and placed on top of the appropriate letter package. Any U.S. citizen, with or without MPO privileges, can mail balloting material from any MPO, U.S. Embassy, or U.S. consulate.

11. *Acceptance Procedures for Official Indicia Mail.*

a. Mailings under DoD official indicia shall be in compliance with respective Military Service's regulations and instructions.

b. Official mail found in mail collection boxes shall not be processed. It shall be turned over to the local official mail control activity for processing.

12. *Receptacle Service.*

13. *International Mailings.*

a. If not otherwise prohibited by the host government of the country in which a post office is operating, items addressed for delivery in foreign countries, including the host country, may be accepted for mailing. Mailings shall be in accordance with Part 125, DMM and the individual country listings in the IMM.

b. Normally, mail accepted at MPOs addressed to foreign countries must be exchanged through the MPO designated as an International Exchange Office (IEO). However, this does not preclude exchange of mail between MPOs and local host civil post offices when not prohibited by the governing SOFA.

c. Customers should be advised to use the host government postal service when a savings in postage or other advantages exists.

14. *Privileged Nature of Mail and Postal Records.*

a. Information regarding postal matters shall not be released, except as provided for in Subchapter 350, ASM.

b. USPS records shall not be removed from the custody of MPOs, except as provided for below. Examination of USPS records which contain any personal information about any person, or which provide a basis for inferring any information about a person, is permissible only in accordance with Subchapter 350, ASM, and with the following supplemental instructions which apply to USPS records regardless of whether they do or do not contain personal information.

(1) Examination of USPS records by authorized personnel shall be permitted only in the presence of the MPO supervisor or an MPC designated by the MPO supervisor.

(2) Individuals or agencies desiring to examine USPS records in connection with official investigations must have written approval of the responsible commander for the operation of the MPO concerned. Requests to examine USPS records shall include: The military investigating agency's case number, investigating agents name, identity of the MPO involved, and summary of the incident being investigated. Examination shall be limited to those records pertaining directly to the incident being investigated.

(3) Photostats or true copies of records shall be released only with prior approval from the responsible commander concerned.

(4) Requests for money order information shall be handled in accordance with Section 941.41, DMM, and Subchapter 350, ASM.

(5) Original records may be released to individuals or agencies conducting official investigations. Notification of release shall be reported to MPSA through channels. Copies of records to be released shall be prepared and maintained as part of the original file pending return. The reproduced copies shall be annotated with the investigative agency case number, agent's name, agency location, and date original records are to be returned.

c. Records pertaining to individual transactions of patrons, as distinguished from official investigations, shall be released only with prior approval of USPS. Requests shall be forwarded through appropriate military channels to MPSA.

d. Military and USPS records created by operations of MPOs shall be disposed of in accordance with the appropriate Military Service's files systems instructions. Serving postal activities shall ensure proper administration of accountable mail records of deactivated and departing organizations and units.

15. *Nonmailable Items.*

a. Nonmailable items described in Section 124.127, DMM which are detected at MPOs shall be withdrawn from the mails and retained at the MPO pending disposition instructions from the Postal Inspection Service.

(1) A letter shall be prepared and forwarded to the Postal Inspection Service at the gateway postmaster (New York, San Francisco, Seattle and Atlanta for 34XXX MPOs) requesting disposition instructions. The nonmailable matter shall be disposed of as advised by the Postal Inspection Service. If the parcel with the remaining mailable matter is forwarded to the addressee, a copy of the letter shall be placed in the parcel.

(2) Both the sender and the addressee shall be advised of final disposition of the nonmailable matter.

b. Other nonmailable items discussed that are not described in Section 124.127, DMM shall be handled as outlined in Section 124.128, DMM.

G. Protection of Mail and Postal Effects

1. *Security.*

a. The security of the mails and protection of postal property and effects are the responsibility of command. Security and protection must be adequate and maintained at all times. The instructions contained below establish only minimum requirements; therefore, commanders shall institute additional security measures as necessary.

b. Accommodations for MPOs shall afford security against unauthorized entry and provide adequate working space. Particular attention shall be given to the procurement and use of safes and other adequate receptacles for safeguarding postal effects.

c. Field safes used as storage containers to safeguard mail and postal effects shall be secured to a fixed object within the postal facility to prevent removal.

d. When a safe or vault is not available to individual postal clerks, accountable items, such as blank money order forms, stamp stock, funds, and other accountable items, shall be secured in a cashbox. During the postal clerks absence from the post office, the cashbox shall be delivered for safe-keeping to an individual, designated by the MPO supervisor or Postal Officer, who has an assigned safe or vault. The cashbox shall be receipted for on PS Form 1096, suitably modified for that purpose.

e. Personal effects shall not be stored in MPOs. These include, but are not limited to, clothing, stereo equipment, radios, and mail. Personal funds shall not be kept in MPO safes or other receptacles in the MPO.

f. Access to MPO work areas shall be limited to those personnel conducting official business at the facility, designated postal clerks, and other officers, enlisted, and civilians on official inspections and visits, to include USPS postal inspectors. Maintenance personnel and work details shall be allowed access only when escorted by or under constant surveillance by military postal personnel.

g. Postal facilities shall be locked at all times during nonduty hours or when not in use. The MPO supervisor shall be the custodian of the post office keys and shall keep a written current list of those individuals who are issued a key. The keys shall be strictly controlled at all times. At one-person MPOs, a duplicate key to the post office, for emergency purposes, shall be retained by a designated official from the host or other activity that can provide safe-keeping (follow procedures outlined in paragraph G.2.a, below).

h. When military postal facilities, including railway mail cars and trucks, are damaged by fire, flood, or other catastrophe, or if a burglary or forced entry occurs, the MPO supervisor shall arrange for security guards to be posted to safeguard mail, postal effects and equipment, and property until security can be maintained without their presence.

i. MPO personnel shall deliver mail to the addressee or their agent, or transfer it to other MPOs or designated mail clerks when proper identification is presented.

2. *Safeguarding Combinations and Duplicate Keys to Containers.*

a. Combinations and keys to containers in which funds, postal effects, mail, or items of postal equipment are stored shall be sealed in PS Form 3977. Duplicate key envelopes shall be opened in accordance with instructions on the envelope. Where combinations are involved, sufficient wrapping shall be used to cover the contents to prevent detection through the envelope. The name of the responsible individual, the description of the contents, and location of applicable container shall be placed on the face of the envelope. The signature of the individual to whom the container is assigned and the COPE, MPO supervisor, or designated individual shall be placed across the flap of the envelope and the envelope dated with all-purpose date stamp. Envelopes shall be receipted for by the COPE, MPO supervisor, or designated individual from the clerk by using PS Form 1096, in duplicate, appropriately modified for this purpose. The clerk shall retain the original receipt and the duplicate shall be maintained with this envelope, safeguarded by the holder.

b. Envelopes of the COPE shall be signed for and safeguarded by the COPE,s supervisor.

c. The host or other support activity shall be requested to designate an individual to sign for and safeguard envelopes in cases where financial units are not located at the MPO site, the MPO supervisor is also the COPE, and when the MPO supervisor is physically separated from the COPE,s location.

3. *Disposition of Damaged Mail Matter.*

a. Securely rewrap or reseal damaged mail, and endorse "REWRAPPED" or "RESEALED" as appropriate. All damaged mail except registered, whether or not rewrapping or resealing is required, shall be endorsed "DAMAGED IN HANDLING IN THE POSTAL SERVICE" using USPS rubber stamp, Item R222. Damaged registered mail shall be handled and endorsed. The postal clerk shall initial and date the endorsement.

b. Mail matter damaged as a result of a catastrophe shall be recovered, and every effort made to repair or rewrap mail matter and identify addresses. A letter of explanation outlining the circumstances shall be enclosed in each repaired or rewrapped item of mail. Mail matter shall be forwarded under first-class USPS indicia to each addressee.

4. *Articles Found Loose in the Mails.* Every effort shall be made to match articles found loose with the envelope or wrapper from which lost. Articles not matched with wrapprs shall be disposed of as follows:

a. Articles of minor value, such as pens, pencils, and stationery, shall be given to chaplains or other officials, designated by commanders, for disposition.

b. Articles, such as food, drugs, tobacco products, toothpaste, and cosmetics, and articles contained in parcels with sender's instructions to abandon if undelivered; shall be destroyed.

c. Articles of obvious value (including money) shall be transmitted by registered USPS indicia mail to the appropriate serving postmaster.

5. *Uncanceled Stamps Found Loose in the Mails.* Process as outlined in Section 159.43, DMM.

6. *Insurance (Indemnity) Claims.*

a. Insurance claims must be processed in accordance with procedures outlined in Part 149, DMM, and Part 928, IMM. All claims forms shall be completed as required therein, except that no entries shall be made in the "CLAIM NO" or "FORWARD TO" portions of PS Form 3812, "Request For Payment of Domestic Postal Insurance/Claim Identification," or "CASE NO" (Item 1) of PS Form 565, "Registered Mail Application For Indemnity."

b. A record of claims shall be kept on file for each claim processed. For this purpose, reproduce a copy of the completed PS Form 3841, "Post Office Record of Claim" (Part 4 of the PS Form 3812), for insured claims, and PS Form 3841–A, "Originating Office Copy" (Part 4 of the PS Form 565), for registered claims. Do not detach PS Form 3841 or 3841–A from the completed sets. If reproduction capabilities are not available, disassemble other blank PS Form 3812 and PS Form 565 sets and fill in one of the copies to serve as the MPO file copy.

c. Instances of loss, damage, theft, wrong delivery, or rifling of accountable mail allegedly attributed to military postal clerks shall be reported.

d. The respective Military Services assume claims responsibility for numbered insured and registered mail while in the custody of unit mailclerks or mail orderlies. Action shall be taken to resolve claims in military claims channels when MPO records reflect that an article was properly delivered to an authorized unit mailclerk or mail orderly and not later returned to the MPO. Instances of questionable authentic delivery to the addressee shall be reported as a postal offense since it may be necessary to resolve claims in military claims channels.

e. When a numbered insured or registered article is correctly delivered to a non-DoD unit or activity, the article is considered to have been delivered to the addressee; therefore, payment of claims for loss by a respective Military Service or USPS shall not be made.

f. MPO supervisors shall ensure a suspense system is established for prompt processing of incoming claims. Claims shall be processed and forwarded to the postmaster of address (gateway postmaster) reflected in Section 149.341, DMM, within 15 days.

g. Claims for complete loss of registered mail may only be filed by the mailer. Claims for complete or partial loss or damage of insured mail may be filed by either the mailer or addressee.

h. Loss claims and inquiries shall not be accepted prior to the periods specified in Section 149.22, DMM. The minimum time periods shall not always apply for intercommand mail; therefore, before accepting claims or inquiries, it must be determined that sufficient time has been allowed for delivery.

i. Claims forms shall be completed by typewriter when possible; however, use of ballpoint pen in legible print is authorized.

j. If delivery records indicate the article in question was forwarded to another intratheater MPO, forward the claim to the MPO involved and notify the postmaster of address that the claim was forwarded to another MPO for processing.

k. USPS requires that claims for all numbered insured and registered mail addressed to MPOs be checked against MPO and unit (as applicable) delivery records prior to actual initiation of claim payment action. Completion of the "VERIFIED DELIVERY" portion of PS Form 1510A, "Mail Nondelivery Report," attached to PS Form 3812 and Items 25 thru 29, PS Form 565, shall indicate this requirement was accomplished.

l. Claims originating in CONUS or from a MPO served by a different postmaster should be received through the gateway postmaster; however, claims received direct from post office of origin shall be processed prior to being sent to the gateway postmaster for proper administration and accounting.

m. Claims involving articles mailed to another MPO served by the same postmaster of address shall be forwarded to that MPO for completion prior to forwarding to the postmaster of address.

n. For registered mail claims originating at an MPO, dispatch records shall be checked to verify dispatch of the article in question.

o. Damaged insured articles shall be disposed of in accordance with Section 149.6, DMM. Articles having salvage

value shall be stored in a sealed container or lockable area until they are forwarded to the dead parcel branch of the serving postmaster. Disposition shall be annotated on the post office record of claim. PS Form 3831, "Receipt For Article(s) Damaged In Mail," when applicable, shall be competed and the duplicate retained with post office record of claim. The MPO supervisor shall verify mailings to dead parcel branch or destruction of totally damaged articles having no salvage value. Damaged registered articles (Part 149, DMM), shall be retained at the MPO until released by USPS.

p. MPOs receiving fees for claims information under provisions of Section 149.23, DMM, shall forward such fees to their serving postmaster. Submit a letter of explanation to the postmaster with the fees. Do not account for the fees in assigned fixed or flexible credits. If a fee is not included with the claims research request, return the request to sender with a cover letter explaining that the fee is required. Do not provide the research unless the fee is received.

H. Customs Procedures and Requirements

1. *Responsibility for Compliance.* Compliance with customs laws is the responsibility of the individual mailer. Postal personnel shall assist mailers to the extent of ensuring that the appropriate customs declaration form is attached to items presented for mailing.

2. *Articles Addressed from MPOs to International Addresses.* Restrictions, prohibitions, and customs declaration forms required for articles mailed from MPOs to international addresses are contained in the IMM.

3. *Articles Addressed to MPOs.* Restrictions, prohibitions, and customs declaration forms required for articles addressed to MPOs overseas are shown in Exhibit 125.2, DMM.

4. *Mail Subject to Customs Examination and Duty.*

a. All mail believed to contain merchandise, including sealed letters, letter packages, returned articles of U.S. origin, and printed matter which is mailed outside the CTUS and is addressed for delivery to a point within the CTUS is subject to customs examination by U.S. customs officials.

b. Merchandise mailed to the United States for which entry fee of customs duty is not specifically provided is subject to customs duty.

5. *Customs Declarations.*

a. Letter mail containing merchandise, letter packages, and all parcels which contain merchandise mailed at MPOs from outside the CTUS and addressed for delivery in the United States must be accompanied by a customs declaration form, PS Form 2976, "Authority For Customs To Open International Mail," 2976–A, "Customs Declaration," 2966, "Customs Declaration (Parcel Post)," or 2966–A, "Parcel Post Customs Declaration (Label)," as appropriate.

(1) Either a PS Form 2976, 2966, or 2966–A may be used, provided it is properly completed and lists and describes the entire contents. The class of mail does not determine the customs form to be used. However, as a general guide, PS Form 2976 should be used on parcels too small to accommodate a PS Form 2966 or 2966–A.

(2) When the sender prefers not to show the nature of the contents on the outside of the article being mailed, only the upper part of PS Form 2976 shall be affixed to the address side of the article, and PS Form 2976–A shall be completed and enclosed inside the article.

b. Customs declarations are not required on official mail being transmitted between MPOs and the United States.

6. *Personal and Household Effects.* Personal and household effects of individuals returning to the United States under government orders upon the termination of extended duty at a post or station outside the CTUS may be exempt from customs duty, provided a copy of the orders is attached to the outside of the parcel or enclosed inside. The address side of the parcel shall be annotated with "Free Entry Claimed Under Public Law 89–436 Movement Orders (Attached/Enclosed)." Parcels containing personal and household effects shall bear a completed customs form.

7. *Bona Fide Gifts Not Exceeding $25 in Value.* Both military and civilian personnel authorized to use the MPS may mail from post offices located outside the CTUS bona fide gifts not exceeding $25 in value as determined by the fair retail value in the country of acquisition (the limit is $40 when sent from Guam, American Samoa, and the Virgin Islands), free of duty and internal revenue tax to donees (addresses) located in the United States, subject to the following conditions:

a. Perfume containing alcohol (except where the accumulated value of all merchandise contained in the shipment does not exceed $5) and tobacco products are not exempt from duty or tax.

b. A customs declaration form shall be completed and attached to each article or parcel mailed.

c. Each parcel must be clearly marked "Bona Fide Gift." To meet the qualification, the article must have been formerly owned by a donor who gave it outright in its entirety to a donee without compensation or a promise of compensation.

d. The exemption applies provided the accumulated value of such articles received by one person on 1 day does not exceed $25. A parcel having a total value of more than $25, which contains many individually wrapped and addressed gifts to different individuals, each gift being valued at $25 or less, is entitled to free entry providing the other conditions are met. The parcel must be annotated on its face to show the number of gifts in separate packages contained therein, and to state that each gift is valued at $25 or less, and that no single donee is receiving gifts which have an accumulated value of more than $25.

8. *U.S. Merchandise.* Articles which are grown, produced, or manufactured in the United States and which, after having been exported, have not been advanced in value or improved in condition may be mailed back to the United States free of customs duty. However, a properly completed customs declaration form must be attached to the parcel with the words "Returned U.S. Merchandise" written on the customs form.

9. *Customs Collection.* MPOs shall ensure that customs duty on mail bearing Customs Form 3419, "Custom Mail Entry Form," is collected when such parcels are received at MPOs located within the CTUS. This applies to afloat MPOs that are within CTUS at the time such parcels are received onboard.

a. Customs duties collected shall be exchanged for a U.S. Treasury check or USPS Money Order (fee payable by addressee) payable to the accountable postmaster. Customs collections shall be reported on PS Form 6019, prepared in duplicate.

b. All copies of the report shall be signed by the military postal clerk preparing the forms. It shall be verified and signed by the COPE, MPO supervisor, or reserve custodian. The original PS Form 6019, Customs Form 3419, associated tapes (if any), and the U.S. Treasury check or USPS Money Order shall be forwarded to the accountable postmaster by first-class USPS indicia mail. The duplicate of the report shall be retained in the MPO files.

c. Parcels received at MPOs located outside the CTUS may be delivered without collection of customs. If such parcels bear Customs Form 3419, endorse the form "Delivered Outside the CTUS" and return the form to the issuing Customs office.

I. Mail Security

This section applies only to MPO mail overseas. For mail security matters concerning the civilian postal system not overseas, see Part 115, DMM, and Part 213, ASM. For purposes of this policy, overseas means any place outside the United States (the 50 states and the District of Columbia) in which the USPS does not operate a civilian post office. The terms mail sealed against inspection, sealed mail, mail not sealed against inspection, and unsealed mail have the respective meaning given to them by Section 115.23, DMM.

1. *Preserving Mail Security.* DoD personnel shall preserve and protect the security of all mail in its custody from unauthorized opening, inspection, reading of contents or covers, tampering, delay, or other unauthorized acts. A military servicemember or a civilian postal employee who commits or allows any such unauthorized act may be subject to prosecution under the Uniform Code of Military Justice or by federal civilian authorities, or to other disciplinary or administrative action. An employee having a question about proper mail security procedures, which is not clearly and specifically answered by this policy or by timely direction by his supervisor, shall resove the question by protecting the mail in all respects and moving it, or letting it move, without interruption, to its destination.

2. *Opening, Reading, and Searching Mail.*

a. *Mail Sealed Against Inspection.* No person may open, read, search or divulge the contents of mail sealed against inspection, even though such mail may be believed to contain criminal or otherwise nonmailable matter or evidence of the commission of a crime, except in the following circumstances:

(1) When a military postal clerk or postal officer acts with the consent of the addressee or sender.

(2) When an authorized person executes a search warrant or search authorization in accordance with subsection I.6., below.

(3) When a military official conducts an inspection under paragraph I.10.b. or under other circumstances prescribed by the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics).

(4) When an authorized person acts under subsection I.4., below.

b. *Mail Not Sealed Against Inspection.* No person may open, read, search, or divulge the contents of mail not sealed against inspection, except in the following circumstances:

(1) When such action would be authorized with respect to mail sealed against inspection under paragraph I.2.a., above.

(2) Whan an authorized military postal clerk or postal officer takes such action in order to determine the mailability of the contents or whether the correct postage has been paid. For instruction on nonmailable items which are detected at MPOs, see subsection F.15., above.

c. *Correspondence Permitted to be Enclosed in Unsealed Mail.* The contents of correspondence permitted to be sent by the blind in special or raised characters, or in the form of sound recordings, and by school children at the international printed matter rate, shall not be divulged except to a military postal clerk or postal officer acting with the consent of the addressee or sender, or to an authorized person executing a search warrant or search authorization in accordance with subsection I.6., below.

3. *Permissible Detention of Mail.* No person may detain mail except:

a. A military postal clerk or postal officer upon reasonable suspicion, for a brief period of time not to exceed 72 hours, so that military officials acting diligently and without avoidable delay, may assemble enough evidence to satisfy the probable cause requirement for a search authorization in accordance with subsection I.6., and to apply for, obtain, and execute the authorization.

b. A military postal clerk or postal officer acting in strict accordance with this policy; for example, subsections I.4., 6., 7., 8., or 10.

c. A military postal clerk or postal officer acting with the express consent of the addressee or sender.

d. A military postal clerk or postal officer acting under an order issued under 39 U.S.C. 3005, relating to false representations, lotteries, and unlawful matter.

e. A military postal clerk conducting a mail count by direction of his supervisor.

f. A military postal clerk or postal officer acting under an order of a federal court or an official authorized to issue a search authorization under subparagraph I.6.a.(2).

4. *Mail Reasonably Suspected of Being Dangerous to Persons or Property.* Any military postal clerk or postal officer or any person acting under the authorization of such a clerk or officer may detain, open, remove from postal custody, and process or treat mail, sealed or unsealed, reasonably suspected of posing an immediate danger to life or limb, or an immediate and substantial danger to property, without a search warrant or authorization. Such detention is allowed only to the extent necessary to determine and eliminate the danger. A complete written and sworn statement of the detention, opening, removal, or treatment, and the circumstances that prompted it, signed by the person purporting to act under this subsection, shall be forwarded promptly to the Service's senior military postal official in the major overseas command. When harmful matter is discoverd, such incidents shall be reported as a postal offense.

5. *Disclosure of Information About Mail Sent or Received By Particular Senders or Addressees.* Except as provided in paragraphs I.5.a. through e., below, no military postal clerk or postal officer shall disclose information from the outside cover of any piece of mail; information obtained from any inspection of the contents of mail; or any other information that concerns any mail sent or received by any particular sender, addressee, or group of senders or addressees, which he or she obtains or controls in the performance of his or her other official duties. A military postal clerk or postal officer may disclose such information:

a. To appropriate military postal officials for their official use, including appropriate reference to law enforcement authorities, when there is a reasonable basis to suspect that such information is evidence of the commission of a crime, including a violation of 10 U.S.C. 877–934.

b. Under subsection I.8., below, regarding mail covers.

c. Under search warrant or search authorization in accordance with subsection I.6., below.

d. Under an order of federal court or military judge or magistrate.

e. With the consent of the sender or addressee, or the authorized agent of either.

6. *Execution of Search Warrants and Authorizations.*

a. *Warrant Issued By Federal Court or Served By Federal Officer and Search Authorizations.*

(1) A search warrant duly issued under rule 41 of the Federal Rules of Criminal Procedures shall be executed as provided in Section 115.62, DMM. Usually, a warrant issued by a federal court or served by a federal officer is issued under Rule 41 and is duly issued if signed and dated within the past 10 days.

(2) A written search authorization under Military Rule of Evidence 315 shall be executed as provided in paragraph I.6.b., below. For purposes of

this policy, a search authorization may be issued only by the following officials:

(a) A commanding officer authorized to convene a special court-martial under Article 23(a), who is authorized by the Manual for Courts-Martial to issue search authorizations for the particular individual or location involved.

(b) A military judge or magistrate authorized by Military Service regulations to issue search authorizations. Requests for initiation of written search authorizations shall be referred to the appropriate military investigative or law enforcement agency or the appropriate chain-of-command official for action.

(3) No military postal clerk or postal officer shall permit the executive of a search warrant issued by a state court and served by a state officer. If in doubt, the military postal clerk or postal officer shall detain the mail in question temporarily and promptly call his supervisor for guidance.

b. *Execution Procedures for Search Warrants and Search Authorizations.*

(1) A military official may execute a search authorization only when accompanied by a military postal clerk or postal officer.

(2) A duly authorized official may execute a search warrant under Section 115.62, DMM.

(3) Mail may be taken from postal custody under the authority of a search warrant or search authorization only if the person executing the warrant leaves a copy of the warrant or authorization and a receipt or inventory. The receipt or inventory shall be made out in the presence of the accompanying military postal clerk or postal officer and shall describe specifically each piece of mail taken, including all service endorsements on the cover (such as, return receipt requested) and any official postal identity numbers (such as registry, insurance, or certified mail numbers). The receipt or inventory may be attached to the copy of the warrant or authorization or written on the reverse side of the copy of the warrant or authorization. A report of seizure shall be submitted as outlined in subsection I.11., below.

7. *Cooperation with Federal Agencies for Access to Mail.* A military postal clerk or postal officer receiving a request from a federal law enforcement, intelligence or other agency, or from a foreign government, for access to, or information about, particular mail matter of any class in the custody of the MPS shall refer the request to the military postal official authorized to order mail covers under subsection I.8., below. The requestor shall be informed that the approving official is responsible for liaison with all government agencies with respect to a request of this kind. The military postal official shall comply with such a request only as authorized by this policy. If the conditions described in subsection I.8. exist, a mail cover may be ordered following the provisions of subsection I.8. If the agency or foreign government seeks a search authorization, the military postal official should refer the agency or foreign government to the appropriate military law enforcement or investigative agency for action under paragraph I.6.a., above.

8. *Mail Covers.*

a. *Definitions.*

(1) *Mail Cover.* The process by which a record is made of any data appearing on the outside cover of any class of mail matter, or found in the contents of any mail not sealed against inspection when such mail is opened in accordance with paragraph I.2.b., above, to determine the mailability of the contents or whether the correct postage has been paid.

(2) *Fugitive.* Any person who has fled from the United States or any state, territory, the District of Columbia or a possession of the United States, to avoid prosecution for a crime, to avoid punishment for a crime, or to avoid giving testimony in a criminal proceeding.

(3) *Protect the National Security.* To protect the United States from any of the following actual or potential threats to its security by a foreign power or its agents:

(a) An attack or other grave hostile act;

(b) Sabotage, or international terrorism; or

(c) Clandestine intelligence activities.

b. *Military Mail Cover Authority.* The senior military official who has responsibility for postal operations of each major overseas command within each of the respective Military Services, and not more than three designees of each official in grade O–5 or above, pursuant to delegations in writing, may order mail covers within the geographic area of the major overseas commands to which they are assigned. A mail cover may be ordered only when a written request is received from a military law enforcement or investigative authority or from the commanding officer of the person whose mail is to be subjected to the mail cover process. The request may be granted only if the military official or his or her designee has a reasonable suspicion based on articulable facts that the mail cover would: (1) Aid in locating a fugitive; or (2) Assist in obtaining information concerning the commission or attempted commission of an offense punishable by a punitive discharge or by confinement for more than 1 year. Additionally, the senior military official having responsibility for postal operations of each major overseas command within each of the respective Services may order a mail cover upon written request of a DoD intelligence component, when the senior military official has a reasonable suspicion based on articulable facts that the mail cover is necessary to protect national security. This authority may not be delegated.

(c) *Oral Orders and Requests.* When time is critical, the senior military official or his or her designee may issue an oral mail cover upon an oral request to be confirmed by the requesting authority in writing within 2 working days. With respect to mail covers believed to be necessary to protect national security, an oral order may be issued only by the senior military official. No information may be released until an appropriate written order is received from the official who issued the oral order.

d. *Forwarding Order and Justification.* The official who orders a mail cover shall insure that a copy of the written justification and order for the mail cover is forwarded by the most expeditious means: for example, an electrical message system, to the Service's senior military official who has responsibility for postal operations within the major overseas command.

e. *Compilation of Record.* Information shall be compiled by the MPO supervisor or by a designated postal clerk. Information collected shall not be released to the military investigative agency, or any other agency, until release is authorized by the official who ordered the mail cover.

f. *Disposition of Record.* Disposition of the compiled record of the mail cover shall be as directed by the official who ordered the mail cover. No other record or file shall be maintained, nor is reproduction of any portion of the file authorized.

g. *Time Limit.* Except for mail covers ordered upon subjects engaged or suspected to be engaged in any activity against national security, no mail cover shall remain in effect for more than 30 days. At the expiration of such period, or before, the requesting authority may be granted additional 30-day periods under the same conditions and procedures applicable to the original request. No mail cover shall remain in force longer than 120 days unless personally approved for further extension by the senior military official who has responsibility for postal

operations within the major overseas command.

9. *Random Inspection.* Mail bags and parcels in a military postal facility overseas may be subjected to random inspection by fluoroscope or other reasonable technological or natural aids, such as metal detectors and narcotics detection dogs, in accordance with Military Rule of Evidence 313(b), or with 314(c), if applicable, when ordered by an official authorized to issue a search authorization under subparagraph I.6.a.(2)., above. If there is a reasonable suspicion that unlawful weapons, contraband (including unlawful drugs), or other evidence of crime are contained in a particular mail bag or parcel, such official may authorize the opening of mail bags and inspection by fluoroscope or other reasonable technological or natural aids, but not the opening, of individual letters and parcels. Mail matter shall not be opened, nor shall mail be read, except under the provisions of subsection I.2., above.

10. *Foreign Inspection of U.S. Mail Overseas.*

a. *Relationship with Host Country Customs Authorities.* If a host country seeks to inspect MPO mail in the host country, DoD officials should bring DoD mail security precedures to the attention of host country authorities with a view towards demonstrating to them the adequacy of DoD inspection procedures. Military postal authorities may permit host country authorities, in accordance with the host country's laws, to inspect, search, and seize MPO mail in the host country unless an applicable Status of Forces Agreement (SOFA) or other agreement or understanding exempts such mail from inspection, search, or seizure by the host country. A staff judge advocate or legal officer should be consulted to determine U.S. rights and obligations under DoD policy and international law. A military postal clerk shall be present when host country officials inspect or in any way detain the mail. A military postal clerk shall not disclose any information about mail submitted for clearance, or that is otherwise in the clerk's custody, except under the policy herein.

b. *Submission of Mail to U.S. Military Officials.* To the extent that an applicable SOFA or other agreement or understanding exempts any or all categories of mail from customs clearance by host country officials in exchange for an undertaking by the United States to open and examine such mail for purposes of customs clearance, military postal clerks may submit such mail to military officials for customs clearance. These military officials may not read, allow any other person to read, divulge, or transfer to any other person any correspondence contained in sealed mail, unless such action is authorized under a search warrant or authorization as described in subsection I.6., below. The military officials referred to in this paragraph are those individuals, DoD military members or civilian employees, specifically designated by major commanders to perform customs inspections under this paragraph.

11. *Seizure Reports.* The postal activity supervisor shall submit written seizure reports to the Military Service's senior postal official who has responsibility for postal operations within the major overseas command and to MPSA on all mail confiscated under the provisions of this policy within 15 days of the seizure. The addressee shall also be notified of such seizure unless the official who executed the warrant or authorization presents an order, issued by the same official who issued the warrant or authorization, to delay the notification. In that event, the notification of seizure shall be delayed in accordance with the order.

a. *Mail Seizures by Military Authority.* Reports resulting from actions described in subparagraph I.6.b.(3), above, shall include a copy of the receipt or inventory and a copy of the warrant or authorization.

b. *Mail Seizures by Host Country Officials.* In the event mail is confiscated by a host government while in MPS channels, the postal activity supervisor shall attempt to obtain a receipt for the article or articles. Reports involving accountable mail shall include the following information:

(1) Accountable number.
(2) Sender's name and address.
(3) Addressee's name and address.
(4) Post office of origin.
(5) Description of items.

c. *Notice to Sender.* If the cover of domestic mail has been endorsed and stamped to show that the sender has requested and paid for a return receipt, the sender shall be notified of the seizure of the mail under the search warrant, search authorization, or under authority of the host government, by an endorsement to that effect on the return receipt, or on a duplicate if the original receipt is taken. The receipt shall be dispatched as soon as possible, unless the official executing the warrant presents an order, issued by the same official who issued the warrant or authorization, to delay the dispatch. In that event, the dispatch shall be delayed in accordance with the order.

d. *Office File Copies.* One copy may be retained by the office responsible for submitting the report, but no information in the report shall be disclosed, except in accordance with postal regulations authorizing such disclosure.

M. S. Healy,

OSD Federal Register Liaison Officer, Department of Defense.

November 1, 1982.

[FR Doc. 82-30366 Filed 11-3-82; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF ENERGY

Bonneville Power Administration

Proposed disposal of Cottage Grove-Drain Tap Point Substation

AGENCY: Bonneville Power Administration (BPA), DOE.

ACTION: Notice of proposed disposal of Cottage Grove-Drain Tap Point Substation.

SUMMARY: Operation of a new substation renders the Cottage Grove-Drain Tap Point Substation obsolete to Bonneville Power Administration's (BPA's) electrical transmission system. However, the substation is useful to the Pacific Power and Light Company (PP&L). Therefore, BPA intends to dispose of the substation by negotiated sale through the General Services Administration to PP&L. BPA will remove existing transformers and PP&L will operate the remaining equipment as a switching station. As alternatives to the property disposal, BPA also considered leasing the substation, dismantling the substation, and no action.

The substation is located on a 1-acre site, 3½ miles south of Cottage Grove, Oregon, partly within the 100-year floodplain of the Coast Fork, Willamette River. There are no State or local floodplain protection standards applicable to the proposed action. To protect wetlands on the property, terms of the sale will restrict the addition of fill material.

FOR FURTHER INFORMATION CONTACT: Anthony R. Morrell, Environmental Manager, Bonneville Power Administration, P.O. Box 3621–SJ, Portland Oregon 97208; telephone (503) 230–5136.

Issued in Portland, Oregon August 18, 1982.

Earl Gjelde,

Acting Administrator.

[FR Doc. 82-30292 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Burgess Marketing, Inc.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Burgess Marketing, Incorporated, 315 South University Park, Waco, Texas 76701. This Proposed Remedial Order charges Burgess Marketing, Incorporated, with pricing violations in the amount of $504,697.55 connected with the sales of motor gasoline during the period March 1, 1979 through March 31, 1980.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Altanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N.W., Atlanta, Georgia 30309, Telephone (404) 881–2661. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 21st day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30283 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Carter Foundation Production Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of action taken on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order with the Carter Foundation Production Company (Carter) as a final order of the Department.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: James O. Neet, Jr., Chief Counsel, Dallas Office, Economic Regulatory Administration, 1341 W. Mockingbird, Room 201W, Dallas, Texas 75247, 214/767–7536.

SUPPLEMENTARY INFORMATION: On August 24, 1982, 47 FR 36886, the ERA published a notice in the **Federal Register** that it had executed a proposed Consent Order with Carter on July 29, 1982, which would not become effective sooner than 30 days after publication of that notice. The Consent Order with Carter, a producer of crude oil with an office in Fort Worth, Texas subject to the Mandatory Petroleum Price and Allocation Regulations at 10 CFR Parts 210, 211, 212, resolves potential civil liability of Carter arising out of these regulations during the period August 19, 1973 through January 27, 1981. Notwithstanding the fact that both Carter and DOE disagree concerning the proper application of such regulations and that neither disavows any position it has taken with regard to such issues, Carter has agreed to this Consent Order to avoid protracted, expensive litigation. By the terms of this Consent Order, Carter will remit $700,000 to the DOE beginning no later than (30) days after the effective date of this Consent Order and with the final and complete payment being made no later than March 1, 1983. These funds shall be deposited in the U.S. Treasury as miscellaneous receipts. Pursuant to 10 CFR 205.199J(c), interested persons were invited to submit comments concerning the terms and conditions of the proposed Consent Order.

Seven comments were received. All seven comments objected to what they perceived to be payment of the funds from Carter to the U.S. Treasury. Five comments suggested that the proceeds, after payment to identifiable injured customers, should be distributed to the various states in proportion to the amounts of crude oil sold to ultimate consumers in each state. The problems posed by the refining of the crude oil into various products before it reaches ultimate consumers were given little consideration. Two of these comments also suggested guidelines to govern the use of such funds received by each state.

The primary goal of DOE enforcement activities in this sphere is to refund overcharges resulting from first sales of crude oil to those parties who actually suffered harm from them. Because of the ability of refiners which purchased crude oil from Carter at allegedly improper prices to bank, allocate and pass through those costs to ultimate consumers under the refiner price regulations, it is virtually impossible to identify in what time period, to what product and to which purchasers the effects of crude oil violations were channelled. This impossibility of locating injured parties and ascertaining the extent of their injuries, led DOE to the conclusion that depositing the sum paid by Carter in the U.S. Treasury is an appropriate remedy.

The other two comments suggested that the funds received from Carter should be paid to the participants in the Entitlements Program. While it may be theoretically possible to perform calculations necessary to implement such a remedy, it is not administratively feasible. Particularly since a recalculation would be required each time an entitlements dispute was resolved. The administrative burden would be multiplied by the need to monitor the reissuance of orders for the months involved and to determine the impact upon each refiner's price determinations for products sold and resold in the distribution chain. Furthermore, each refiner's opportunity to pass through increased costs suggests that a refiner whose entitlements burden was increased by the overcharges did not necessarily bear the full burden of them.

Having considered all the comments submitted, DOE has determined that the proposed Consent Order with Carter should be made final in its present form. The proposed Consent Order, therefore, was made final and effective the date of publication of this notice.

Issued in Dallas, Texas on the 4 day of October 1982.

Ben L. Lemos,

Director, Dallas Office, Economic Regulatory Administration.

[FR Doc. 82-30289 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

E-Z Serve, Inc.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to E-Z Serve, Incorporated, 901 South First Street, Abilene, Texas 79604. This Proposed Remedial Order charges E-Z Serve, Incorporated, with pricing violations in the amounts of $2,538,964.72 connected with retail sales of motor gasoline during the period March 1, 1979 through September 30, 1979 and $1,549,792.61 connected with reseller sales of motor gasoline during the period December 1, 1973 through September 30, 1979.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N.W., Atlanta, Georgia 30309, Telephone (404) 881–2661. Within 15 days of publication of this notice, any aggrieved

person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461, in accordance with 10 C.F.R. Section 205.193.

Issued in Atlanta, Georgia on the 20th day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30282 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Eddy Refining Co. and Key Oil Co.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Eddy Refining Company, Post Office Box 185, Houston, Texas 77001 and Key Oil Company, 2307 Second Street, Tuscaloosa, Alabama 35402. This Proposed Remedial Order charges Eddy Refining Company/Key Oil Company with pricing violations in the amount of $1,630,401.00 connected with the sales of refined petroleum products during the period December 1, 1973 through June 30, 1976.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N.W., Atlanta, Georgia 30309, Telephone (404) 881-2661. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 21st day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30284 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Evett Oil Co. Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Evett Oil Company, 707 East Central, P. O. Box 129, Comanche, Texas 76442. This Proposed Remedial Order charges Evett Oil Company with pricing violations in the amount of $308,336.11 connected with the sales of motor gasoline during the period March 1, 1979 through March 31, 1980.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N.W., Atlanta, Georgia 30309, Telephone (404) 881-2661. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U. S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, N.W., Washington, D. C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 20th day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30286 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Macmillan Ring-Free Oil Co., Inc., Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of action taken on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order with Macmillan Ring-Free Oil Company, Inc. as a final order of the Department.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: John M. Daley, Esq., Deputy Chief Counsel, San Francisco Office, Economic Regulatory Administration, Department of Energy, 333 Market Street (Sixth Floor), San Francisco, California 94105, (415) 974-7114.

SUPPLEMENTARY INFORMATION: On August 6, 1982, the ERA published a notice in the **Federal Register** that it had executed a proposed Consent Order with Macmillan Ring-Free Oil Company, Inc. (Macmillan) which would not become effective sooner than thirty (30) days after publication of that notice. 47 FR 34183. Pursuant to 10 CFR 205.199J(c), interested persons were invited to submit comments concerning the terms and conditions of the proposed Consent Order.

The Consent Order provides that in settlement of certain potential civil liability arising out of the Mandatory Petroleum Price and Allocation Regulations, 10 CFR Parts 205, 211, and 212, in connection with the reporting of entitlements obligations and the sale of refined petroleum products during the period August 20, 1973 through January 27, 1981, Macmillan shall refund a total of $1,550,000 to DOE in sixteen quarterly installments, plus interest on the unpaid balance. The **Federal Register** notice also specified that ERA would undertake to determine separately the proper disposition of the refund amounts.

Six comments were received by the September 5, 1982 deadline. Four of the comments were from officials of State agencies, one was from the American Association of Railroads, and one was from a reseller of petroleum products who purchased gasoline from Macmillan. None of the commenters objected to the proposed Consent Order. However, several of the commenters made suggestions regarding the appropriate disposition of the refund amounts.

The State commenters all suggested that the refund amounts be distributed to the States. The Association of American Railroads suggested that the refund amounts be distributed to identifiable overcharged customers, and that if identification of those customers were a problem, that the procedures set forth in 10 CFR Part 205 Subpart V be utilized. The reseller suggested that a portion of the refund be distributed to it based upon the volume of its purchases from Macmillan. Further, two of the commenters, citing the decision of the Temporary Emergency Court of Appeals in *Citronelle-Mobile Gathering, Inc. v. Edwards*, 669 F. 2d 171 (1982) *(Citronelle)*, suggested that it would be unlawful to deposit any of the funds received in the United States Treasury. ERA has considered these comments, and because none of them objected to the proposed Consent Order, has determined that the Consent Order should be made final without modification.

After reviewing these comments and its audit files for Macmillan, ERA has also determined an appropriate disposition for the refund amount. Specifically, of the $1,550,000 principal amount, $299,721 will be distributed to particular end-users, $828,739 to the State of California, $171,540 to the State of Arkansas, and $250,000 to the United States Treasury. The end-users and the amounts they will receive are as follows:

California-Portland, 1,795
United States Defense Supply Agency, 14,447
General Carbon Company, 1,501
Nevada Power Company, 1,071
Salt River Project, 9,021

Southern California Edison Company, 271,886

The end-users will receive the amounts listed above after Macmillan has made payments sufficient to cover those amounts. After the end-users have been paid, distribution will be made to the Treasury and to the States. Each of the refund recipients will also receive a pro-rata share of the installment interest paid by Macmillan and the interest earned on the escrow account established for the Macmillan payments.

ERA has determined to distribute the refunds in this manner for several reasons. First, the portion of the refund amount which is to be deposited in the United States Treasury represents ERA's best estimate of the portion of the refund amount which may be attributed to alleged violations of the entitlements program. Although it is ERA's policy to make refunds to those identifiable customers who ERA believes may have borne the ultimate burden of the alleged overcharge, the burdens of any entitlements violations were distributed to all domestic refiners and, hence, to all domestic consumers, by virtue of the cost-equalizing principles of the entitlements program. Thus, unlike the *Citronelle* case, in which there was an adjudication that certain customers had been overcharged by virtue of the particular violation alleged therein, it is impossible to identify any such customers in this case.

With respect to the balance of the refund amount, which is attributable to alleged violations of the refiner price regulations, ERA has determined that distribution to the identified end-users listed above and to the States of California and Arkansas is appropriate because the ultimate burden of any alleged refiner pricing overcharges was, in all likelihood, borne by downstream end-user customers. Although the utility customers which ERA has determined should receive refunds may have had the opportunity to pass through any overcharge to their customers, the ERA has determined that such utilities are generally required to pass through the benefits of any reductions in fuel costs to their customers. In order to ensure that the refunds benefit the parties who may have actually borne the ultimate burden of the overcharge, however, ERA intends to notify the appropriate State governing agencies of the refunds to the utilities.

The ERA has determined that distributing the remaining refunds to the States of California and Arkansas on behalf of the unidentifiable end-user customers who bore the burden of any overcharges which ocurred as a result of Macmillan's alleged violations of the refiner price regulations is appropriate because virtually all of Macmillan's sales of refined petroleum products were made in these two States during the periods in which the alleged violations occurred.

Having considered all comments received and determined an appropriate distribution for the funds to be paid to DOE under this Consent Order, ERA had determined that the proposed Macmillan Consent Order should be made final without modification, effective on the date of publication of this Notice.

Issued in San Francisco on the 12th day of October, 1982.

Patrick J. O'Hern,

Director, San Francisco Office Economic Regulatory Administration.

[FR Doc. 82-30290 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Patriot Petroleum Distributors, Inc., proposed remedial order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Patriot Petroleum Distributors, Incorporated, 410 Ware Boulevard, Tampa, Florida 33619. This Proposed Remedial Order charges Patriot Petroleum Distributors, Incorporated, with pricing violations in the amount of $116,995.48 connected with the sales of motor gasoline during the period April 1, 1979 through June 30, 1979.

A copy of the Proposed Remedial Order with confidental information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N. W., Atlanta, Georgia 30309, Telephone (404 881-2661. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, N. W., Washington, D. C. 20461, in accordance with 10 CFR 205.193.

Issued in Altanta, Georgia on the 17th day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30288 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Paul Investments, Inc., and A. B. Holding Co.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Paul Investments, Incorporated/A. B. Holding Company, 7900 Calloghon Road, Suite 220, P.O. Box 32866, San Antonio, Texas 78216. This Proposed Remedial Order charges Paul Investments, Incorporated/A. B. Holding Company with pricing violations in the amount of $480,364.41 connected with the sales of motor gasoline during the period March 1, 1979 through December 31, 1979.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained from Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, N. W., Atlanta, Georgia 30309, Telephone (404) 881-2661. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearing and Appeals, Federal Building, 12th and Pennsylvania Avenue, N. W., Washington, D. C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 21st day of September 1982.

Leonard F. Bittner,

Director, Atlanta Office, ERA.

[FR Doc. 82-30285 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA-FC-82-024]

Powerplant and Industrial Fuel Use Act of 1978, Electric Utility Conservation Plans

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of receipt of proposed electric utility conservation plans.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) has received a number of electric utility conservation plans developed and submitted for DOE approval pursuant to Section 808 of the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.*, as amended (FUA or the Act).

Pursuant to 10 CFR 508.4(b), DOE hereby gives Notice of Receipt of Proposed Conservation Plans from the electric utility owners or operators listed in the "SUPPLEMENTARY INFORMATION" section below. The publication of this notice commences a thirty (30) day public comment period

during which interested persons are invited to submit written comments concerning the content of any such proposed conservation plan.

The public file for each of the listed electric utility owners or operators containing the proposed conservation plan and any other pertinent documents is available at the Department of Energy, Freedom of Information Reading Room, 1000 Independence Avenue, SW., Room 1E–190, Washington, D.C. 20585, telephone (202) 252–6020. ERA will approve or non-approve the proposed plan of each electric utility within 120 days of the receipt of each plan. Approval or non-approval of a conservation plan will be based on the entire record of the proceeding, including any comments received during the public comment period provided herein. Notice of Approval or Non-approval of each conservation plan will be published in the **Federal Register.**

DATE: Written comments on any proposed conservation plan identified in the **SUPPLEMENTARY INFORMATION** section of this notice are due on or before December 6, 1982.

ADDRESS: Five copies of written comments shall be submitted to: Case Control Unit, Fuels Conversion Division, Forrestal Building, Room GA–093, 1000 Independence Avenue SW., Washington, D.C. 20585.

The name of the subject utility and the identifying case number should be printed on the outside of the envelope and on the documents contained therein.

FOR FURTHER INFORMATION CONTACT:

Clifford Tomaszewski, Office of Fuels Programs, Economic Regulatory Administration, Forrestal Building, Room GA–073 F, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 252–1251

Allan J. Stein, Esq., Office of the General Counsel, Forrestal Building, Room 6B–178, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 252–2967.

SUPPLEMENTARY INFORMATION: Section 1023 of the Omnibus Budget Reconciliation Act of 1981, Pub. L. 97–35 (OBRA) amended the Powerplant and Industrial Fuel Use Act of 1978, 42 U.S.C. 8301 *et seq.* (FUA or the Act) by adding a new section 808, entitled "Electric Utility Conservation Plan."

Section 808 requires utilities which own or operate any existing electric powerplant which used natural gas as a primary energy source between August 14, 1980 and August 13, 1981, and which also plan to use natural gas in any electric powerplant, to develop and submit to DOE for approval a conservation plan to conserve electric energy. The plan must set forth the means to achieve the conservation of electric energy at a level equal to 10 percent of the electric energy output of the utility sold within its own system which was attributable to natural gas during the four calendar quarters ending on June 30, 1981. The plan must be fully implemented during the five year period following DOE approval.

DOE will, within 120 days of the receipt of a proposed plan, approve each plan meeting the requirements of 10 CFR 508.8. If a proposed plan, as originally submitted, fails to meet the requirements for approval, DOE will notify the utility submitting the plan by letter, setting forth the reasons therefor, and provide a reasonable time for the submission of a modified conservation plan. If an acceptable modified plan is not submitted within the specified time period, a Notice of Non-approval will be published in the **Federal Register** together with the basis for the determination that the proposed plan fails to meet the requirements of 10 CFR 508.8. The following list of utilities have submitted proposed conservation plans to DOE for approval. Publication of this notice does not constitute approval of such plans.

Utilities	FC case No.	Date filed
Savannah Electric & Power Co., Savannah, GA.	52588-9999-99-49	Sept. 3, 1982.
Wisconsin Public Service Corp., Green Bay, WI.	53333-9999-99-49	Sept. 13, 1982.
City of Denton, Denton, TX.	50775-9999-99-49	Do.
Tennessee Valley Authority, Chattanooga, TN.	52987-9999-99-49	Sept. 15, 1982.
City of Alexandria, Alexandria, LA.	50043-9999-99-49	Sept. 17, 1982.
Hutchinson Utilities Commission, Hutchinson, MN.	51375-9999-99-49	Sept. 21, 1982.
Mt. Carmel Public Utility Co, Mt. Carmel, IL.	51948-9999-99-49	Do.
Montana Dakota Utilities Co., Bismarck, ND.	51913-9999-99-49	Do.
City of La Junta, La Junta, CO.	51536-9999-99-49	Sept. 27, 1982.
City of Garland, Garland, TX.	51081-9999-99-49	Do.
Columbus & Southern Ohio Electric Co., Columbus, OH.	50633-9999-99-49	Sept. 28, 1982.
South Mississippi Electric Power Association, Hattiesburg, MS.	52703-9999-99-49	Oct. 4, 1982.
Tucson Electric Power Co., Tucson, AZ.	52970-9999-99-49	Do.
Sebring Utilities Commission, Sebring, FL.	52605-9999-99-49	Oct. 6, 1982.
City of Homestead, Homestead, FL.	51333-9999-99-49	Do.
City of Ottawa, Ottawa, KS.	52204-9999-99-49	Oct. 18, 1982.
New Mexico Electric Service Co., Hobbs, NM.	52023-9999-99-49	Oct. 25, 1982.
Chugach Electric Association, Anchorage, AK.	50552-9999-99-49	Do.

Issued in Washington, D.C., on October 29, 1982.

Robert L. Davies,

Director, Fuels Conversion Division, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 82-30281 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. PP-75EA]

Rio Grande Electric Cooperative, Inc.; Issuance of Order Authorizing Transmission of Electric Energy to Mexico

AGENCY: Economic Regulatory Administration (ERA), DOE.

ACTION: Issuance of Order in Docket No. PP–75EA, Authorizing Temporarily the Transmission of Electric Energy to Mexico by the Rio Grande Electric Cooperative, Inc. (Rio Grande), and Notice of Opportunity for Comment.

SUMMARY: The Department of Energy has issued an order in Docket No. PP–75EA temporarily authorizing Rio Grande to export electric energy to Mexico. Under the terms and conditions of the agreement with the Comision Federal de Electricidad (CFE), Rio Grande will sell firm capacity (up to 150 kilowatts) and energy (not to exceed 1,314,000 kilowatt-hours annually) to the CFE for delivery to the Manuel Diego Ainslie Ranch in Piedras Negras, Coahuila, Mexico. If no comments are received concerning this Order within thirty days of its publication, the authorization contained therein shall become final.

FOR FURTHER INFORMATION CONTACT:

Garet Bornstein, Office of Energy Emergency Operations (EP–42), Department of Energy, Forrestal Building, Mail Stop GB–270, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252–1714.

Lise Courtney M. Howe, Office of General Counsel (GC–11), Department of Energy, Forrestal Building, Mail Stop 6F–094, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252–2900.

SUPPLEMENTARY INFORMATION: Order Authorizing Transmission of Electric

Energy to Mexico by Rio Grande Electric Cooperative, Inc.

On February 16, 1982, Rio Grande Electric Cooperative, Incorporated (Rio Grande) filed an application with the Department of Energy (DOE) in Docket No. PP–75EA for authorization, pursuant to Section 202(e) of the Federal Power Act, to transmit electric energy from the United States to Mexico. The exported electric energy would be sold to the Comision Federal de Electricidad (CFE), for delivery to the Manuel Diego Ainslie Ranch in Piedras Negras, Coahuila, Mexico, in accordance with the terms and at the rates set forth in the Interconnection and Exchange Agreement (Agreement), a copy of which was filed as Exhibit A of the application. Under the terms of the Agreement, Rio Grande has full discretion to sell surplus non-emergency capacity and energy to CFE. The Agreement also provides that emergency assistance energy to CFE is authorized when the sufficiency of electric supply and the reliability of the Rio Grande system is not endangered by such sales. These electricity sales are intended as part of a program of mutual benefit to Rio Grande and the CFE.

The electrical energy is to be exported via an international interconnection on the United States/Mexico border, authorized by Presidential Permit PP–75, issued by DOE to CFE on August 13, 1982 (47 FR 44386). Notice of the CFE application and an opportunity for comment were given on July 28, 1981 (46 FR 38569). An application for the same interconnection facilities was filed by the Manuel Diego Ainslie Ranch on August 25, 1980, prior to the CFE application, but withdrawn when CFE filed its application. Notice of the Ainslie application and an opportunity for comment were given on September 15, 1980 (45 FR 61012). No petitions or protests were received concerning either application.

DOE has decided to issue a temporary export authorization in this docket, with a subsequent opportunity to comment or protest, because no petitions or protests were received in response to either application, as noticed in the **Federal Register**; because the original application was filed over two years ago; and because the amount of electric energy to be exported is very small and will not impair the sufficiency of electric energy supplies within the United States. If any comments, petitions, or protests are filed within 30 days following publication of this Order raising issues which should be considered by DOE, the docket may be reopened.

DOE Finds:

(1) The proposed transmission of electric energy from the United States to Mexico as limited herein and as hereinafter authorized will not impair the sufficiency of electric supply within the United States and will not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of DOE.

(2) The period of public notice given in this matter is reasonable.

DOE Orders:

(A) Rio Grande hereby is authorized to transmit electric energy from the United States to Mexico subject to the provisions of this Order.

(B) The electric energy which Rio Grande hereby is authorized to transmit from the United States to Mexico shall be transmitted over facilities specified to the Presidential Permit PP–75, issued to CFE by DOE on August 13, 1982.

(C) The authorization herein granted may be modified from time to time or terminated by further order of DOE.

(D) Rio Grande shall conduct all operations pursuant to the authorization herein granted in accordance with the provisions of the Federal Power Act and pertinent rules, regulations or orders adopted or issued by DOE.

(E) Rio Grande shall provide for the installation and maintenance of adequate metering equipment to measure the flow of all electric energy transmitted over this interconnection with CFE; and shall make and preserve full and complete records with respect to the movement of such electricity. Rio Grande shall furnish a report to DOE annually on or before February 15, showing the gross amount of electricity delivered or received; the maximum hourly rate of power flow in each direction; and the consideration received or paid therefor during each month of the preceding calendar year.

(F) Exports Authorized. The following conditions apply to the export by Rio Grande of electricity utilizing the facilities authorized by Presidential Permit PP–75;

(a) The maximum amount of power flow that may occur to Mexico over the facilities authorized in Presidential Permit PP–75 shall not exceed 150 kilowatts per hour.

(b) The quantity of energy that may be exported hereunder shall not exceed 1,314,000 kilowatt hours annually.

(G) The temporary authorization granted herein shall become final thirty days after the publication of this Order in the **Federal Register**, unless DOE receives comments, petitions or protests raising significant issues which should be considered.

Issued in Washington, D.C., October 28, 1981.

Rayburn Hanzlik,

Administrator, Economic Regulatory Administration.

[FR Doc. 82–30280 Filed 11–3–82; 8:45 am]

BILLING CODE 6450–01–M

U.S.A. Petroleum Corp.; Consent Order

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of action taken on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order executed with U.S.A. Petroleum Corporation (U.S.A. Petroleum) as a final order of the Department, and that it has determined that the $1.75 million to be paid under the Consent Order should be distributed to certain States and the United States Treasury.

EFFECTIVE DATE: November 4, 1982.

FOR FURTHER INFORMATION CONTACT: J. M. West, Esq., Senior Attorney, San Francisco Office, Economic Regulatory Administration, Department of Energy, 333 Market Street (Sixth Floor), San Francisco, California 94105, (415) 974–7114.

SUPPLEMENTARY INFORMATION: On August 4, 1982, ERA published a Notice of a Proposed Consent Order with U.S.A. Petroleum. 47 FR 33738. In the Notice, ERA stated that U.S.A. Petroleum had agreed to pay $1.75 million, that ERA had not yet determined how to distribute the funds, and that interested parties should submit comments pursuant to 10 CFR 205.199J(c).

With the exception of matters related to the final "entitlements" lists and applications for exception relief, the Consent Order resolves all civil issue respecting U.S.A. Petroleum's compliance with the Mandatory Petroleum Price and Allocation Regulations during the period August 19, 1973 and January 27, 1981. The issues developed through ERA's audits of U.S.A. Petroleum's books and records included allegations that U.S.A. Petroleum (1) underpaid its entitlements obligations in violation of 10 CFR 211.67 in 1977 and (2) sold gasoline at company operated retail outlets at prices in excess of maximum lawful prices in violation of 10 CFR 212.83 during 1979. In order to avoid the expense and uncertainty of protracted litigation over these issues, ERA and U.S.A. Petroleum executed the proposed Consent Order.

As proposed, the Consent Order requires U.S.A. Petroleum to pay $1.75 million over two years, plus interest on the unpaid balance. The recipients of the funds are not specified in the proposed Consent Order.

ERA received three comments regarding the proposed Consent Order. None of the commenters objected to the proposed Consent Order. However, all three comments made suggestions regarding the distribution of the refund amount. The Association of American Railroads suggested that refunds should be made to identifiable customers. The States of Maine and Vermont echoed that sentiment, but suggested that refunds should be made to State governments when overcharged customers could not be readily identified. Both States proposed plans and guidelines for distributing funds to State energy-related programs. ERA has considered each of these comments, and because none of them objected to the proposed Consent Order, has determined that the Consent Order should be made final without modification.

After reviewing these comments and its audit files for U.S.A. Petroleum, ERA has also determined an appropriate disposition for the refund amount. Specifically, of the $1,750,000 principal amount, $962,500 will be distributed to the States and $787,500 to the United States Treasury. The States which will receive refunds, and the amounts each will receive, are as follows:

California, $776,160.00.
Washington, $73,727.50.
Florida, $64198.75.
Nevada, $48,413.75.

Each of the refund recipients will also receive a pro-rata share of the installment interest paid by U.S.A. Petroleum and the interest earned on the escrow account established for the U.S.A. Petroleum payments.

ERA has determined to distribute the funds in this manner for several reasons. First, the portion of the refund amount which is to be deposited in the United States Treasury represents ERA's best estimate of the portion of the refund amount which may be attributed to alleged violations of the entitlements regulations. Although it is ERA's policy to make refunds to those identifiable customers who may have borne the ultimate burden of any alleged overcharge, the burdens of any entitlements violations were distributed to all domestic refiners and, hence, to all domestic consumers, by virtue of the cost-equalizing principles of the entitlements program. Thus, unlike the *Citronelle* case, in which there was an adjudication that certain customers had been overcharged by virtue of the particular violation alleged therein, it is impossible to identify any such customers in this case. Thus, ERA has determined that an appropriate disposition of the funds attributable to the alleged entitlements violations is to deposit those funds in the United States Treasury as miscellaneous receipts. This disposition is consistent with other cases involving entitlements. *See, e.g., A. Tarricone, Inc.*, 9 DOE ¶83,004 (1982).

Second, there is no administratively feasible way to identify those individuals who were overcharged at U.S.A. Petroleum's retail gasoline outlets, since those transactions were all cash sales to individual motorists. Further, the transactions were so numerous and small that any refunds to customers would be *de minimus*, even if customers could be identified. Thus, ERA has determined that the funds attributable to the alleged refiner pricing violations should be distributed to the States in which the alleged overcharges occurred. The ERA has determined that distribution to the States listed above is appropriate because it has determined that the alleged overcharges in gasoline sales occurred in those States. The funds have been allocated in proportion to the percentage of the alleged violations which occurred in those States during 1979.

Having considered all comments received and determined an appropriate distribution for the funds to be paid to DOE under this Consent Order, ERA has determined the Proposed U.S.A. Petroleum Consent Order should be made final without modification, effective on the date of publication of this Notice.

Issued in San Francisco on the 12th day of October 1982.

Patrick J. O'Hern,

Director, San Francisco Office, Economic Regulatory Administration.

[FR Doc. 82-30291 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Varibus Corp.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives notice of a Proposed Remedial Order which was issued to Varibus Corporation 285 Liberty Avenue, Beaumont, Texas 77704. This Proposed Remedial Order changes Varibus Corporation, with pricing violations in the amount of $7,550,750.32 connected with sales of no. 2 fuel oil to Gulf States Utilities Company during the period October 1, 1973 through October 31, 1974.

A copy of the Proposed Remedial Order with confidential information deleted, may be obtained rom Mr. William R. Gibson, Deputy Director, Atlanta Office, Economic Regulatory Administration, 1655 Peachtree Street, NE., Atlanta, Georgia 30309, Telephone (404) 881–4464. Within 15 days of publication of this notice, any aggrieved person may file a Notice of Objection with the U.S. Department of Energy, Office of Hearings and Appeals, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Atlanta, Georgia on the 12th Day of October, 1982.

Leonard F. Bittner,

Director, Atlanta Office, Economic Regulatory Administration.

[FR Doc. 82-30287 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

[Case No. 650X00314]

Petrotech Trading Co., et al.; Proposed Remedial Order

Pursuant to 10 CFR 205.192(c), the Economic Regulatory Administration (ERA) of the Department of Energy hereby gives Notice of a Proposed Remedial Order which was issued to:

Petrotech Trading Company, P.O. Box 3215, Abilene, Texas 79604
West Texas Marketing Corporation, 1202 Estates Drive, P.O. Drawer 3097, Abilene, Texas 79604
John T. Troland, 710 Bryd, Abilene, Texas 79601
David W. Ratliff, 1298 Kingbury Road, Abilene, Texas 79602
Kenneth Rogers, 211 Fairmont, Clyde, Texas 79510
David L. Hooper, P.O. Box 3215, Abilene, Texas 79604

The proposed Remedial Order alleges layering violations in the amount, including interest, of $23,235,622.71, connected with resales of crude oil during the period April 1979 through March 1980. Additionally, this Proposed Remedial Order alleges that the resales of crude oil during the same period were made in circumvention and contravention of the regulations.

A copy of the Proposed Remedial Order, with confidential information deleted, may be obtained from: U.S. Department of Energy, Economic Regulatory Administration, ATTN: James Louthan, Houston Audit Director, One Allen Center, Suite 660, 500 Dallas Street, Houston, Texas 77002.

Within 15 days of publication of this Notice, any aggrieved person may file a Notice of objection with the Office of Hearings and Appeals, U.S. Department of Energy, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, in accordance with 10 CFR 205.193.

Issued in Houston, Texas, on the 22nd day of October 1982.

Sandra K. Webb,

Director, Houston Field Office Economic Regulatory Administration.

[FR Doc. 82-30367 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Energy Information Administration

Agency Forms Under Review by the Office of Management and Budget

AGENCY: Energy Information Administration; Energy.

ACTION: Notice of submission of request for clearance to the Office of Management and Budget.

SUMMARY: Under provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), Department of Energy (DOE) notices of proposed collections under review will be published in the **Federal Register** on the Thursday of the week following their submission to the Office of Management and Budget (OMB). Following this notice is a list of the DOE proposals sent to OMB for approval since October 14, 1982.

Each entry contains the following information and is listed by the DOE sponsoring office: (1) The form number; (2) Form title; (3) Type of request, e.g., new, revision, or extension; (4) Frequency of collection; (5) Response obligation, i.e., mandatory, voluntary, or required to obtain or retain benefit; (6) Type of respondent; (7) An estimate of the number of respondents; (8) Annual respondent burden, i.e., an estimate of the total number of hours needed to fill out the form; and (9) A brief abstract describing the proposed collection.

DATES: Last Notice published Thursday, October 14, 1982, (47 FR 45898).

FOR FURTHER INFORMATION CONTACT:

John Gross, Director, Forms Clearance and Burden Control Division, Energy Information Administration, M.S. 1H-023, Forrestal Building, 1000 Independence Ave. NW., Washington, D.C. 20585, (202) 252-2308

Jefferson B. Hill, Department of Energy Desk Officer, Office of Management and Budget, 726 Jackson Place NW., Washington, D.C. 20503, (202) 395-7340

Vartkes Broussalian, Federal Energy Regulatory Commission Desk Officer, Office of Management and Budget, 726 Jackson Place NW., Washington, D.C., (202) 395-3087

SUPPLEMENTARY INFORMATION: Copies of proposed collections and supporting documents may be obtained from Mr. Gross. Comments and questions about the items on this list should be directed to the OMB reviewer; comments should also be provided Mr. Gross. If you anticipate commenting on a form, but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB reviewer of your intent as early as possible.

Issued in Washington, D.C., October 28, 1982.

Yvonne M. Bishop,

Director, Statistical Standards, Energy Information Administration.

DOE Forms Under Review by OMB

Form No.	Form title	Type of request	Response frequency	Response obligation	Respondent description	Estimated number of respondents	Annual respondent burden	Abstract
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
CE-145	Grants Program for Schools and Hospitals and Buildings Owned by Units of Local Government and Public Care Institutions Application.	Extension	On occasion	Required to obtain benefits.	Schools, Hospitals, Public Care Institutions and Buildings Owned by Units of Local Government.	1,700	27,200	An application used by schools, hospitals, units of local Government and public care institutions eligible for grants of Federal funds which are to be used to aid in the conduct of technical assistance programs in public and nonprofit schools and hospitals, or of local Government and public care buildings. Schools and hospitals are also eligible for grants to aid in the acquisition and installation of energy conservation measures.
CE-438	Technical Assistance and Energy Conservation Measure Grant Report Forms.	Revision	Annually	Mandatory	Schools, Hospitals, Units of Local Government, and Public Care Institutions.	13,000	76,000	The reporting documentation forms provide the means by which grant recipients are to inform the Department of Energy of their program activities. The forms enable DOE to monitor and administer these programs in an orderly and systematic fashion.
FERC-548	Staff Adjustments NGPA Section 502(c).	Extension	On occasion	Mandatory	Natural gas pipeline companies, producers, gatherers, distributors, and industrial end-users.	150	2,400	This reporting requirement is for Commission review of requests for adjustments pursuant to Section 502(c) of the NGPA, and in accordance with Part 385, Subpart K of the Commission's regulations. Data are collected in order ". . . to prevent special hardship, inequity, or unfair distribution of burdens."

[FR Doc. 82-30189 Filed 11-3-82; 8:45 am]

BILLING CODE 6450-01-M

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: October 29, 1982.

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
********** NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION **********									
-ARAPAHO VENTURES OF NEW YORK INC				RECEIVED:	10/04/82	JA: NY			
8301022	3371	3112113659		108		JAMES DUKELOW #1	WILDCAT	8.3	COLUMBIA GAS TRAN
8301020	3375	3112113890		108		KEITH PAGE #1	WILDCAT	8.6	COLUMBIA GAS TRAN
8301021	3377	3112113888		108		PETER KRAMELL #1	WILDCAT	8.0	COLUMBIA GAS TRAN
8301023	3376	3112113889		108		PETER KRAMELL #2	WILDCAT	13.0	COLUMBIA GAS TRAN
-ENVIROGAS INC				RECEIVED:	10/04/82	JA: NY			
8301012	3792	3101312643		108		ALDEWEIN #1	LAKESHORE	5.0	NATIONAL FUEL GAS
8301013	3793	3101312645		108		ENSIGN #1	LAKESHORE	1.0	NATIONAL FUEL GAS
8301007	3787	3101312738		108		HEMMER #1	LAKESHORE	5.0	NATIONAL FUEL GAS
8301009	3789	3101312680		108		HEPPNER #1	LAKESHORE	6.0	NATIONAL FUEL GAS
8301008	3788	3101312709		108		J LAPORTE #1	LAKESHORE	7.0	NATIONAL FUEL GAS
8301015	3795	3101312646		108		KELLEY #1	LAKESHORE	9.0	NATIONAL FUEL GAS
8301014	3794	3101312337		108		NOBBS #1	LAKESHORE	19.0	NATIONAL FUEL GAS
8301011	3791	3101312681		108		PORTMAN #1	LAKESHORE	2.0	NATIONAL FUEL GAS
8301010	3790	3101312682		108		RISCILI #3	LAKESHORE	15.0	NATIONAL FUEL GAS
-LENAPE RESOURCES CORP				RECEIVED:	10/04/82	JA: NY			
8301031	3743	3105117305		103		A E SCOTT #1 LRC #100	WILDCAT	20.0	NEW JERSEY NATURA
8301030	3741	3105117300		103		B S DONNAN #1 LRC #97	WILDCAT	20.0	NEW JERSEY NATURA
8301028	3738	3105117304		103		D D ROGERS #1 LRC #94	WILDCAT	20.0	NEW JERSEY NATURA
8301032	3742	3105117302		103		D MUSSHAFEN #1 LRC #99	WILDCAT	20.0	NEW JERSEY NATURA
8301027	3739	3105116198		103		H M RAYMOND UNIT #1 LRC #95	WILDCAT	20.0	NEW JERSEY NATURA
8301026	3737	3105116197		103		K E ROGERS UNIT #1 LRC #93	WILDCAT	20.0	NEW JERSEY NATURA
8301033	3744	3105117309		103		K M NOBLE UNIT #1 LRC #101	WILDCAT	20.0	NEW JERSEY NATURA
8301036	3747	3112117060		103		L WOLFGANG #1 LRC #114	LEICESTER	20.0	NEW JERSEY NATURA
8301029	3740	3105116199		103		P STURM & H WILSON #1 LRC #96	WILDCAT	20.0	NEW JERSEY NATURA
8301035	3746	3112117049		103		R L HALMA #5 LRC #110	LEICESTER	20.0	NEW JERSEY NATURA
8301034	3745	3105117307		103		S R POWELL UNIT #1 LRC #102	WILDCAT	20.0	NEW JERSEY NATURA
-MIDWEST EXPLORATION INC				RECEIVED:	10/04/82	JA: NY			
8301052	3641	3102917040		103		AGLE #1	EDEN VALLEY	25.0	NATIONAL FUEL GAS
8301044	3640	3102916603		103		ALBRECHT #1	ALDEN-LANCASTER	15.0	NATIONAL FUEL GAS
8301051	3642	3102916605		103		ARNDT #1	BUFFALO CREEK	25.0	NATIONAL FUEL GAS
8301016	3774	3103716184		103		BABCOCK #1	ALDEN-LANCASTER	25.0	NATIONAL FUEL GAS
8301050	3643	3102917069		103		CLARK #1	BUFFALO CREEK	25.0	NATIONAL FUEL GAS
8301049	3644	3103716183		103		HEREC #1	ALDEN-LANCASTER	25.0	NATIONAL FUEL GAS
8301048	3645	3103716175		103		MENDOLA #1	ALDEN-LANCASTER	25.0	NATIONAL FUEL GAS
8301047	3646	3103716185		103		MORABITO #1	ALDEN-LANCASTER	25.0	NATIONAL FUEL GAS
8301046	3647	3102916587		103		NEUBERT #1	WEST SENECA	25.0	NATIONAL FUEL GAS
8301045	3648	3102917129		103		NIEFERGOLD #1	NORTH COLLINS	25.0	NATIONAL FUEL GAS
-P & S DRILLING INC				RECEIVED:	10/04/82	JA: NY			
8301017	2432	3102915378		108		HICKEY #1A	ALDEN-LANCASTER	4.5	NATIONAL FUEL GAS
-POI ENERGY INC				RECEIVED:	10/04/82	JA: NY			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8301006	2270	3101315447		102-2		LAWRENCE #1	ELLERY	75.0	COLUMBIA GAS TRAN
8301002	2271	3101315450		102-2		PAUL SAMUELSON #1	ELLERY	50.0	COLUMBIA GAS TRAN
8301004	2272	3101316044		102-2		PETERSON #1	ELLERY	250.0	COLUMBIA GAS TRAN
8301003	2269	3101315451		102-2		PHIL SAMUELSON #1	ELLERY	75.0	COLUMBIA GAS TRAN
8301005	2273	3101315449		102-2		SKILLMAN #1	ELLERY	20.0	COLUMBIA GAS TRAN
-RESOURCE EXPLORATION INC				RECEIVED:	10/04/82	JA: NY			
8301018	3767	3101312231		108		L FISHER #2	NORTH HARMONY	20.0	COLUMBIA GAS TRAN
8301019	3768	3101312185		108		L R & W FISHER #3	NORTH HARMONY	20.0	COLUMBIA GAS TRAN
-SHARON RESOURCES INC				RECEIVED:	10/04/82	JA: NY			
8301000	1441	3112115383		102-2		B KERWIN #1	JAVA	0.0	COLUMBIA GAS TRAN
8301001	1443	3112115677		102-2		J KERWIN #1,	JAVA	15.8	COLUMBIA GAS TRAN
-SILVER CREEK DRILLING CORP				RECEIVED:	10/04/82	JA: NY			
8301025	3748	3101316998		103		MASON #1	LAKE SHORE	12.0	NATIONAL FUEL GAS
8301024	3749	3101317287		103		MASON #2	LAKE SHORE	12.0	NATIONAL FUEL GAS
-US ENERGY DEVELOPMENT CORP				RECEIVED:	10/04/82	JA: NY			
8301038	3670	3100317000		103		HUNGERFORD #1	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301037	3669	3100317001		103		HUNGERFORD #2	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301039	3668	3100317002		103		HUNGERFORD #3	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301040	3667	3100317003		103		HUNGERFORD #4	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301041	3666	3100317004		103		HUNGERFORD #5	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301042	3665	3100317005		103		HUNGERFORD #6	BRADFORD/RICHBURG	6.0	NATIONAL FUEL GAS
8301043	3664	3100317007		103		HUNGERFORD #8	BRADFORD/RICHBURG	0.0	NATIONAL FUEL GAS
-WARNER BROTHERS WELL DRILLING INC				RECEIVED:	10/04/82	JA: NY			
8301054	1148	3102914262		108		F THAYER-CHRISTIAN AIR 31-029-14262	AKRON	3.8	NATIONAL FUEL GAS
8301055	3660	3102915218		108		HENRY RAYKOWSKI 31-029-15218	AKRON	8.5	NATIONAL FUEL GAS
8301053	1142	3102913894		108		WALLACE KIPFER 31-029-13894	ELMA	7.7	NATIONAL FUEL GAS
PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL RESOURCES									
-ASHTOLA PRODUCTION CO				RECEIVED:	10/05/82	JA: PA			
8300989	15551	3712921749		103		GEORGE PAVICK #1	GREENSBURG	29.0	
8300990	15552	3712921877		103		GEORGE PAVICK #2	GREENSBURG	23.0	
8300987	15549	3705120280		103		JOSEPH J PLEVA #1	HIGHHOUSE	27.0	
8300988	15550	3705120286		103		WENDELL N HUSTEAD #1	HIGHHOUSE	23.0	
-ATLAS RESOURCES INC				RECEIVED:	10/05/82	JA: PA			
8300875	15423	3706326506		102-4		CRAMER #1	CHERRYHILL	177.0	COLUMBIA GAS TRAN
8300887	15436	3706326917		102-4		CRAMER #3	CHERRYHILL	40.0	COLUMBIA GAS TRAN
8300867	15407	3706325582		108		HENRY #2	GRANT	5.1	COLUMBIA GAS TRAN
8300870	15410	3706325705		108		HENRY #3	GRANT	20.0	COLUMBIA GAS TRAN
8300868	15408	3706325581		108		KAROW #1-46A	GRANT	19.0	COLUMBIA GAS TRAN
8300864	15404	3706325571		108		LAWER #1	GRANT	4.0	COLUMBIA GAS TRAN
8300865	15405	3706325573		108		LAWER #3	GRANT	17.0	COLUMBIA GAS TRAN
8300869	15409	3706325642		108		LAWER #4	GRANT	10.0	COLUMBIA GAS TRAN
8300866	15406	3706325574		108		MCCRACKEN #1	GRANT	16.0	COLUMBIA GAS TRAN
8300862	15395	3706326645		102-4		MCGEE #1	CHERRYVALLEY	168.0	COLUMBIA GAS TRAN
8300860	15393	3406326659		102-4		MCGEE #3	GREEN	439.0	COLUMBIA GAS TRAN
8300861	15394	3706326902		102-4		PENNS MANOR SCHOOL DIST #2	CHERRYHILL	150.0	COLUMBIA GAS TRAN
8300953	15515	3785203550		107-TF		ST PAULS HOME #1	WEST SALEM	24.0	COLUMBIA GAS TRAN
8300954	15516	3785235500		102-2		ST PAULS HOME #1	WEST SALEM	24.0	COLUMBIA GAS TRAN
8300871	15411	3706325663		108		THORNSBERRY #1	GRANT	6.2	COLUMBIA GAS TRAN
8300872	15412	3706325021		108		YANITY #2	GRANT	7.3	COLUMBIA GAS TRAN
8300873	15413	3706325022		108		YANITY #3	GRANT	2.7	COLUMBIA GAS TRAN
8300874	15414	3706325023		108		YANITY #4	GRANT	5.4	COLUMBIA GAS TRAN

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8300863	15403	3706325377		108		YANITY #5	GRANT	3.6	COLUMBIA GAS TRAN
8300885	15434	3706326564		102-2		ZUBALIK #2	GREEN	40.0	COLUMBIA GAS TRAN
-BEREA OIL AND GAS CORPORATION				RECEIVED:		10/05/82 JA: PA			
8300882	15430	3704921327		107-TF		GEM CITY GUN CLUB UNIT #1	WILDCAT	10.0	NATIONAL FUEL GAS
8300883	15431	3704921327		102-2		GEM CITY GUN CLUB UNIT #1	WILDCAT	10.0	NATIONAL FUEL GAS
-C & C TROYER BROTHERS				RECEIVED:		10/05/82 JA: PA			
8300843	15331	3704920973		107-TF		TROYER-ADAMS #1 (21)	EDINBORO	15.0	NATIONAL FUEL GAS
-CARDINAL OIL CO				RECEIVED:		10/05/82 JA: PA			
8300886	15433	3703900000		107-TF		HOTCHKISS #1 81-65 PA PER CRA-21407	CONNEAUT	0.0	COLUMBIA GAS TRAN
-CARLON OIL & GAS CO INC				RECEIVED:		10/05/82 JA: PA			
8300933	15485	3706522434		103		MCCLURE A-2	REED-DEEMER	50.0	CONSOLIDATED GAS
-CASTLE GAS CO INC				RECEIVED:		10/05/82 JA: PA			
8300970	15532	3706325562		103		C GREEN #1(C-634) IND-25562	GREEN TOWNSHIP	60.0	COLUMBIA GAS TRAN
8300961	15523	3706326537		103		CHERRY RUN DAM #10(C-746) IND-26537	CENTER TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300962	15524	3706326609		103		CHERRY RUN DAM #11(C-747) IND-26609	CENTER TOWNSHIP	65.0	COLUMBIA GAS TRAN
8300963	15525	3706326638		103		CHERRY RUN DAM #12(C-748) IND-26638	CENTER TOWNSHIP	70.0	COLUMBIA GAS TRAN
8300964	15526	3706326675		103		CHERRY RUN DAM #13(C-751) IND-26675	CENTER TOWNSHIP	65.0	COLUMBIA GAS TRAN
8300965	15527	3706326676		103		CHERRY RUN DAM #14(C-752) IND-26676	CENTER TOWNSHIP	70.0	COLUMBIA GAS TRAN
8300966	15528	3706326805		103		CHERRY RUN DAM #15(C-755) IND-26805	CENTER TOWNSHIP	60.0	COLUMBIA GAS TRAN
8300967	15529	3706326828		103		CHERRY RUN DAM #16(C-756) IND-26828	CENTER TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300959	15521	3706326518		103		CHERRY RUN DAM #8(C-744) IND-26518	CENTER TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300960	15522	3706326536		103		CHERRY RUN DAM #9(C-745) IND-26536	CENTER TOWNSHIP	60.0	COLUMBIA GAS TRAN
8300968	15530	3706325474		103		J EDWARDS #1(C-640) IND-25474	GREEN TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300969	15531	3706326228		103		J EDWARDS #2(C-715) IND-26228	GREEN TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300971	15533	3706326785		103		J HUGHEY #5(C-458) IND-26785	CENTER TOWNSHIP	70.0	PEOPLES NATURAL G
8300972	15534	3706326723		103		J HUGHEY #6(C-753) IND-26723	BLACKLICK TOWNSHIP	65.0	PEOPLES NATURAL G
8300973	15535	3706326724		103		J HUGHEY #7(C-754) IND-26724	BLACKLICK TOWNSHIP	70.0	PEOPLES NATURAL G
8300974	15536	3706325470		103		J ROSSI #1(C-672) IND-25470	GREEN TOWNSHIP	50.0	COLUMBIA GAS TRAN
8300975	15537	3706325471		103		J ROSSI #2(C-673) IND-25471	GREEN TOWNSHIP	55.0	COLUMBIA GAS TRAN
8300976	15538	3706325472		103		J ROSSI #3(C-674) IND-25472	GREEN TOWNSHIP	60.0	COLUMBIA GAS TRAN
8300958	15520	3706326345		103		R BUTERBAUGH #4(C-688) IND-26345	GRANT TOWNSHIP	50.0	COLUMBIA GAS TRAN
-CONSOLIDATED GAS SUPPLY CORPORATION				RECEIVED:		10/05/82 JA: PA			
8300853	15373	3703321256		102-2		D G SPENCER #1 WN 1896	FERGUSON TOWNSHIP	14.0	GENERAL SYSTEM PU
8300923	15474	3703320934		102-2		JOHN RAFFERTY #1 WN 1757	GREENWOOD TOWNSHIP	2.0	GENERAL SYSTEM PU
8300851	15370	3703321201		102-2		MARSHALL-BELL UNIT #1 WN 1891	FERGUSON TOWNSHIP	7.3	GENERAL SYSTEM PU
8300922	15473	3703320824		102-2		ROBERT SPENCER #1 WN 1684	FERGUSON TOWNSHIP	39.0	GENERAL SYSTEM PU
8300921	15472	3703320830		102-2		ROBERT SPENCER WN 1683	FERGUSON TOWNSHIP	3.0	GENERAL SYSTEM PU
8300852	15372	3703321232		102-2		VO BARRETT #1 WN 1893	FERGUSON TOWNSHIP	15.0	GENERAL SYSTEM PU
-DAMSON-LOUDEN CO LTD & NCC-LOUDEN L				RECEIVED:		10/05/82 JA: PA			
8300948	15510	3706320511		108		G PEARCE 99X-1	WASHINGTON	2.9	PEOPLES NATURAL G
8300949	15511	3700520628		108		H KAUFMAN ESTATE 101X-1	PLUMCREEK	1.6	PEOPLES NATURAL G
8300950	15512	3700520652		108		W H MILLER 102X-1	PLUMCREEK	3.5	PEOPLES NATURAL G
-DOC-NCC SERVICE CO				RECEIVED:		10/05/82 JA: PA			
8300937	15497	3712922035		103		WALLACE L LOWE 1560-2	EAST HUNTINGDON	10.0	TEXAS EASTERN TRA
-DONALD E MCINTYRE				RECEIVED:		10/05/82 JA: PA			
8300978	15540	3700500000		108		HARTMAN #1 & 2 #1962	KISKIMINETAS	0.0	PEOPLES NATURAL G
8300977	15539	3700500000		108		HENRY #2003	KISKIMINETAS	0.0	PEOPLES NATURAL G
8300979	15541	3700500000		108		KLINGENSMITH #2236	KISKIMINETAS	0.0	PEOPLES NATURAL G
-DORAN & ASSOCIATES INC				RECEIVED:		10/05/82 JA: PA			
8300915	15466	3700522157		108		EMMETT MCILWAIN #2 KL-65	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL G
8300850	15356	3703320752		108		GEORGE KOPENHAVER #1 K-L-68	UPPER DEVONIAN SANDS	30.0	CONSOLIDATED GAS
8300916	15467	3706324182		108		H WALLACE POLLOCK #1 KL-67	UPPER DEVONIAN SANDS	9.3	T W PHILLIPS GAS
8300911	15462	3706324184		108		H WALLACE POLLOCK #3 KL-76	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8300910	15461	3706324187		108		HARRY ABEL #1 KL-56	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS
8300914	15465	3706324189		108		HARRY ABEL #3 KL-64	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS
8300917	15468	3706324369		108		HORACE M STEELE #1 KL-83	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS
8300909	15460	3706324281		108		JOHN LUKEHART #1 KL-84	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL G
8300912	15463	3700522197		108		L BAKER #2 KL-77	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL G
8300835	14913	3712921191		108		R KOONTZ #2 KL-32	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS
8300913	15464	3700522149		108		ROBERT CONN #1 KL-57	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL G
8300920	15471	3700522166		108		ROY KAUFMAN #1 KL-55	UPPER DEVONIAN SANDS	30.0	PEOPLES NATURAL G
8300918	15469	3706324260		108		RUSSELL BONARRIGO #1 KL-85	UPPER DEVONIAN SANDS	30.0	T W PHILLIPS GAS
8300919	15470	3708520306		107-TF		THIEL COLLEGE #1 KW-2	HEMPFIELD	0.0	
-EASTERN STATES EXPLORATION CO				RECEIVED:	10/05/82	JA: PA			
8300859	15388	3706522478		103		VIONA BROOKS #1	BIG RUN	40.0	T W PHILLIPS GAS
-EILEEN M BRUMAGE				RECEIVED:	10/05/82	JA: PA			
8300842	15290	3705900000		108		S M SMITH U-791	RICHHILL	1.5	COLUMBIA GAS OF P
-FLANIGAN BROTHERS				RECEIVED:	10/05/82	JA: PA			
8300995	15564	3703921183		107-TF		JOSEPH SCHMIDT #5	EDINBORO SOUTH	15.0	NATIONAL FUEL GAS
-FOX OIL & GAS INC				RECEIVED:	10/05/82	JA: PA			
8300888	15439	3706326714		103		THOMAS BARBOR #1	GREEN TOWNSHIP	25.5	COLUMBIA GAS TRAN
-HAROLD E BROWN				RECEIVED:	10/05/82	JA: PA			
8300892	15443	3700500000		108		BOARTZ #1 CONTRACT 1656	APOLLO	4.2	PEOPLES NATURAL G
8300891	15442	3700500000		108		FENELL I CONTRACT 1656	APOLLO	3.9	PEOPLES NATURAL G
8300890	15441	3700500000		108		FENELL II CONTRACT 1656	APOLLO	3.4	PEOPLES NATURAL G
8300889	15440	3700500000		108		FENELL WELL III CONTRACT 1656	APOLLO	3.2	PEOPLES NATURAL G
8300893	15444	3700500000		108		RIFFER I CONTRACT 1656	APOLLO FREED	1.2	PEOPLES NATURAL G
-J & J ENTERPRISES INC				RECEIVED:	10/05/82	JA: PA			
8300907	15458	3703321277		103		MIKE KOVALCHICK #30 (108A)	BRADY	0.0	COLUMBIA GAS TRAN
8300993	15559	3703321244		103		R & P #19 (A HAAG)	BRADY	0.0	COLUMBIA GAS TRAN
8300994	15560	3703321245		103		R & P #20 (A HAAG)	BRADY	0.0	COLUMBIA GAS TRAN
8300991	15557	3703321226		103		R & P COAL CO #12 (7A)	BRADY	0.0	COLUMBIA GAS TRAN
8300936	15496	3703321227		103		R & P COAL CO #13 (58A)	BRADY	0.0	COLUMBIA GAS TRAN
8300992	15558	3703321228		103		R & P COAL CO #14 (54A)	BRADY	0.0	COLUMBIA GAS TRAN
8300935	15495	3703321247		103		R & P COAL CO #22 (45A)	BRADY	0.0	COLUMBIA GAS TRAN
8300908	15459	3703321278		103		R & P COAL CO #31 (74A)	BRADY	0.0	COLUMBIA GAS TRAN
8300834	14759	3703321223		103		R & P COAL CO #8 (33A)	BRADY	0.0	COLUMBIA GAS TRAN
8300857	15381	3706326690		103		WELLS-HRIBAL #1	GRANT	0.0	CONSOLIDATED GAS
8300858	15382	3706326691		103		WELLS-HRIBAL #2	GRANT	0.0	CONSOLIDATED GAS
-JAMES DRILLING CORP				RECEIVED:	10/05/82	JA: PA			
8300934	15494	3703320229		108		EDNA NOLDER #1	BRADY	10.0	CONSOLIDATED GAS
8300880	15428	3706320030		108		JAMES A WHITE #1	GASKILL	4.0	CONSOLIDATED GAS
8300881	15429	3706320732		108		K L SEGER #1	BANKS	7.5	CONSOLIDATED GAS
8300878	15426	3703320201		108		MORRIS W BUNDY #1	HUSTON	6.0	CONSOLIDATED GAS
8300879	15427	3704920108		108		WESLEY C FREEBURG #1	CONNEAUT	5.0	CONSOLIDATED GAS
8300877	15425	3706320733		108		WM LUNGER #1	BANKS	6.5	CONSOLIDATED GAS
-MID-EAST OIL CO				RECEIVED:	10/05/82	JA: PA			
8300927	15479	3706326322		103		BETTY O'NEILL #2	COMMODORE	13.0	COLUMBIA GAS TRAN
8300932	15484	3706325764		103		BLAINE MCADOO #2	ROCHESTER MILLS	15.0	T W PHILLIPS GAS
8300926	15478	3706326306		103		BOYER-FLEMING #1	BRUSH VALLEY	14.0	COLUMBIA GAS TRAN
8300902	15453	3706326450		103		C EDWARD STUCHELL #1	CLYMER	15.0	INDUSTRIAL ENERGY
8300903	15454	3706326451		103		C EDWARD STUCHELL #3	CLYMER	13.0	INDUSTRIAL ENERGY
8300901	15452	3712921913		103		CERNE-CAMBRUZZI #1	BOLIVAR	10.0	
8300904	15455	3706326511		103		J S STEWART #1	MCINTYRE	14.0	INDUSTRIAL ENERGY
8300899	15450	3703321263		103		JAMES K GREGG #4	BURNSIDE	15.0	T W PHILLIPS GAS
8300900	15451	3703321264		103		JAMES K GREGG #5	BURNSIDE	15.0	T W PHILLIPS GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8300905	15456	3706326512		103		JOHN S STEWART #2	MCINTYRE	24.0	INDUSTRIAL ENERGY
8300906	15457	3706326513		103		LISLE W STEWART #1	MCINTYRE	16.0	INDUSTRIAL ENERGY
8300955	15517	3706322452		103		LOWRY DILTS #1	PUNXSUTAWNEY	20.0	T W PHILLIPS GAS
8300956	15518	3706322525		103		M V KRIDER #1	PUNXSUTAWNEY	17.0	T W PHILLIPS GAS
8300957	15519	3706322450		103		MILES CONRAD #1	PUNXSUTAWNEY	11.0	T W PHILLIPS GAS
8300894	15445	3706326521		103		ROBERT PATSIGA #1	CLYMER	21.0	COLUMBIA GAS TRAN
8300931	15483	3706322201		103		ROY D HOFFMAN #1	COOLSPRING	10.0	
8300930	15482	3706326170		103		S J DALESSIO #1	CLYMER	26.0	INDUSTRIAL ENERGY
8300929	15481	3706326233		103		S J DALESSIO #2	CLYMER	21.0	INDUSTRIAL ENERGY
8300928	15480	3706326168		103		S J DALESSIO #3	CLYMER	23.0	INDUSTRIAL ENERGY
8300898	15449	3706326492		103		THURMAN R BRENDLINGER # 2	CLYMER	20.0	INDUSTRIAL ENERGY
8300897	15448	3706326475		103		THURMAN R BRENDLINGER #1	CLYMER	15.0	INDUSTRIAL ENERGY
8300895	15446	3706326476		103		WILLIS T EVANS #1	CLYMER	19.0	INDUSTRIAL ENERGY
8300896	15447	3706326493		103		WILLIS T EVANS #2	CLYMER	12.0	INDUSTRIAL ENERGY
-MITCHELL ENERGY CORPORATION				RECEIVED:	10/05/82	JA: PA			
8300924	15475	3703921340		103		COON $1-96	MOSIERTOWN (MEDINA-WH	0.0	COLUMBIA GAS TRAN
8300925	15476	3703921343		107-TF		COON #1-96	MOSIERTOWN (MEDINA-WH	0.0	COLUMBIA GAS TRAN
-NATIONAL FUEL GAS SUPPLY CORP				RECEIVED:	10/05/82	JA: PA			
8300832	13077	3704700000		108		ALGHY NATIONAL FOR #4370	JONES TOWNSHIP	0.4	GENERAL SYSTEM PU
8300841	15147	3704700000		108		ALLEGHENY NATL FOR #1321-P	HIGHLAND TOWNSHIP	0.3	GENERAL SYSTEM PU
8300837	15098	3712100000		108		F W ANDREWS FARM #795	PINEGROVE TOWNSHIP	1.4	GENERAL SYSTEM PU
8300838	15143	3704700000		108		J K P HALL #5334	JAY TOWNSHIP	0.6	GENERAL SYSTEM PU
8300836	15097	3712100000		108		PETER PRYOR FARM #335	ROCKLAND TOWNSHIP	0.4	GENERAL SYSTEM PU
8300839	15144	3704700000		108		STATE GAME LANDS FARM #5861	SPRING CREEK TOWNSHIP	1.9	GENERAL SYSTEM PU
8300840	15145	3704700000		108		STATE GAME LANDS FARM #5869	SPRING CREEK TOWNSHIP	0.5	GENERAL SYSTEM PU
-PEMCO GAS INC				RECEIVED:	10/05/82	JA: PA			
8300980	15542	3700521755		108		NEAL #1 PERMIT ARM 21755-R	W PA UPPER DEVONIAN S	15.0	APOLLO GAS CO
8300981	15543	3700522000		108		NEAL #2 PERMIT ARM 22000	W PA UPPER DEVONIAN S	50.0	APOLLO GAS COMPAN
-PHILLIPS PRODUCTION CO				RECEIVED:	10/05/82	JA: PA			
8300985	15547	3706326819		103		BROCIOUS COAL AUGERING INC #1	RAYNE	30.0	
8300983	15545	3706326910		103		CHARLES RAYMOND GLASSER #1	RAYNE	30.0	
8300982	15544	3706326895		103		ELMER R LANEY #1	SOUTH MAHONING	30.0	
8300984	15546	3706326628		103		JOHN S LEWIS #1	EAST MAHONING	25.0	
8300986	15548	3706326887		103		VAUGHN L MCGAUGHEY #1	CENTER	25.0	
-POI ENERGY INC				RECEIVED:	10/05/82	JA: PA			
8300833	14505	3703920884		107-TF		DORN #1 CRA 20884	SPARTA	20.0	COLUMBIA GAS TRAN
-ROBERT V & MARY LEE HEADLEE				RECEIVED:	10/05/82	JA: PA			
8300876	15424	3705900000		108		HEADLEE GAS WELL	HEADLEE GAS WELL	4.3	CARNEGIE NATURAL
-S T JOINT VENTURE - 81-B				RECEIVED:	10/05/82	JA: PA			
8300855	15375	3703321200		103		WRIGLESWORTH #1	PENN	25.0	CONSOLIDATED GAS
-S T JOINT VENTURE 81A				RECEIVED:	10/05/82	JA: PA			
8300856	15376	3703321189		103		KANOUFF #1	PENN	25.0	CONSOLIDATED GAS
8300854	15374	3703321188		103		KANOUFF #2	PENN	25.0	CONSOLIDATED GAS
-SAGEBRUSH RESOURCES INC				RECEIVED:	10/05/82	JA: PA			
8300831	12000	3712329598		107-TF		S MIKRUT #1	SUGAR GROVE	20.0	NATIONAL FUEL GAS
-T W PHILLIPS GAS & OIL CO				RECEIVED:	10/05/82	JA: PA			
8300847	15351	3706321132		108		CAROLINE WINING #1	NORTH MAHONING	4.6	T W PHILLIPS GAS
8300848	15352	3706321152		108		CAROLINE WINING #2	NORTH MAHONING	3.8	T W PHILLIPS GAS
8300996	15565	3706320322		108		DONALD W STREAMS #1	BLACKLICK	1.1	T W PHILLIPS GAS
8300997	15566	3706320258		108		DONALD W STREAMS #2	BLACKLICK	1.8	T W PHILLIPS GAS
8300998	15567	3706320376		108		GILBERT L BUZZINOTTI #1	BLACKLICK	1.3	T W PHILLIPS GAS
8300845	15349	3706520198		108		GODFREY THOMAS #1	OLIVER	3.4	T W PHILLIPS GAS
8300846	15350	3706500000		108		S R WHITESELL #1	PERRY	3.0	T W PHILLIPS GAS

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8300849	15353	3706300000		108		T W PHILLIPS (WOLFE) #1	BRUSH VALLEY	4.8	T W PHILLIPS GAS
8300999	15558	3706320427		108		TREASURER OF U S A #1	BLACKLICK	6.8	T W PHILLIPS GAS
8300844	15348	3706300000		108		W C THOMAS #1	RAYNE	13.5	T W PHILLIPS GAS
-US ENERGY DEVELOPMENT CORP				RECEIVED:	10/05/82	JA: PA			
8300951	15513	3712330910		107-TF		D CURTIS #3	COLUMBUS	20.0	COLUMBIA GAS TRAN
8300952	15514	3712330910		102-2		D CURTIS #3	COLUMBUS	20.0	COLUMBIA GAS TRAN
-VICTORY DEVELOPMENT CO				RECEIVED:	10/05/82	JA: PA			
8300884	15432	3703321252		103		SOLIDAY #1 CLE-21252	PENN	36.0	CONSOLIDATED GAS
-WAINOCO OIL & GAS CO				RECEIVED:	10/05/82	JA: PA			
8300825	11772	3708520266		102-2		CHARLES W SMALL #1 (MC-14)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300826	11773	3708520266		107-TF		CHARLES W SMALL #1 (MC-14)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300819	11766	3708520276		102-2		CHRIS MUSGROVE #1 (MC-17)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300820	11767	3708520276		107-TF		CHRIS MUSGROVE #1 (MC-17)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300813	11760	3708520277		102-2		DAVID STALLSMITH #1 (MC-16)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300814	11761	3708520277		107-TF		DAVID STALLSMITH #1 (MC-16)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300945	15505	3703921444		107-TF		DEARL HINES #1 (W-130)	ATHENS (ROME)	30.0	COLUMBIA GAS TRAN
8300946	15506	3703921444		102-2		DEARL HINES #1 (W-130)	ATHENS (ROME)	30.0	COLUMBIA GAS TRAN
8300811	11758	3708520287		102-2		EARL BURROWS #1 (MC-19)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300812	11759	3708520287		107-TF		EARL BURROWS #1 (MC-19)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300943	15503	3703921553		107-TF		ERNEST P BRUNST #1 (W-132A)	ATHENS (ROME)	21.0	COLUMBIA GAS TRAN
8300944	15504	3703921553		102-2		ERNEST P BRUNST #1 (W-132A)	ATHENS (ROME)	21.0	COLUMBIA GAS TRAN
8300804	11605	3708520265		107-TF		FRANK C & MARGARET NEWBOLD #1 MC-13	GREENVILLE	0.0	TENNESSEE GAS PIP
8300823	11770	3708520235		102-2		GEORGE T ROUNDS #1 (MC-6)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300824	11771	3708520235		107-TF		GEORGE T ROUNDS #1 (MC-6)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300809	11756	3708520284		102-2		HARRY M KASBEE #1 (MC-21)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300810	11757	3708520284		107-TF		HARRY M KASBEE #1 (MC-21)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300815	11762	3708520274		102-2		JOHN CAREY #1 (MC-18)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300816	11763	3708520274		107-TF		JOHN CAREY #1 (MC-18)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300941	15501	3703921539		107-TF		JOHNSON OIL COMPANY #1 (W-137)	ATHENS (ROME)	20.0	COLUMBIA GAS TRAN
8300942	15502	3703921539		102-2		JOHNSON OIL COMPANY #1 (W-137)	ATHENS (ROME)	20.0	COLUMBIA GAS TRAN
8300829	11776	3708520307		102-2		JOSEPH J MORELAND #1 (MC-27)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300830	11777	3708520307		107-TF		JOSEPH J MORELAND #1 (MC-27)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300938	15498	3703921405		102-2		RALPH E BANGS #1 (W-122)	ATHENS (ROME)	25.0	COLUMBIA GAS TRAN
8300947	15507	3703921405		107-TF		RALPH E BANGS #1 (W-122)	ATHENS (ROME)	25.0	COLUMBIA GAS TRAN
8300827	11774	3708520293		102-2		RALPH G FRITZ #1 (MC-25)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300828	11775	3708520293		107-TF		RALPH G FRITZ #1 (MC-25)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300807	11754	3708520285		102-2		RANCE PARTRIDGE #1 (MC-22)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300808	11755	3708520285		107-TF		RANCE PARTRIDGE #1 (MC-22)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300821	11768	3708520234		102-2		ROBERT G ROBERTS #1 (MC-5)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300822	11769	3708520234		107-TF		ROBERT G ROBERTS #1 (MC-5)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300805	11752	3708520291		102-2		RUSSELL WOODCOCK #1 (MC-23)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300806	11753	3708520291		107-TF		RUSSELL WOODCOCK #1 (MC-23)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300939	15499	3703921540		107-TF		WALTER & KATHRYN SMITH #1 (W-140)	ATHENS (ROME)	25.0	COLUMBIA GAS TRAN
8300940	15500	3703921540		102-2		WALTER & KATHRYN SMITH #1 (W-140)	ATHENS (ROME)	25.0	COLUMBIA GAS TRAN
8300817	11764	3708520286		102-2		WILLIAM SHILLING #1 (MC-20)	GREENVILLE	0.0	TENNESSEE GAS PIP
8300818	11765	3708520286		107-TF		WILLIAM SHILLING #1 (MC-20)	GREENVILLE	0.0	TENNESSEE GAS PIP

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8344.

CORRECTIONS TO PREVIOUS NOTICES / REVISIONS TO PRIOR DETERMINATIONS

JD No.	JA	Applicant	Well Name	Orig. FERC Vol. No.	Date Pub. in Federal Register	C:	Correction to prior Fed. Register notice
79-04488MMS(NM)		MTS LTD Part	Suter 2A (MV & PC)			C:	Well Name
79-04489MMS(NM)		MTS LTD Part	Johns Federal #2A(MV& PC)			C:	Well Name
80-07846	OH	Wenner Petroleum	J Rupp, et al #1	128	1-22-80	C:	API No. 34-169-21819
82-20907	NM	Phillips Petroleum Co	Woolworth GP3 #2	616	4-05-82	C:	108 Approved; not 108-ER Well Name
82-40892	OK	Kaiser-Francis Oil Co	Russworm #1	692	7-23-82	C:	102-4 & 103 Approved
82-51099	OH	Robert D. Charlebois	Husman Well #1	733	9-13-82	C:	103 Approved; not 107-TF
82-52086	OH	Rovi Resources Corp	Johnson #1	736	9-22-82	C:	Applicant Name
82-52089	OH	Rovi Resources Corp	Johnson #4	736	9-22-82	C:	Well Name
82-52289MMS(LA)		Forest Oil Corp	S. Marsh IS Blk 143 B-7	737	9-22-82	C:	102-5 Denied by JA
82-52995MMS(WY)		Cotton Petroleum Co	Yates Federal #28-1	739	9-27-82	C:	107-RT Approved; not 107-TF
82-53028	LA	Primos Production Co	Petro-Lewis Nolan Heirs #6	739	9-27-82	C:	Well Name
82-53034	LA	Roberson Well Service	Williamson #1	739	9-27-81	C:	103 & 108 Approved
82-53057	LA	BIG Co	Read #1	739	9-27-82	C:	103 & 108 Approved
82-53087	LA	Gas Resources Inc	Bill G Halley #3	739	9-27-82	C:	103 & 108 Approved
82-53088	LA	Gas Resources Inc	Bill G Halley #4	739	9-27-82	C:	103 & 108 Approved
82-53127	LA	D-Ram Construction Co	French #1	739	9-27-82	C:	103 & 108 Approved
82-53128	LA	D-Ram Construction Co	Haygood #1	739	9-27-82	C:	103 & 108 Approved
82-53130	LA	Gas Resources Inc	E. G Meeks #1	739	9-27-82	C:	103 & 108 Approved
82-53131	LA	Roberson Well Service	Union Power #2	739	9-27-82	C:	103 & 108 Approved
82-53161	LA	Gas Resources Inc	Bill G Halley #5	739	9-27-82	C:	103 & 108 Approved
82-53172	LA	D-Ram Construction Co	Jones #1	739	9-27-82	C:	103 & 108 Approved
82-53174	LA	D-Ram Construction Co	Jones #2	739	9-27-82	C:	103 & 108 Approved
82-53175	LA	D-Ram Construction Co	Morris #1	739	9-27-82	C:	103 & 108 Approved
82-53176	LA	D-Ram Constuction Co	Williams #1	739	9-27-82	C:	103 & 108 Approved
82-55050	PA	Monroe Resources Ltd	Max Manwaring #1	748	10-14-82	C:	API No: 37-123-30551
82-55051	PA	Monroe Resources Ltd	Max Manwaring #1	748	10-14-82	C:	API No: 37-123-30551
82-55521	TX	Reef Oil Corp	W & CL Saunders Unit #1	750	10-14-82	C:	102-4 Approved; not 107-TF
82-55523	TX	Jackson Exploration Inc	Perner #2-X	750	10-14-82	C:	102-4 & 103 Approved
82-55524	TX	Wes-Tex Drilling Co	Valliant #3	750	10-14-82	C:	103 & 107-6 Approved
82-55633	TX	Texas Crude Inc	New Birmingham "B" GU 2	750	10-14-82	C:	Well Name
82-57695B	OH	Ponderosa Oil Co	Leland Kratzer #1	759		C:	107-TF Denied by JA

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-30253 Filed 11-3-82; 8:45 am]

BILLING CODE 6717-01-C

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued: October 29, 1982.

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
						TEXAS RAILROAD COMMISSION			
-A D MAMMEL PROPERTIES INC						RECEIVED: 10/07/82 JA: TX			
8301136	F-06-053954	4241900000		102-4		B J HOYT #1 098965	ANGIE (TRAVIS PEAK TR	18.3	DELHI GAS PIPELIN
8301137	F-06-053955	4241930358		102-4		BRADSHAW - MCSWAIN #3 097936	ANGIE (RODESSA)	54.8	DELHI GAS PIPELIN
8301133	F-06-053951	4241930333		102-4		BRADSHAW-MCSWAIN #1 097469	ANGIE (JAMES LIME)	29.2	DELHI GAS PIPELIN
8301134	F-06-053952	4241930358		102-4		HOLT #1 10654	ANGIE (PETTIT) FIELD	73.0	DELHI GAS PIPELIN
8301135	F-06-053953	4241930349		102-4		TEMPLE-EASTEX #1 098929	ANGIE (PETTET GAS)	14.6	DELHI GAS PIPELIN
-A R ARCHER JR						RECEIVED: 10/07/82 JA: TX			
8301056	F-08-015463	4237130647		108-ER		RYAN #1	ABELL (CLEAR FORK 320	10.2	EL PASO NATURAL G
-ADAMS EXPLORATION CO						RECEIVED: 10/07/82 JA: TX			
8301078	F-08-047421	4217331192		103		POGO GRIGSBY #1	CONGER (PENN)	50.0	PHILLIPS PETROLEU
-ADOBE OIL & GAS CORPORATION						RECEIVED: 10/07/82 JA: TX			
8301231	F 8A-057421	4244531072		103		MULDROW "A" #6	PRENTICE N W (SAN AND	9.0	AMOCO PRODUCTION
-AMAX PETROLEUM CORPORATION						RECEIVED: 10/07/82 JA: TX			
8301104	F-03-051472	4215731276		102-4		C I CARDIFF #1	KATY S (FIRST WILCOX)	1270.0	HOUSTON PIPE LINE
8301113	F-03-051906	4215731276		102-2	103	C I CARDIFF #1	KATY S (FIRST WILCOX)	1270.0	HOUSTON PIPE LINE
-AMINOIL USA INC						RECEIVED: 10/07/82 JA: TX			
8301071	F-02-045983	4229700000		102-4	103	EL PASO NATURAL GAS CO #3	CHAPA EAST (9800*)	1022.0	EL PASO NATURAL G
-AMOCO PRODUCTION CO						RECEIVED: 10/07/82 JA: TX			
8301310	F-08-057552	4247532274		103		E GREEN #1	QUITO W (CHERRY CANYO	160.0	INTERNORTH INC
8301199	F-03-056822	4204130748		102-2		JOHN E MARINO UNIT #1	KURTEN (WOODBINE)	73.0	FERGUSON CROSSING
8301311	F-08-057553	4200333203		103		MIDLAND FARMS UNIT X #6	FASKEN(PENN)	1.5	AMOCO PRODUCTION
-ANDERSON PETROLEUM INC						RECEIVED: 10/07/82 JA: TX			
8301124	F-7C-053050	4210532368		102-4		FRANK WHITE "A" 1-85	LITA (CLEARFORK)	20.0	ANDERSON PIPELINE
8301116	F-7C-052260	4243532547		103	107-TF	JOE FRIEND ESTATE "A" 1-26	ALDWELL RANCH (CANYON	150.0	OZONA PIPELINE CO
-ANDRESS PETROLEUM INC						RECEIVED: 10/07/82 JA: TX			
8301139	F-02-054144	4239131557		102-4		J WELDER #9	DEVILS RUN (6200)	0.0	TENNESSEE GAS PIP
-APACHE CORPORATION						RECEIVED: 10/07/82 JA: TX			
8301145	F-10-054316	4248331025		107-DP		REED #1-A	KEY (MORROW U)	7300.0	EL PASO NATURAL G
-ARCO OIL AND GAS COMPANY						RECEIVED: 10/07/82 JA: TX			
8301096	F-08-050998	4237133197		103		ROXIE NEAL "51" #3	COYANOSA N DELAWARE	1.5	DELHI OIL CORP
8301097	F-7C-051106	4241331091		103		VIRGIL J POWELL TR E WELL #11	TILLERY (CANYON UPPER	4.0	ARCO OIL & GAS CO
-AUSTEX ENERGY INC						RECEIVED: 10/07/82 JA: TX			
8301202	F-7B-056854	4236332812		102-4		O L MALLORY #2 (100890)	MALLORY (STRAWN)	81.0	SOUTHWESTERN GAS
-B & L OPERATING CO						RECEIVED: 10/07/82 JA: TX			
8301353	F-7B-057635	4213333998		102-4		MIDKIFF #2 (18556)	MIDKIFF (ADAMS BRANCH	0.0	ODESSA NATURAL CO
8301352	F-7B-057634	4213334003		102-4		MIDKIFF #7 (18556)	MIDKIFF (ADAMS BRANCH	0.0	ODESSA NATURAL CO
-BASS ENTERPRISES PRODUCTION CO						RECEIVED: 10/07/82 JA: TX			
8301228	F-08-057414	4210931572		103		GEORGE FRASER "5" #2	GERALDINE (DELAWARE 3	1.1	
-BEAL OPERATING						RECEIVED: 10/07/82 JA: TX			
8301165	F-7B-055238	4208332842		102-4		STRAWN #2 (100711)	CAMP COLORADO S (GUNS	54.0	SOUTHWESTERN GAS
-BETTIS BOYLE & STOVALL						RECEIVED: 10/07/82 JA: TX			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8301213	F-04-057120	4224900000		103		OTTO GOLDAPP HEIRS #1
-BILL ROBBINS DRILLING CO				RECEIVED: 10/07/82 JA: TX		
8301126	F-03-053223	4247730414		102-2		SEABACH #1
-C H BROCKETT				RECEIVED: 10/07/82 JA: TX		
8301227	F-7C-057412	4241330961		103		WILSON ESTATE #2
-C L GAGE JR				RECEIVED: 10/07/82 JA: TX		
8301063	F-7B-040760	4236732085		103		REED #1
-CALIX CORP				RECEIVED: 10/07/82 JA: TX		
8301189	F-01-056435	4217731329		102-4		URBAN COWBOY #1 (08194)
-CANYON CO				RECEIVED: 10/07/82 JA: TX		
8301105	F-7C-051474	4210533528		108		SUE HOOVER #2-2
-CARTER ENERGY CORP				RECEIVED: 10/07/82 JA: TX		
8301106	F-09-051478	4249732275		103		J STEVENS UNIT #2-T
-CENERGY EXPLORATION CO				RECEIVED: 10/07/82 JA: TX		
8301217	F-03-057241	4270830224		103		STATE TRACT 10-L SW-4 #2-L
-CHESTER R UPHAM JR				RECEIVED: 10/07/82 JA: TX		
8301062	F-7B-040222	4236300000		102-4		CALABRIA ESTATE #4-C
8301081	F-7B-048124	4236300000		102-4		CALABRIA ESTATE #5 C
8301079	F-7B-047804	4236300000		102-4		CARR #2-C
8301061	F-7B-040202	4236300000		103		J C CALABRIA ESTATE #3-C
8301060	F-7B-040201	4236300000		103		J C CALABRIA ESTATE 4-T
-CITIES SERVICE COMPANY				RECEIVED: 10/07/82 JA: TX		
8301277	F-08-057501	4213533946		103		WEST GOLDSMITH UNIT #5125
8301278	F-08-057502	4213533969		103		WEST GOLDSMITH UNIT #5512
-CORDOVA RESOURCES INC				RECEIVED: 10/07/82 JA: TX		
8301208	F-7B-056911	4213333697		103		NORTH PIONEER UNIT #1510
-COSTA RESOURCES INC				RECEIVED: 10/07/82 JA: TX		
8301344	F-08-057619	4210332645		102-4		TUNSTILL & RENAUD #1
-D & H ENTERPRISES				RECEIVED: 10/07/82 JA: TX		
8301058	F-7C-031984	4243130809		103		D & H ENTERPRISES - JOHNSON
-D H BRAMAN JR				RECEIVED: 10/07/82 JA: TX		
8301226	F-8A-057407	4222700000		103		D H BRAMAN JR - T H HORTON #2
-DAMSON OIL CORPORATION				RECEIVED: 10/07/82 JA: TX		
8301191	F-03-056553	4220131177		102-4		SPUR LAND 1-A
-DAVID A SCHLACHTER OIL & GAS				RECEIVED: 10/07/82 JA: TX		
8301341	F-08-057612	4230100000		108		BELL-LEPP #1
8301340	F-08-057611	4230100000		108		BELL-LEPP #4
-DIAMOND SHAMROCK CORPORATION				RECEIVED: 10/07/82 JA: TX		
8301075	F-10-046839	4221131381		103		FRANK SHALLER "E" 120 #3
-DISCOVERY OPERATING INC				RECEIVED: 10/07/82 JA: TX		
8301187	F-7C-056264	4241331196		103	107-TF	RUTH "A" #1
-DONALD C SLAWSON				RECEIVED: 10/07/82 JA: TX		
8301271	F-10-057486	4229531176		103		MITCHELL #3-147
-DONNIE D SMITH				RECEIVED: 10/07/82 JA: TX		
8301209	F-7B-056920	4208300000		103		J BARR #1
-DOWCO PETROLEUM INC				RECEIVED: 10/07/82 JA: TX		
8301111	F-06-051831	4240131279		102-4		RUBY HUNT UNIT #1 WELL #1
-DYCO PETROLEUM CORPORATION				RECEIVED: 10/07/82 JA: TX		
8301091	F-10-050548	4221131505		103		LEE #1-5
-EDWIN L COX				RECEIVED: 10/07/82 JA: TX		
8301128	F-04-053393	4247933295		103	107-TF	OLMITOS RANCH #3
-EL PASO NATURAL GAS COMPANY				RECEIVED: 10/07/82 JA: TX		
8301070	F-10-045744	4208730168		108-ER		MCDOWELL #13

FIELD NAME	PROD	PURCHASER
TSESMELIS (4500A)	0.0	VALLEY GAS CO
GIDDINGS (AUSTIN CHAL	365.0	PHILLIPS PETROLEU
CAMAR SW (STRAWN 4350	9.4	ARCO OIL & GAS CO
	107.0	SOUTHWESTERN GAS
CHRISTIAN (6800)	72.0	VALERO TRANSMISSI
AMERICAN (SPRABERRY B	7.0	EL PASO NATURAL G
BOONSVILLE (BEND CONG	130.0	LONE STAR GAS COM
HIGH ISLAND BLOCK 10-	0.0	TRANSCONTINENTAL
CALABRIA (CONGL 3700)	0.0	SOUTHWESTERN GAS
CALABRIA (BIG SALINE)	0.0	SOUTHWESTERN GAS
CARR RANCH (STRAWN 25	0.0	SOUTHWESTERN GAS
CALABRIA (CONGL 3800)	0.0	SOUTHWESTERN GAS
PALO PINTO	0.0	
GOLDSMITH W (CLEARFOR	18.0	SHELL OIL CO
GOLDSMITH W (CLEARFOR	6.0	SHELL OIL CO
EASTLAND COUNTY REGUL	9.1	ODESSA NATURAL GA
COSTA (CLEARFORK UPPE	10.9	PERRY PIPELINE CO
JAMESON (STRAWN)	48.0	SUN OIL CO
ACKERLY (DEAN SAND)	25.0	GETTY OIL CO
CROSBY NORTH (COOK MT	180.0	UNITED TEXAS TRAN
WHEAT	6.7	PHILLIPS PETROLEU
WHEAT	1.8	PHILLIPS PETROLEU
CANADIAN SE	485.0	INTERNORTH INC
W J S (CANYON)	36.7	CRA INC
BECKTHOLD (TONKAWA	150.0	HIGH PLAINS NATUR
COLEMAN COUNTY REGULA	15.0	UNION TEXAS PETRO
MINDEN (TRAVIS PEAK-A	0.0	TEXAS UTILITIES F
	200.0	EL PASO NATURAL G
MUJERES CREEK (LOBO 6	360.0	EL PASO NATURAL G
PANHANDLE EAST	19.0	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8301077	F-10-047223	4208726180		108		MCDOWELL #6
8301347	F-10-057622	4248326201		108		NELSON #1
8301346	F-10-057621	4208730165		108		WISCHKAEMPER I #1
				RECEIVED: 10/07/82 JA: TX		
-ENERGETICS INC						
8301281	F-10-057513	4237530689		103		MASTERSON #G-26 (038839)
8301282	F-10-057514	4237530888		103		MASTERSON #G-28 (038839)
8301284	F-10-057516	4234130816		103		MASTERSON #H-21 (038839)
8301283	F-10-057515	4234130811		103		MASTERSON#G-25 (038839)
				RECEIVED: 10/07/82 JA: TX		
-ENERGY RESERVES GROUP INC						
8301184	F-7C-056204	4238300000		108		RUPERT P RICKER "F" #1
				RECEIVED: 10/07/82 JA: TX		
-ENSERCH EXPLORATION INC						
8301339	F-05-057610	4228900000		108		T S GASAWAY #1
				RECEIVED: 10/07/82 JA: TX		
-EXXON CORPORATION						
8301188	F-04-056378	4204731082		102-4		D J SULLIVAN "B" 56 (ID PENDING)
8301348	F-03-057623	4248132325		103		H C COCKBURN #119
8301140	F-05-054169	4224531291		103		J A DISHMAN -B- WELL 5
8301212	F-04-057038	4226130714		102-4		K R TID MOYA 11 (100544)
8301218	F-06-057263	4220330913		102-2	107-TF	O O MORGAN GAS UNIT #1 #1
				RECEIVED: 10/07/82 JA: TX		
-F B LACY						
8301095	F-04-050835	4247933226		102-4		BENAVIDES #2
				RECEIVED: 10/07/82 JA: TX		
-FLORIDA GAS EXPLORATION COMPANY						
8301142	F-7C-054264	4243532753		103	107-TF	FLORENCE 26-#1
8301094	F-7C-050801	4243532652		103	107-TF	FLORENCE 27 #3
8301101	F-7C-051119	4243500000		103	107-TF	FLORENCE 32 #4
8301141	F-7C-054198	4243532682		103	107-TF	HUNT 34-#2
8301345	F-06-057620	4200131199		103		PAUL WILLIAMS #1
				RECEIVED: 10/07/82 JA: TX		
-GEOCHEMICAL SURVEYS INC						
8301144	F-7C-054289	4243532734		103	107-TF	SIMMONS RANCH #8
				RECEIVED: 10/07/82 JA: TX		
-GETTY OIL COMPANY						
8301211	F-7B-056994	4235300000		103		C E BOYD 64 #1
8301210	F-8A-056933	4203330780		103		CLAYTON RANCH #3
8301138	F-04-054047	4247900000		102-4	107-TF	EL GATO #7
8301103	F-06-051445	4234700000		102-2		MANUEL HERRERA #1
8301076	F-02-046922	4202500000		102-4	103	NONA B DAVIS #52
8301086	F-01-049720	4228300000		103		V SIENKIEWICZ #2
8301072	F-06-046424	4236500000		103	107-TF	WERNER-BARNETT #2
				RECEIVED: 10/07/82 JA: TX		
-GHR ENERGY CORP						
8301112	F-04-051889	4250531410		102-4	107-TF	MCASKILL #7
				RECEIVED: 10/07/82 JA: TX		
-GULF OIL CORPORATION						
8301333	F-09-057603	4223731414		108		BUTTON CROWLEY #2
8301258	F-09-057448	4223795021		108		CAP YATES #6
8301317	F-03-057572	4204130488		102-2		D L PETERS #1
8301287	F-7B-057519	4222130142		108		D MCINTOSH #2
8301288	F-7B-057521	4222130176		108		D MCINTOSH #3
8301325	F-7B-057595	4241795001		108		EASTER BROTHERS #1
8301327	F-7B-057597	4241795002		108		EASTER BROTHERS #2
8301328	F-7B-057598	4241732511		108		EASTER BROTHERS #4
8301285	F-7B-057517	4222130402		108		F WEST #2
8301332	F-09-057602	4249701520		108		GERTRUDE BOYD #1
8301256	F-7B-057446	4236330451		108		H L SIKES #3
8301260	F-7B-057450	4242530104		108		H W MCDOWELL "A" #1
8301240	F-08-057430	4247532628		103		HUTCHINGS STOCK ASSN #1081
8301245	F-08-057435	4247532633		103		HUTCHINGS STOCK ASSN #1095

FIELD NAME	PROD	PURCHASER
PANHANDLE EAST	21.5	EL PASO NATURAL G
PANHANDLE - EAST	20.3	EL PASO NATURAL G
PANHANDLE - EAST	25.8	EL PASO NATURAL G
PANHANDLE (RED CAVE)	8.0	COLORADO INTERSTA
PANHANDLE (RED CAVE)	22.0	COLORADO INTERSTA
PANHANDLE (RED CAVE)	6.0	COLORADO INTERSTA
PANHANDLE (RED CAVE)	8.0	COLORADO INTERSTA
CALVIN (DEAN)	14.2	UNION TEXAS PETRO
RED OAK	15.0	LONE STAR GAS CO
PITA (E-4 NE)	50.0	TENNESSEE GAS PIP
MAGNET WITHERS	22.0	ARMCO STEEL CORP
AMELIA (FLEMING Z-1)	22.0	HOUSTON PIPELINE
CALANDRIA (G-97)	600.0	ARMCO STEEL CORP
BLOCKER (COTTON VALLE	182.0	DELHI GAS PIPELIN
J E WILSON (7100)	36.0	VALERO TRANSMISSI
PHYLLIS SONORA	0.0	INTRATEX GAS CO
PHYLLIS SONORA	0.0	INTRATEX GAS CO
PHYLLIS SONORA	0.0	INTRATEX GAS CO
PHYLLIS SONORA	0.0	INTRATEX GAS CO
BOIS D'ARC (RODESSA)	237.3	LONE STAR GAS CO
SONORA (CANYON UPPER)	36.0	EL PASO NATURAL G
DORA NORTH (ELLENBURG	0.0	
EAST TANK (FUSSELMAN)	2.0	
EL GATO (HIRSCH 8480)	350.0	TRANSCONTINENTAL
MARTINSVILLE (TRAVIS	146.0	TEXAS EASTERN TRA
PROPOSED YOUGEEN (YEG	0.0	UNITED GAS PIPELI
PEARSALL (AUSTIN CHAL	0.0	CACAHUATE GAS COR
CARTHAGE (COTTON VALL	0.0	DELHI GAS PIPELIN
MCASKILL (LOBO 11300)	730.0	VALERO TRANSMISSI
JACK COUNTY REGULAR	11.0	NATURAL GAS PIPEL
BOONSVILLE (BEND CONG	14.0	NATURAL GAS PIPEL
KURTEN	43.8	PRODUCER'S GAS CO
MCINTOSH (STRAWN)	13.0	LONE STAR GAS CO
MCINTOSH (STRAWN)	8.0	LONE STAR GAS CO
EASTER BROTHERS (MISS	5.0	LONE STAR GAS CO
EASTER BROTHERS (MISS	2.0	LONE STAR GAS CO
EASTER BROTHERS (MISS	4.0	LONE STAR GAS CO
MCINTOSH (BIG SALINE)	15.0	LONE STAR GAS CO
ALVORD (CADDO CONGL)	4.0	CITIES SERVICES O
GRAFORD S (CONGL)	6.0	BRAZOS FUEL CO IN
BRATTEN (STRAWN)	7.0	LONE STAR GAS CO
WARD-ESTES NORTH	14.0	CABOT CORP
WARD-ESTES NORTH	3.0	CABOT CORP

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8301244	F-08-057434	4247532441		103		HUTCHINGS STOCK ASSN #1148	WARD-ESTES NORTH	10.0	CABOT CORP
8301246	F-08-057436	4247532629		103		HUTCHINGS STOCK ASSN #1165	WARD-ESTES NORTH	66.0	CABOT CORP
8301247	F-08-057437	4247532602		103		HUTCHINGS STOCK ASSN #1173	WARD-ESTES NORTH	54.0	CABOT CORP
8301248	F-08-057438	4247532578		103		HUTCHINGS STOCK ASSN #1176	WARD-ESTES NORTH	61.0	CABOT CORP
8301249	F-08-057439	4247532579		103		HUTCHINGS STOCK ASSN #1187	WARD-ESTES NORTH	43.0	CABOT CORP
8301250	F-08-057440	4247532620		103		HUTCHINGS STOCK ASSN #1188	WARD-ESTES NORTH	25.0	CABOT CORP
8301336	F-78-057606	4236330226		108		J B RAGLE #1	RIFE (CONGL 3900)	14.0	BRAZOS FUEL CO IN
8301176	F-03-055838	4215731247		103		J H P DAVIS #26	LONG POINT (FRIO)	70.0	HOUSTON PIPE LINE
8301338	F-78-057608	4236330587		108		J M MCCLURE #1	RIFE (CONGL 3900)	9.0	BRAZOS FUEL CO IN
8301290	F-78-057522	4236330349		108		J R HALSELL #4	GRAFORD C (CONGL)	2.0	BRAZOS FUEL CO
8301254	F-78-057444	4236331195		108		JENNIE M GERMANY #9	J V T (CONGL 4250)	15.0	BRAZOS FUEL CO IN
8301289	F-78-057521	4222130405		108		L MCINTOSH #1	MCINTOSH (STRAWN)	12.0	LONE STAR GAS CO
8301255	F-78-057445	4236330886		108		M H MCMURREY D #4	J V T (CONGL 4250)	17.0	BRAZOS FUEL CO IN
8301330	F-78-057600	4242900775		108		MAGGIE HARRIS #2	STEPHENS CO REGULAR	3.0	LONE STAR GAS CO
8301331	F-78-057601	4242900782		108		MAGGIE HARRIS #3	STEPHENS CO REGULAR	3.0	LONE STAR GAS CO
8301329	F-78-057599	4242931080		108		MAGGIE HARRIS #5	STEPHENS CO REGULAR	2.0	LONE STAR GAS CO
8301241	F-78-057431	4242931606		108		R S TAYLOR #3	STEPHENS CO REG (GAS)	9.0	LONE STAR GAS CO
8301130	F-04-053725	4250531117		107-TF		R VIDAURRI #7	VIDAURRI (WILCOX 8200	250.0	TENNESSEE GAS PIP
8301251	F-08-057441	4247532499		103		UNIVERSITY 1829 #5	WAR-WINK S (WOLFCAMP)	130.0	VALERO TRANSMISSI
8301257	F-78-057447	4222130393		108		V SWAIM #1	MCINTOSH (STRAWN)	8.0	LONE STAR GAS CO
8301286	F-78-057518	4222130417		108		W L SCHOMERS #1	MCINTOSH (BIG SALINE)	14.0	LONE STAR GAS CO
8301334	F-7C-057604	4241700826		108		WALKER-BUCKLER TR 15 #3	SHACKELFORD NE (MISS)	14.0	LONE STAR GAS CO
8301335	F-78-057605	4241795003		108		WALKER-BUCKLER TRUST B #1	SHACKELFORD NE (MISS)	8.0	LONE STAR GAS CO
8301259	F-78-057449	4242900777		108		WHALEN-WILSON #1	AKIN (CADDO)	18.0	LONE STAR GAS CO
8301326	F-78-057596	4236331236		108		WILEY T GREEN #2	RIFE(CONGL 3900)	8.0	BRAZOS FUEL CO IN
8301337	F-78-057607	4236330483		108		WILSON-HITTSON UNIT #1	RIFE(CONGL 3900)	6.0	BRAZOS FUEL CO IN
-HANOVER MANAGEMENT CO				RECEIVED:	10/07/82	JA: TX			
8301183	F-06-056203	4240131286		102-2		J E HARRELL #1	MINDEN W (PETTIT PAGE	72.0	TEXAS UTILITIES F
-HARRISON INTERESTS LTD				RECEIVED:	10/07/82	JA: TX			
8301162	F-7C-055129	4210533849		103	107-TF	JOHN W HENDERSON III "K" #26	OZONA (CANYON SAND)	657.0	INTRATEX GAS CO
-HENRY PETROLEUM CORP				RECEIVED:	10/07/82	JA: TX			
8301198	F-8A-056815	4211500000		103		KING #3	TEX-HAMON (DEAN)	0.0	GETTY OIL CO
-HERBERT L DILLON JR				RECEIVED:	10/07/82	JA: TX			
8301057	F-32-029271	4229732164		102-2		E A MINES #1 (096922)	TEXAM (WILCOX 8300) F	365.0	HOUSTON PIPE LINE
-HIGH CHAPPARAL OIL CO				RECEIVED:	10/07/82	JA: TX			
8301275	F-03-057495	4247300000		102-4		COWAN-ZOLLMAN-HIGH CHAPP #2 #100228	COROLLA (YEGUA 4600)	314.0	LONE STAR GAS CO
-HNG OIL COMPANY				RECEIVED:	10/07/82	JA: TX			
8301149	F-04-054535	4247900000		102-4	103	BRUNI MINERAL "C" #2	JUANITA (LOBO)	0.0	HOUSTON PIPELINE
8301149	F-04-054535	4247900000		107-TF		BRUNI MINERAL "C" #2	JUANITA (LOBO)	0.0	HOUSTON PIPELINE
8301093	F-04-050729	4247900000		103		ROSA K DE BENAVIDES #1	WEST COLE	0.0	HOUSTON PIPELINE
-HOMABY BAY PETROLEUM CORP				RECEIVED:	10/07/82	JA: TX			
8301167	F-04-055293	4226100000		102-4		STATE OF TEXAS TR 284 #2-L (09216)	POTRERO LOPENA (7450)	192.0	TEJAS GAS CORP
-HOOVER B L JR				RECEIVED:	10/07/82	JA: TX			
8301153	F-10-054692	4217900000		103		J B BOWERS "B" #1-R (ID#099712)	PANHANDLE WEST	140.0	CABOT PIPELINE CO
-HOUSTON OIL & MINERALS CORPORATION				RECEIVED:	10/07/82	JA: TX			
8301064	F-03-041422	4216730855		103		STATE TRACT 343 WELL #14	POINT BOLIVAR N (L-1)	0.0	LONE STAR GAS CO
-HUFO PRODUCTION CORP				RECEIVED:	10/07/82	JA: TX			
8301085	F-10-049514	4234130751		103		BRENT 60 #6	BRENT (GRANITE WASH)	0.0	PANHANDLE EASTERN
8301084	F-10-049511	4234130735		103		BRENT 60-3	BRENT (PANHANDLE MOOR	0.0	PANHANDLE EASTERN
8301087	F-10-050082	4206530813		103		BURNETT-25 #9	PANHANDLE CARSON COUN	0.0	PANHANDLE EASTERN
-HUNT OIL COMPANY				RECEIVED:	10/07/82	JA: TX			
8301196	F-7C-056808	4246131885		102-4		V T AMACKER "G" 78 #3		136.0	EL PASO NATURAL G
-J C MCCABE				RECEIVED:	10/07/82	JA: TX			

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8301159	F-04-054840	4250531536		103		J AUSTIN TAYLOR #1
-J M HUBER CORPORATION				RECEIVED:		10/07/82 JA: TX
8301088	F-10-050306	4223331282		103		MAGNOLIA HERRING #23
8301274	F-10-057491	4223331413		103		SOUTH HERRING #169
-J-O*B OPERATING CO				RECEIVED:		10/07/82 JA: TX
8301214	F-06-057123	4207330471		102-4		J T HART #1 (ID NOT YET ASSIGNED)
-JATAM INC				RECEIVED:		10/07/82 JA: TX
8301108	F-7C-051542	4243130971		103		JATAM INC KNIGHT -117 (#2)
8301107	F-7C-051541	4243130974		103		JATAM INC KNIGHT-117 (#1)
-JOHN L COX				RECEIVED:		10/07/82 JA: TX
8301132	F-08-053928	4231732529		103		IDA BRISTOW #1-X RRC #16260
-KEITH D GRAHAM				RECEIVED:		10/07/82 JA: TX
8301221	F-03-057359	4205131801		102-2		WILKERSON UNIT #1 ID-15798
-KERR-MCGEE CORPORATION				RECEIVED:		10/07/82 JA: TX
8301065	F-10-041795	4221131348		102-2		BOWERS #1-251
-LOGUE AND PATTERSON INC				RECEIVED:		10/07/82 JA: TX
8301117	F-02-052331	4202531826		102-4		MARGIE CARR COLLIER #1
-LYN-SAN CO				RECEIVED:		10/07/82 JA: TX
8301216	F-08057195	4210332920		103		REIDLAND #1
-M BRAD BENNETT INC & RKH LTD				RECEIVED:		10/07/82 JA: TX
8301146	F-7C-054323	4241331136		102-4		BRUTON #2
8301102	F-08-051141	4238931250		102-4	103	COLLIE "B" #2
-MAJOR EXPLORATION INC				RECEIVED:		10/07/82 JA: TX
8301109	F-01-051593	4216332133		103		DAVIES #2
-MARSHALL EXPLORATION INC				RECEIVED:		10/07/82 JA: TX
8301074	F-06-046487	4241930350		103		BAILEY #1
8301172	F-03-055445	4231330352		103		BOONE #1
8301177	F-03-055847	4231330352		102-4		BOONE #1
8301115	F-06-052081	4236531227		103		LACY-PACE #1
8301073	F-06046485	4218330507		103		T A HALE #1
-MAYCO OIL				RECEIVED:		10/07/82 JA: TX
8301194	F-09-056700	4207732646		103		VERNON CRUMP #1
-MCIVER INC				RECEIVED:		10/07/82 JA: TX
8301143	F-7B-054283	4208300000		102-4		GRACE ELLIS #1
-MEADCO PROPERTIES				RECEIVED:		10/07/82 JA: TX
8301154	F-7C-054728	4223531937		102-2		E SUGG 1905 #2 RRC #-09035
-MEG PETROLEUM CORP				RECEIVED:		10/07/82 JA: TX
8301276	F-7C-057499	4223531911		102-2	103	LOPEZ CREEK #5
8301262	F-7C-057457	4223531925		102-2	103	LOPEZ CREEK #7
8301219	F-7C-057302	4223531924		102-2	103	LOPEZ CREEK #8
-MITCHELL ENERGY CORPORATION				RECEIVED:		10/07/82 JA: TX
8301125	F-7B-053219	4263332853		103		CLAYTON "C" #2 #100645
8301179	F-7B-056040	4236732271		103		WESLEY STRAIN #4
-MOBIL PRDG TEXAS & NEW MEXICO INC				RECEIVED:		10/07/82 JA: TX
8301192	F-04-056580	4247932578		102-4		LAREDO NATIONAL BANK TRUSTEE #1
8301270	F-8A-057485	4221933536		103		NORTH CENTRAL LEVELLAND UNIT #366
-MORAN EXPLORATION INC				RECEIVED:		10/07/82 JA: TX
8301268	F-08-057483	4231730206		108		CROSS "A" #1
8301269	F-08-057484	4231730242		108		CROSS "A" #2
8301349	F-08-057627	4231730247		108		MCALPINE #2
8301351	F-7C-057630	4223531317		108		ROCKER B 85 #2
8301350	F-7C-057629	4223531370		108		ROCKER B 86 #2
-MORROW RESOURCES INC				RECEIVED:		10/07/82 JA: TX

FIELD NAME	PROD	PURCHASER
HINNANT RANCH FIELD	36.0	HOUSTON PIPE LINE
PANHANDLE	44.0	COLORADO INTERSTA
PANHANDLE	43.0	COLORADO INTERSTA
LARISSA (RODESSA)	915.0	LONE STAR GAS CO
JAMESON (STRAWN)	36.0	SUN OIL CO
JAMESON (STRAWN)	32.0	SUN OIL CO
SPRABERRY (TREND AREA	10.0	PHILLIPS PETROLEU
GIDDINGS (AUSTIN CHAL	93.1	CLAJON GAS CO
UNKNOWN	274.0	EL PASO NATURAL G
LINKE (1900) (PROPOSE	73.0	VALERO TRANSMISSI
SAND HILLS (TUBB)	56.2	WARREN PETROLEUM
GENEVA (STRAWN)	146.0	PRODUCERS GAS CO
COLLIE (DELAWARE)	127.7	INTRATEX GAS CO
PEARSALL (BUDA LIME)	14.0	T G T INC
HUXLEY (6100)	160.0	UNITED GAS PIPELI
MADISONVILLE W (GEORG	360.0	MAR-CON ENERGY IN
MADISONVILLE W (GEORG	290.0	MAR-CON ENERGY IN
WILDCAT	150.0	TEXAS EASTERN TRA
WILLOW SPRINGS (TRAVI	360.0	DELHI GAS PIPELIN
BLUEGROVE	52.0	FAGADAU ENERGY CO
ELLIS (FRY)	0.0	LONE STAR GAS CO
ELA SUGG (CISCO)	0.0	INTER NORTH INC
ROCK PEN (CANYON)	96.5	INTER NORTH INC
ROCK PEN (CANYON)	147.2	INTERNORTH INC
ROCK PEN (CANYON)	25.0	INTERNORTH INC
TALOS (CONGL)	478.0	SOUTHWESTERN GAS
BRAZOS EAST (CADDO)	370.5	SOUTHWESTERN GAS
CANTU (LOBO 6)	982.9	UNITED TEXAS TRAN
LEVELLAND	5.1	AMOCO PRODUCTION
SPRABERRY (TREND AREA	2.5	ADOBE OIL CO
SPRABERRY (TREND AREA	2.3	ADOBE OIL CO
SPRABERRY (TREND AREA	4.4	ADOBE OIL CO
ELA SUGG (WOLFCAMP)	18.3	INTERNORTH INC
ELA SUGG (WOLFCAMP)	11.5	INTERNORTH INC

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8301203	F-7C-056877	4245130986		102-2	103	BROWN C #1
				RECEIVED:	10/07/82	JA: TX
-NEUMIN PRODUCTION CO						
8301150	F-02-054566	4223931733		102-4		STATE TRACT260 UNIT #1 WELL #2
				RECEIVED:	10/07/82	JA: TX
-NORMAN EVANS						
8301193	F-7B-056583	4236732302		103		PATRICIA BANKS #1
				RECEIVED:	10/07/82	JA: TX
-NORTH RIDGE CORP						
8301155	F-7B-054801	4213333913		102-4	103	HALL WALKER (BEARDEN) #2
8301156	F-7B-054802	4213333808		102-4	103	W C VOWELL #1
				RECEIVED:	10/07/82	JA: TX
-NORTH STAR PETROLEUM CORPORATION						
8301197	F-10-056810	4223300000		108		DUKE HEIRS YAKE 1-RC
				RECEIVED:	10/07/82	JA: TX
-NORTHWEST OIL CO						
8301316	F-03-057563	4236130364		102-4		CRAWFORD W J
				RECEIVED:	10/07/82	JA: TX
-P & R OIL INC						
8301190	F-7C-056511	4242933233		102-4		MCCONNELL #1
				RECEIVED:	10/07/82	JA: TX
-PATRICK PETROLEUM CORP (MI)						
8301175	F-02-055835	4229732716		102-4		HENRY E HOUDMANN #1
				RECEIVED:	10/07/82	JA: TX
-PEND OREILLE OIL & GAS CO						
8301181	F-02-056146	4229733179		102-4		STANLEY PAWLIK GAS UNIT #2-L
8301182	F-02-056147	4229733179		102-4		STANLEY PAWLIK GAS UNIT 2-U
				RECEIVED:	10/07/82	JA: TX
-PENINSULA RESOURCES CORPORATION						
8301160	F-04-054865	4227331550		102-4		LEO KAUFER #1-T
				RECEIVED:	10/07/82	JA: TX
-PENNZOIL PRODUCING COMPANY						
8301080	F-06-048034	4236531290		103	107-TF	DENNARD UNIT #3
8301131	F-06-053915	4236531380		103	107-TF	HALL UNIT #2
				RECEIVED:	10/07/82	JA: TX
-PETROLEUM EQUITIES CORP						
8301169	F-7C-055328	4243532728		103	107-TF	VANDERSTUCKEN #4A
8301170	F-7C-055329	4243532758		103	107-TF	VANDERSTUCKEN #9
				RECEIVED:	10/07/82	JA: TX
-PHILCON DEVELOPMENT CO						
8301178	F-10-056003	4229531131		103		GEORGE #1
				RECEIVED:	10/07/82	JA: TX
-PHILLIPS PETROLEUM COMPANY						
8301279	F-08-057506	4213503144		108		(21193) GS ANDECTOR #L-13
8301314	F-10-057561	4242100000		108		BRADY E #1
8301280	F-08-057507	4200304521		108		EMBAR B #23
8301315	F-10-057562	4223300000		108		TIMMS E T #8
8301313	F-10-057559	4223300000		108		WHITTENBURG #78
				RECEIVED:	10/07/82	JA: TX
-PICKENS CO INC						
8301195	F-04-056704	4227330512		102-4		SEXAUER #5
				RECEIVED:	10/07/82	JA: TX
-PITTS OIL CO & DALLAS PROD INC						
8301092	F-06-050599	4207330446		103		HOLCOMB-LITTLE #2
8301114	F-06-051959	4207330454		103		LITTLE #2
				RECEIVED:	10/07/82	JA: TX
-POLK & PATTON INC						
8301220	F-09-057336	4227532857		103		HUBERT C CHOWNING ID #19732
				RECEIVED:	10/07/82	JA: TX
-POWCO OIL & GAS INC						
8301205	F-06-056890	4245900000		103	107-TF	SMITH HEIRS-FLOYD #1
				RECEIVED:	10/07/82	JA: TX
-PRIMAL RESOURCES INC						
8301118	F-7B-052452	4208332622		103		WESTMORELAND #1
				RECEIVED:	10/07/82	JA: TX
-RAINBOW RESOURCES INC						
8301067	F-06-044514	4240500000		102-4	107-TF	B M POLLARD GAS UNIT #1
				RECEIVED:	10/07/82	JA: TX
-RAVEN ENERGY INC						
8301272	F-10-057489	4217930925		103		JEANNE #1 05080
8301273	F-10-057490	4217930920		103		JEANNE #2 05080
				RECEIVED:	10/07/82	JA: TX
-RENDOVA OIL CO						
8301098	F-08-051114	4237100000		103		ARCO FEE #1

FIELD NAME	PROD	PURCHASER
K W B (STRAWN)	114.5	LONE STAR GAS CO
APPLING POINT (F-22)	500.0	ALUMINUM CO OF AM
POOLVILLE SW (CONG 47	127.8	LONE STAR GAS CO
RANGER (BLACK LIME WE	0.0	PRISM ENTERPRISES
RANGER (BLACK LIME WE	0.0	PRISM ENTERPRISES
PANHANDLE WEST RED CA	8.0	PANHANDLE PRODUCI
ADAMS RANCH W (1ST NO	3212.0	UNITED TEXAS TRAN
VEAL CREEK (STRAWN)	350.0	SUN GAS TRANSMISS
KITTIE BURNS	1000.0	VALERO TRANSMISSI
FANT (WILCOX 10200)	1825.0	VALLEY GAS TRANSM
FANT (WILCOX 9500)	1825.0	VALLEY GAS TRANSM
MAY SOUTH (7600') PRO	6.0	TEXAS EASTERN TRA
CARTHAGE/COTTON VALLE	585.0	UNITED GAS PIPE L
CARTHAGE (COTTON VALL	584.0	UNITED GAS PIPE L
SAWYER (CANYON)	65.0	LONE STAR GAS CO
SAWYER (CANYON)	75.0	LONE STAR GAS CO
GLAZIER N W (MORROW U	183.0	PHILLIPS PETROLEU
GOLDSMITH (CLEARFORK)	1.0	EL PASO NATURAL G
TEXAS HUGOTON - DOLOM	0.0	MICHIGAN WISCONSI
GOLDSMITH (5600)	1.0	EL PASO NATURAL G
PANHANDLE - HUTCHINSO	0.0	GETTY OIL CO
PANHANDLE - HUTCHINSO	0.0	EL PASO NATURAL G
RICARDO SOUTH (STRAY	3.8	HOUSTON PIPE LINE
WHITE OAK CREEK (TRAV	365.0	DELHI GAS PIPELIN
WHITE OAK CREEK (TRAV	360.0	DELHI GAS PIPELIN
TRUSCOTT SW (ATOKA)	21.9	SUN GAS TRANSMISS
GLENWOOD (COTTON VALL	62.0	DELHI GAS PIPELIN
COUNTY REY	110.0	UNION TEXAS PETRO
CAMP WORTH (JAMES LIM	146.0	UNITED GAS PIPE L
PANHANDLE GRAY COUNTY	72.0	GETTY OIL COMPANY
PANHANDLE GRAY COUNTY	72.0	GETTY OIL CO
NETTERVILLE	0.0	WARREN PETROLEUM

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8301099	F-08-051115	4237100000		103		ARCO FEE #2	NETTERVILLE	0.0	WARREN PETROLEUM
8301100	F-08-051116	4237100000		103		ARCO FEE #3	NETTERVILLE	0.0	WARREN PETROLEUM
-RICHEY & CO INC				RECEIVED:	10/07/82	JA: TX			
8301152	F-09-054586	4249732375		103		MCCURDY #1	BOONSVILLE (BEND CONG	200.0	LONE STAR GAS CO
-ROCKY MOUNTAIN RESOURCES INC				RECEIVED:	10/07/82	JA: TX			
8301291	F-78-057531	4205900000		102-4		PUCKETT #5 LEASE 18736	ROCKY MOUNTAIN (MISSI	0.0	PECOS GATHERING S
8301161	F-78-054924	4205900000		102-4	103	RAMON PUCKETT #1	ROCKY MOUNTAIN (MISSI	300.0	PECOS GATHERING S
-ROOSTH & GENECOV PRODUCTION CO				RECEIVED:	10/07/82	JA: TX			
8301225	F-06-057394	4240131305		102-4		GEORGE CURBO #18	WM CHRISTIAN SURVEY A	365.0	ARCO OIL & GAS CO
-SAGE ENERGY CO				RECEIVED:	10/07/82	JA: TX			
8301121	F-03-052717	4205132210		102-2		ALTON UNIT #1 RRC #15840	GIDDINGS (AUSTIN CHAL	0.9	PHILLIPS PETROLEU
8301201	F-03-056829	4205100000		102-2		BIRCH CREEK "G" #1 RRC #15804	GIDDINGS (AUSTIN CHAL	198.0	PHILLIPS PETROLEU
8301200	F-03-056828	4205100000		102-2		BIRCH CREEK "J" #1 RRC #15800	GIDDINGS (AUSTIN CHAL	142.2	PHILLIPS PETROLEU
8301120	F-03-05215	4205100000		102-2		BROCK #N-2 RRC #100566	BIG "A" TAYLOR	278.3	PHILLIPS PETROLEU
8301261	F-03-057454	4214900000		102-2		DEBAKEY #1 RRC #15684	GIDDINGS (AUSTIN CHAL	56.6	PHILLIPS PETROLEU
8301123	F-03-052720	4228700000		103		DREAMER #2 RRC #13565	GIDDINGS (AUSTIN CHAL	109.5	PHILLIPS PETROLEU
8301119	F-03-052712	4205100000		102-2		LEWIS #1 RRC #15789	GIDDINGS (AUSTIN CHAL	333.0	PHILLIPS PETROLEU
8301342	F-7C-057616	4210500000		103		UNIVERSITY 47-3 #1 RRC #09605	FARMER (SAN ANDRES)	1.3	INTERNORTH INC
8301343	F-7C-057617	4238300000		103		UNIVERSITY 7-GA #5 RRC #08876	FARMER (SAN ANDRES)	4.5	INTERNORTH INC
-SAMEDAN OIL CORPORATION				RECEIVED:	10/07/82	JA: TX			
8301129	F-8A-053415	4216532071		103		SOUTH CENTRAL ROBERTSON UNIT #55	ROBERTSON NORTH/CLEAR	0.0	PHILLIPS PETROLEU
-SCANDRILL CO				RECEIVED:	10/07/82	JA: TX			
8301066	F-10-042970	4248330856		102-4	103	MUNDAY #1	SHAR-PAT (GRANITE WAS	286.9	PALO DURO PIPELIN
-SEAGULL RESOURCES INC				RECEIVED:	10/07/82	JA: TX			
8301164	F-02-055182	4217500000		102-4		GBRA #1-T	COLLETOVILLE CREEK (V	0.0	MAR/CON ENERGY IN
-SHELL OIL CO				RECEIVED:	10/07/82	JA: TX			
8301304	F-10-057546	4229500000		108		BRADFORD R C #1722	BRADFORD (TONKAWA)	3.4	TRANSWESTERN PIPE
8301295	F-8A-057536	4250100000		108		DENVER UNIT #3506	WASSON	0.5	SHELL OIL CO
8301294	F-8A-057535	4250100000		108		DENVER UNIT #3832	WASSON	0.7	SHELL OIL CO
8301293	F-8A-057534	4250100000		108		DENVER UNIT #4212	WASSON	1.0	SHELL OIL CO
8301297	F-08-057538	4213500000		108		E HARPER UNIT #211	HARPER	0.2	PHILLIPS PETROLEU
8301298	F-08-057539	4213500000		108		E HARPER UNIT #6	HARPER	1.7	PHILLIPS PETROLEU
8301300	F-7C-057542	4210500000		108		FORRISTALL -B- #7	TIPPETT (LEONARD LOWE	14.9	NELEH GAS & OIL C
8301296	F-8A-057537	4216500000		108		GAINES WASSON CLEARFORK UNIT #64026	WASSON 72	2.3	SHELL OIL CO
8301305	F-10-057547	4221100000		108		HOBART RANCH #1-68	HEMPHILL (GRANITE WAS	21.5	CITIES SERVICE GA
8301301	F-08-057543	4200300000		108		LOGSDON -C- #9	UNION	1.2	PHILLIPS PETROLEU
8301309	F-08-057551	4246100000		108		MIDCROSS DEVONIAN UNIT #29	CROSSETT S (DETRITAL)	14.4	SHELL
8301306	F-8A-057548	4250100000		108		ROBERTS DORA #17	WASSON (WOLFCAMP)	2.0	SHELL OIL CO
8301302	F-8A-057544	4216500000		108		STARK T O "B" #2	ROBERTSON N (SAN ANDR	0.6	PHILLIPS PETROLEU
8301307	F-08-057549	4213500000		108		THOMAS -A- #8	TXL (SAN ANDRES)	8.9	SHELL OIL
8301299	F-08-057540	4213500000		108		TXL -L- A/C 1 #12	GOLDSMITH W (SAN ANDR	0.7	SHELL OIL
8301308	F-08-057550	4213500000		108		TXL NORTH UNIT #344 L	TXL (TUBB)	3.0	SHELL OIL
8301303	F-08-057545	4200300000		108		UNIVERSITY 9 - AB #3	BLOCK 9 (DEVONIAN)	19.6	EL PASO NATURAL G
8301292	F-8A-057533	4250100000		108		YOAKUM WASSON CLEARFORK UNIT 2803WY	WASSON 72	1.8	SHELL OIL CO
-STATE DEVELOPMENT CORP				RECEIVED:	10/07/82	JA: TX			
8301168	F-03-055294	4205132228		102-4		LORETTA LINA #1	WILLARD (NAVARRO)	300.0	FERGUSON CROSSING
-SUE-ANN OPERATING COMPANY				RECEIVED:	10/07/82	JA: TX			
8301171	F-03-055332	4208931130		103		ANDERSON UNIT #3 NOT ASSIGNED	CHESTERVILLE N (WILCO	550.0	TENNESSEE GAS PIP
-SUPERIOR OIL CO				RECEIVED:	10/07/82	JA: TX			
8301089	F-03-050431	4228731195		102-2	103	O B FALKE #3	GIDDINGS (AUSTIN CHAL	0.0	
8301163	F-03-055143	4228731258		102-2	103	R K MCHENRY #2	GIDDINGS (AUSTIN-CHAL	0.0	
-TAMARACK PETROLEUM CO INC				RECEIVED:	10/07/82	JA: TX			
8301264	F-08-057463	4232930860		103		PARKS #1 (RRC #25734)	PARKS (SPRABERRY)	2.0	PHILLIPS PETROLEU

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME
8301265	F-08-057464	4232930880		103		PARKS "A" #1 (RRC NO 25941)
8301263	F-08-057462	4232930864		103		PARKS "A" #2 (RRC NO 25941)
-TARTAN OIL & GAS				RECEIVED:	10/07/82	JA: TX
8301157	F-03-054807	4248100000		102-4		A J WENDEL #2
8301158	F-03-054808	4248132292		103		DAVIS HEIRS "B" #1
-TCS				RECEIVED:	10/07/82	JA: TX
8301222	F-78-057382	4209300000		108		WATKINS HEIRS #1 (018317)
-TENNECO OIL COMPANY				RECEIVED:	10/07/82	JA: TX
8301068	F-8A-044897	4203330663		103		PHILLIP CLAYTON JOHNSON 2-8
-TEXACO INC				RECEIVED:	10/07/82	JA: TX
8301267	F-08-057466	4210900000		108		CULBERSON "D" FEE #1
8301186	F-10-056214	4217900000		108		G H SAUNDERS NCT-3 #93
8301185	F-10-056211	4217900000		108		G H SAUNDERS NCT-3 #98
8301151	F-8A-054567	4250132068		103		ROBERTS UNIT #2718
8301174	F-8A-055732	4216532365		103		ROBERTSON UNIT #48
8301173	F-08-055457	4243131150		103		STERLING "G" FEE #1
-TEXAS PRODUCTION CORP				RECEIVED:	10/07/82	JA: TX
8301083	F-06-049116	4220330897		103	107-TF	MOBLEY #1
-THOMAS S WEST JR				RECEIVED:	10/07/82	JA: TX
8301090	F-02-050458	4246931825		102-4		ELMER KOLLE #1 (097693)
-THOMAS-POWELL ROYALTY INC				RECEIVED:	10/07/82	JA: TX
8301266	F-7C-057465	4239932510		102-4		MIKESKA #3 (086628)
-THROCKMORTON GAS SYSTEMS				RECEIVED:	10/07/82	JA: TX
8301059	F-7B-033297	4244732433		102-2	103	PUTNAM #1 (16837)
-TXO PRODUCTION CORP				RECEIVED:	10/07/82	JA: TX
8301148	F-06-054443	4245930[illegible]54.		103	107-TF	MOUGHON "A" #1
-U S OPERATING INC				RECEIVED:	10/07/82	JA: TX
8301082	F-03-048871	4228730861		102-4		CORA #1 RRC ID N/A
8301122	F-03-052718	4228731161		102-2		ERIN #1 RRC ID N/A
8301180	F-03-056108	4228731242		102-2		NANCY PETERSON #2 ID 12204
-UNITED CO				RECEIVED:	10/07/82	JA: TX
8301224	F-8A-057390	4207931493		103		SLAUGHTER ESTATE "J" #1 100080
8301223	F-8A-057388	4207931431		103		SLAUGHTER ESTATE G #1 098920
-W B TRAMMELL				RECEIVED:	10/07/82	JA: TX
8301215	F-7B-057149	4215131416		102-4		W B TRAMMELL #4-19
-W L BRUCE OPERATOR				RECEIVED:	10/07/82	JA: TX
8301229	F 10-057418	4206531098		103		RAMMING "B" (05078) #1
8301230	F 10-057419	4206531202		103		RAMMING "B" (05078) #2
-WARREN PETR CO A DIV OF GULF OIL CO				RECEIVED:	10/07/82	JA: TX
8301253	F-08-057443	4210300770		108		C-BAR SAN ANDRES UNIT #D-8
8301252	F-08-057442	4210331230		108		C-BAR SAN ANDRES UNIT #D-9
8301239	F-08-057429	4210331255		108		C-BAR SAN ANDRES UNIT #F-15
8301238	F-08-057428	4210331239		108		C-BAR SAN ANDRES UNIT #G-17
8301237	F-08-057427	4210331259		108		C-BAR SAN ANDRES UNIT #G-18
8301236	F-08-057426	4210331256		108		C-BAR SAN ANDRES UNIT #G-21
8301235	F-08-057425	4210331254		108		C-BAR SAN ANDRES UNIT #G-22
8301234	F-08-057424	4210331517		108		C-BAR SAN ANDRES UNIT #G-23
8301232	F-08-057422	4210331226		108		C-BAR SAN ANDRES UNIT #I-14
8301242	F-08-057432	4210303249		108		C-BAR SAN ANDRES UNIT #K-1
8301233	F-08-057423	4210310857		108		C-BAR SAN ANDRES UNIT H-7
8301243	F-08-057433	4210303250		108		C-BAR SAN ANDRES UNIT K-2
8301323	F-08-057593	4210300815		108		J B TUBB #2
8301321	F-08-057590	4210330669		108		J B TUBB #21

FIELD NAME	PROD	PURCHASER
PARKS (SPRABERRY)	3.0	PHILLIPS PETROLEU
PARKS (SPRABERRY)	3.0	PHILLIPS PETROLEU
PENDING	110.0	
HILLJE (MIOCENE 3900)	0.0	ESPERANZA TRANSMI
SIPE SPRINGS (MARBLE	15.0	LONE STAR GAS CO
LUCKPOT (CANYON REEF)	0.0	GETTY OIL CO
GERALDINE (FORD)	1.5	CONOCO INC
PANHANDLE GRAY	0.3	COLTEXO CORP
PANHANDLE GRAY COUNTY	0.3	COLTEXO CORP
WASSON	0.0	SHELL OIL CO
ROBERTSON N (CLEARFOR	21.1	PHILLIPS PETROLEU
CONGER (PENN)	413.6	VALERO TRANSMISSI
BLOCKER (COTTON VALLE	0.0	
ELMER KOLLE (FRIO 240	146.0	TEJAS GAS CORP
WINGATE NW (GRAY)	152.0	UNION TEXAS PETRO
RICHARDS RANCH (MISSI	0.0	WARREN PETROLEUM
GILMER (BOSSIER SAND)	0.0	DELHI GAS PIPELIN
GIDDINGS (PECAN GAP)	0.0	PERRY PIPELINE CO
GIDDINGS (AUSTIN CHAL	0.0	PERRY PIPELINE CO
GIDDINGS (AUSTIN CHAL	0.0	PERRY PIPELINE CO
LEVELLAND (SAN ANDRES	3.5	EL PASO NATURAL G
LEVELLAND (SAN ANDRES	54.8	EL PASO NATURAL G
JUDY GAIL EAST (CANYO	0.0	PALO DURO PIPELIN
PANHANDLE CARSON COUN	1.0	GETTY OIL COMPANY
PANHANDLE CARSON COUN	173.0	GETTY OIL CO
C-BAR (SAN ANDRES)	0.6	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.4	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.4	EL PASO NATURAL G
C-BAR (SAN ANDRES)	2.1	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.4	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.3	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.4	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.5	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.7	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.5	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.3	EL PASO NATURAL G
C-BAR (SAN ANDRES)	0.4	EL PASO NATURAL G
SAND HILLS (JUDKINS)	0.1	EL PASO NATURAL G
SAND HILLS (JUDKINS)	0.2	EL PASO NATURAL G

JD NO	JA DKT	API NO	D	SEC(1)	SEC(2)	WELL NAME	FIELD NAME	PROD	PURCHASER
8301318	F-08-057586	4210330955		108		J B TUBB #6	SAND HILLS (TUBB)	0.1	EL PASO NATURAL G
8301324	F-08-057594	4210330668		108		J B TUBB "A" #19	SAND HILLS (JUDKINS)	0.4	EL PASO NATURAL G
8301322	F-08-057592	4210300840		108		J B TUBB "B" #1	SAND HILLS (TUBB)	0.8	EL PASO NATURAL G
8301319	F-08-057588	4210310445		108		J B TUBB "B" #8	SAND HILLS (TUBB)	0.8	EL PASO NATURAL G
8301320	F-08-057589	4210310081		108		M B MCKNIGHT #84	ARMER (6350)	0.3	EL PASO NATURAL G
-WELLS-BATTELSTEIN OIL & GAS INC				RECEIVED:	10/07/82	JA: TX			
8301110	F-04-051717	4224931532		102-2		MARGARET ADAMS #1	ALFRED 3980 FRIO	3650.0	SOUTHERN GAS PIPE
-WESSELY ENERGY CORPORATION				RECEIVED:	10/07/82	JA: TX			
8301147	F-05-054370	4216130727		103		107-TF LEVELS UNIT I WELL #2 ( )	TEAGUE TOWNSITE (COTT	300.0	LONE STAR GAS CO
-WESTERN CHIEF OIL & GAS CO				RECEIVED:	10/07/82	JA: TX			
8301069	F-09-045031	4223733815		103		HOLLIS LEWIS #1 120642	JACK COUNTY REGULAR	29.0	LONE STAR GAS CO
-WESTLAND OIL DEVELOPMENT CORP				RECEIVED:	10/07/82	JA: TX			
8301312	F-8A-057558	4203330795		102-4		DON A JONES #2	GRAVEL PIT (STRAWN A)	0.0	SUN GAS CO
8301166	F-08-055263	4237133523		107-DP		GRANDE #3 8004 JV-P	PECOS GRANDE	0.0	LONE STAR GAS CO
-WILSON ENERGY INC				RECEIVED:	10/07/82	JA: TX			
8301207	F-08-056900	4231732489		103		STIMSON-BURLEY 10 #2	FRAN-GLASS (PENNSYLVA	35.0	ADOBE OIL & GAS C
8301206	F-08-056899	4231732512		103		STIMSON-BURLEY 10 #4	FRAN-GLASS (PENNSYLVA	35.0	ADOBE OIL & GAS C
8301204	F-7C-056889	4210533882		103		UNIVERSITY 15 50 #2	FARMER (SAN ANDRES)	182.0	J L DAVIS
-WOOD & LOCKER INC				RECEIVED:	10/07/82	JA: TX			
8301127	F-08-053249	4217331196		103		NUTT 35 #1	SPRABERRY (TREND AREA	26.0	EL PASO NATURAL G

SOURCE DATA FOR THIS NOTICE IS AVAILABLE ON MAGNETIC TAPE FROM THE NATIONAL TECHNICAL INFORMATION SERVICE (NTIS). FOR INFORMATION, CONTACT STUART WEISMAN (NTIS) AT (703) 487-4808, 5285 PORT ROYAL RD, SPRINGFIELD, VA 22161, OR SANDRA SPEAR (FERC) (202) 357-8344.

BILLING CODE 6717-01-C

The above notices of determination were received from the indicated jurisdictional agencies by the Federal Energy Regulatory Commission pursuant to the Natural Gas Policy Act of 1978 and 18 CFR 274.104. Negative determinations are indicated by a "D" before the section code. Estimated annual production (PROD) is in million cubic feet (MMCF). An (*) before the Control (JD) number denotes additional purchasers listed at the end of the notice.

The applications for determination are available for inspection except to the extent such material is confidential under 18 CFR 275.206, at the Commission's Division of Public Information, Room 1000, 825 North Capitol St., Washington, D.C. Persons objecting to any of these determinations may, in accordance with 18 CFR 275.203 and 275.204, file a protest with the Commission within fifteen days after publication of notice in the **Federal Register.**

Categories within each NGPA section are indicated by the following codes:

Section 102–1: New OCS lease
102–2: New well (2.5 mile rule)
102–3: New well (1,000 ft rule)
102–4: New onshore reservoir
102–5: New reservoir on old OCS lease
Section 107–DP: 15,000 feet or deeper
107–GB: Geopressured brine
107–CS: Coal seams
107–DV: Devonian shale
107–PE: Production enhancement
107–TF: New tight formation
107–RT: Recompletion tight formation
Section 108: Stripper well
108–SA: Seasonally affected
108–ER: Enhanced recovery
108–PB: Pressure buildup

BILLING CODE 6717-01-M

CORRECTIONS TO PREVIOUS NOTICES / REVISIONS TO PRIOR DETERMINATIONS

JD No.	JA	Applicant	Well Name	Orig. FERC Vol. No.	Date Pub. in Federal Register	C:	Correction to prior Fed. Register notice
81-47994	TX	Mitchell Energy Corp	J L Gallett #1	511	9-25-81	C:	108 & 108-ER Approved
82-11630	OK	Kaiser-Francis Oil Co	Spurlin #1	579	1-22-82	C:	102 & 103 Approved
82-15904	OH	Petro Evaluation Serv.	Atterholt #1	594	2-17-82	C:	API No. 34-169-22789
82-36846	OH	Towner Petroleum Co	E McCracken #1	677	7-01-82	C:	Well Name
82-39060	TX	Cassell Oil Co	#2 Murdock	686	7-14-82	C:	103 Approved; not 102-4
82-39203	TX	Texaco Inc	Ira P Deloache #27	686	7-14-82	C:	Applicant name, well name 103 Approved; not 102-4 Field: Levelland Purchaser: Levelland Gasoline Plant
82-41453	TX	Tee Operating Co	Treybig #1-1	695	7-30-82	C:	Well Name
82-41943	OK	Dyco Petroleum	Rhoten 1-19	696	8-13-82	C:	Well Name
82-43144	IA	Imc Exploration Co	Grayling Lumber Co N-276	701	8-04-82	C:	Well Name
82-44931	OK	Kaiser-Francis	Russworm #1	709	8-24-82	C:	102-4 & 103 Approved
82-46199	OK	Kaiser-Francis Oil Co	Allen #1	714	8-26-82	C:	108-ER Approved
82-47637	TX	Conoco Inc	Munger-NY #24 ID #10694	720	9-08-82	C:	Well Name
82-47645	TX	Magnatex Corp	Ruth Mary Price#1 ID054430	720	9-08-82	C:	107-PE Approved; not 107-TF
82-47647	TX	William M. Siegel	Brixie #1 ID # 22208	720	9-08-82	C:	Well Name
82-47767	TX	Tommy Littlepage	Mary E. Hinson #1 (19490)	720	9-08-82	C:	Well Name
82-47878	OK	Okie Oil Inc	School Land #1-C/State C#1	721	9-08-82	C:	108 & 108-ER Approved
82-48705	OH	Earth Resources Explor & Devel. Corporation	Alborn #1	724	9-15-82	C:	103 Approved, 107 Denied
82-49070	KS	Robert F. White	Helse B #1	726	9-17-82	C:	108-SA Approved; not 108-ER
82-49426	LA	Mid Louisiana Gas Co	MLGC Fee Gas 933	727	9-17-82	C:	Well Name
82-49579	TX	Venus Oil Company	Gold-Zapp #1	728	9-17-82	C:	Well Name
82-49801	TX	Conoco Inc	Fuqua #8	728	9-17-82	C:	Well Name
82-50050	PA	C. Glenn Merchandising	Winlack No 42	730	9-16-82	C:	Well Name
82-50052	PA	C. Glenn Merchandising	Winlack No. 50	730	9-16-82	C:	Well Name
82-50057	PA	Jay Bee Oil & Gas	Broda No. 1	730	9-16-82	C:	102-4 Approved; not 102-1
82-50058	PA	Jay Bee Oil & Gas	Broda No. 9	730	9-16-82	C:	102-4 Approved; not 102-1
82-50059	PA	Jay Bee Oil & Gas	Broda No. 5	730	9-16-82	C:	102-4 Approved; not 102-1
82-50604	OK	Petro-Lewis	Burris #1	731	9-16-82	C:	108 & 108-ER Approved
82-50644MMS(NM)		Southland Royalty Co	Hanks #2	731	9-16-82	C:	108-ER Approved; not 108-PB
82-50730	UT	CIG Exploration Inc	CIGE 94D-7-10-21J	731	9-16-82	C:	Well Name
82-50922	TX	Champlin Explor Inc	Roy Karisch #1(RRCID#14023)	732	9-16-82	C:	Well Name
82-50927	TX	Gulf Oil Corporation	I R Bordages "A" #24	732	9-16-82	C:	Well Name
82-50971	TX	Champlin Explor Inc	Gilbert Richards#1(ID14227)	732	9-16-82	C:	Well Name
82-50985	TX	Fair Oil Co	Ronald J Minaldi #1(090862)	732	9-16-82	C:	Well Name

Kenneth F. Plumb,

Secretary.

[FR Doc. 82-30254 Filed 11-3-82; 8:45 am]

BILLING CODE 6717-01-C

ENVIRONMENTAL PROTECTION AGENCY

[W-9-FRL 2239-2]

Commonwealth of the Northern Mariana Islands; Water Programs; Determination of Primary Enforcement Responsibility

This notice is issued pursuant to Section 1413 of the Safe Drinking Water Act, as amended (42 U.S.C. 300f et seq.), and 40 CFR 142.10, published at 41 FR 2918 (January 20, 1976).

An application dated August 25, 1982 was received from the Administrator of the Division of Environmental Quality requesting that the Commonwealth of the Northern Mariana Islands (CNMI) be granted primary enforcement responsibility for public water systems in the CNMI, in accordance with the provisions of the Act. The CNMI regulations governing public water systems became effective on August 25, 1982. The Attorney General of the CNMI opined on December 17, 1981, that the CNMI has the necessary legal authorities to administer and enforce the public water system supervision program.

I have determined that the CNMI has met all conditions of the Safe Drinking Water Act and subsequent regulations for the assumption of primary enforcement responsibility for public water systems in the CNMI. The CNMI—

1. Has adopted drinking water regulations which are no less stringent than the National Interim Primary Drinking Water Regulations;

2. Has adopted and will implement adequate procedures for the enforcement of such State regulations, including adequate monitoring and inspection;

3. Will keep such records and make such reports as required;

4. If it permits variances or exemptions from the requirements of its regulations, will issue such variances and exemptions in accordance with the provisions of the National Primary Drinking Water Regulations;

5. Has adopted and can implement an adequate plan for the provision of safe drinking water under emergency conditions.

Documents relating to this determination are available for public inspection between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, at the following offices: Division of Environmental Quality, Dr. Torres Hospital, Commonwealth of the Northern Mariana Islands, Saipan, CM 96950

Library, Environmental Protection Agency, Region 9, 215 Fremont Street, San Francisco, CA 94105.

All interested parties are invited to submit written comments on this determination and may request a public hearing. Written comments and/or a request for a public hearing must be submitted on or before thirty (30) days after the date of publication of this notice. Request for public hearing shall include the following information:

1. The name, address and telephone number of the individual organization or other entity requesting a hearing.

2. A brief statement of the requesting person's interest in the Regional Administrator's determination and information that the requesting person intends to submit at such hearing.

3. The signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for public hearing is made within thirty (30) days after this notice, a public hearing will be held. The Regional Administrator will give further notice in the **Federal Register** and in a newspaper or newspapers of general circulation in the CNMI of any hearing to be held pursuant to a request submitted by an interested person, or on his own motion. Notice of the hearing shall be given not less than fifteen (15) days prior to the time scheduled for the hearing. In addition to publication as described above, notice will be sent to the person requesting a hearing and to the CNMI. Notice of the hearing will include a statement of the purpose of the hearing, and the address and telephone number of the office at which interested persons may obtain further information concerning the hearing.

After receiving the record of the hearing, the Regional Administrator will issue an order affirming or rescinding this determination. If the determination is affirmed, it shall become effective as of the date of that order.

If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become effective thirty (30) days after issuance of this initial notice. Please bring this notice to the attention of any person known by you to have an interest in this determination.

(Sgd.) Sonia F. Crow,

Regional Administrator, Region 9, Environmental Protection Agency.

[FR Doc. 82-30226 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

[TSH-FRL 2240-1; OPTS-140019]

General Software Corp.; Transfer of Data to Contractor

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: EPA will disclose information contained in premanufacture notices (PMNs) submitted by manufacturers and importers under section 5 of the Toxic Substances Control Act (TSCA) to General Software Corporation of Landover, Maryland. Some of this information may be claimed to be confidential. General Software Corporation will review and analyze the PMN information for purposes of predicting potential exposures to the PMN substances and will require access to computerized confidential PMN information to perform computer system tuning and analysis. All of the work will be performed on EPA premises.

DATA: The disclosure of data submitted in PMNs and claimed to be confidential will occur no sooner than 10 working days after publication of this notice in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Douglas G. Bannerman, Acting Director, Industry Assistance Office (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, D.C. 20460, Toll-Free: (800-424-9065), In Washington, D.C.: (554-1404), Outside the USA: (Operator—202-554-1404).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, 5 U.S.C. 2604, manufacturers and importers of chemical substances are required to submit PMNs for new chemical substances (i.e. those that they intend to manufacture or import not included in EPA's Inventory of Chemical Substances). In reviewing PMNs EPA evaluates the potential for and magnitude of possible exposures to PMN substances. To accomplish this, EPA requires the assistance of outside experts to perform analyses of PMN information which may be helpful to EPA in this evaluation.

Under contract to EPA (Contract No. 68-01-6618), General Software Corporation of Landover, Maryland, will

review and analyze PMN information, some of which may be claimed confidential. General Software Corporation will be making use of computer-based models in performing exposure assessments for initial and detailed reviews of PMNs. The models are used to predict physical/chemical properties of a PMN substance and for predicting exposure levels associated with release of the substance.

In addition, General Software Corporation, as a subcontractor to Systems Development Corporation (Contract No. 68–02–3562), will have access to the VAX 11/780 computer for purposes of system tuning, computer utilization analysis, user account structure development, and applications implementation analysis.

Pursuant to 40 CFR 2.306(j), EPA has determined that it will need to disclose confidential business information to General Software Corporation. If any PMN information is claimed to be confidential, reports prepared by General Software Corporation dealing with this confidential business information will be treated as confidential.

Since General Software Corporation will review information claimed to be confidential, EPA is publishing this notice to inform all submitters of PMNs that General Software Corporation will have access to confidential business information from EPA. General Software Corporation will have access to confidential business information only while at EPA and will not remove such data from EPA's premises.

General Software Corporation's contract specifically prohibits disclosure of any confidential business information to any third party without written authorization from EPA. General Software Corporation is required to treat all confidential business information in accordance with the requirements of the TSCA Confidential Business Information Security Manual and the Contractor Requirements for the Control and Security of TSCA Confidential Business Information Security Manual. General Software Corporation personnel will be required to sign a nondisclosure agreement before they are permitted access to such information.

Dated: October 27, 1982.

Don R. Clay,

Director, Office of Toxic Substances.

[FR Doc. 82-30318 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

[TSH-FRL 2240-3; OPTS-59102B]

Polyester From an Alkanedioic Acid, Carbomonocyclic Anhydride and Substituted Alkane Diols, Approval of Test Marketing Exemption

AGENCY: Environment Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA received an application for a test marketing exemption (TM–82–52) under section 5 of the Toxic Substances Control Act (TSCA) on September 21, 1982. Notice of receipt of the application was published in the **Federal Register** of September 30, 1982 (47 FR 43159). EPA has granted the exemption.

EFFECTIVE DATE: This exemption is effective on October 27, 1982.

FOR FURTHER INFORMATION CONTACT: Rose Allison, Chemical Control Division (TS–794), Office of Toxic Substances, Environmental Protection Agency, Rm. E–206, 401 M St., Washington, D.C. 20460, (202–382–3738).

SUPPLEMENTARY INFORMATION: Under section 5 of TSCA, anyone who intends to manufacture in, or import into, the United States a new chemical substance for commercial purposes must submit a notice to EPA before manufacture or import begins. A "new chemical substance in any chemical substance that is not on the inventory of existing substances compiled by EPA under section 8(b) of TSCA Section 5(a)(1) requires each premanufacture notice (PMN) to be submitted in accordance with section 5(d) and any applicable requirement of section 5(b). Section 5(d)(1) defines the contents of a PMN and section 5(b) contains additional reporting requirements for certain new chemical substances..

Section 5(h), "Exemptions", contains several provisions for exemptions from some or all of the requirements of section 5. In particular, section 5(h)(1) authorizes EPA, upon application, to exempt persons from any requirements of section 5(a) or section 5(b), and to permit them to manufacture or process chemical substances for test marketing purposes. to grant an exemption, the Agency must find that the test marketing activities will not present any unreasonable risk of injury to health or the environment. EPA must either approve or deny the application within 45 days of its receipt, and under section 5(h)(6) the Agency must publish a notice of this disposition in the **Federal Register.** If EPA grants a test marketing exemption, it may impose restrictions on the test marketing activities.

On September 21, 1982, EPA received an application for an exemption from the requirements of section 5(a) and 5(b) of TSCA to manufacture a new chemical substance for test marketing purposes. The application was assigned test marketing exemption number TM–82–52. The submission is for polyester from alkanedioic acid, carbomonocyclic anhydride and substituted alkane diols. The submitter claimed its identity, the specific chemical identity, specific use, industrial sites, and process information as confidential business information. A maximum of 4,000 kilograms (kg) will be manufactured and will be test marketed for a period not to exceed 2 months.

At the maunfacturing site, 27 workers are potentially exposed for 6 hours/day for 3 days. During processing, 15 workers could be exposed for 4 hours/day for 4 days. During use in an industrial setting, 50 workers are potentially exposed for 8 hours/day for 50 days. Consumers will not be exposed to the new substance except in a cured solid state.

A notice published in the **Federal Register** on September 30, 1982 (47 FR 43159) announced receipt of this application and requested comment on the appropriateness of granting the exemption. The Agency did not receive any comments concerning this application.

EPA has established that the test marketing of the new substance in TM–82–52 under the conditions set out in the application will not present any unreasonable risk of injury to health or the environment. The Agency identified no significant health or ecological concerns.

This test marketing exemption is granted based on the facts and information obtained and reviewed, but is subject to all conditions set out in the exemption application and, in particular, those enumerated below.

1. This exemption is granted solely to this manufacturer.

2. The applicant must maintain records of the date(s) of shipment(s) to the customers specified in the application, and the quantities shipped in each shipment and must make these records available to EPA upon request.

3. Each bill of lading that accompanies a shipment of the substance during the test marketing period must state that the use of the substance is restricted to that described to EPA in the test marketing exemption application.

4. The production volume of the new substance may not exceed the quantity of 4,000 kg described in the test marketing exemption application.

5. The test marketing activity approved in this notice is limited to a 2-month period commencing on the date of signature of this notice by the Director of the Office of Toxic Substances.

6. The number of workers exposed to the new chemical should not exceed that specified in the application, and the exposure levels and duration of exposure should not exceed those specified.

The Agency reserves the right to rescind its decision to grant this exemption should any new information come to its attention which casts significant doubt on the Agency's conclusion that the test marketing of this substance under the conditions specified in the application will not present an unreasonable risk of injury to human health or the environment.

Dated: October 27, 1982.

Don R. Clay,

Director, Office of Toxic Substances.

[FR Doc. 82-30316 Filed 11-3-82; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 1383]

Petitions for Reconsideration of Actions in Rule Making Proceedings

October 29, 1982.

The following listings of petitions for reconsideration filed in Commission rulemaking proceedings is published pursuant to CFR 1.429(e). Oppositions to such petitions for reconsideration must be filed within 15 days after publication of this Public Notice in the **Federal Register.** Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of Section 73.202(b), Table of Assignments, FM Broadcast Stations. (Deer Lodge, Montana) (BC Docket No. 82-309, RM-4094).

Filed by: Robert S. Stone, Attorney for Deer Lodge Broadcasting, Inc., on 10-8-82.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 82-30400 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

October 28, 1982.

On October 28, 1982, the Federal Communications Commission submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Copies of these submissions are available from Richard D. Goodfriend, Agency Clearance Officer, (202) 632-7513. Comments should be sent to Edward H. Clarke, Office of Management and Budget, OIRA, Room 3201 NEOB, 726 Jackson Place NW., Washington, D.C. 20503.

Title: Restricted Radiotelephone Operator Permit Application

Form No.: FCC 753

Action: Revision

Respondents: Individuals who meet the basic requirements for an operator permit.

Estimated Annual Burden: 200,000 Responses; 20,000 Hours.

Title: Application for Commercial Radio Operator License (other than Restricted Radiotelephone Operator Permit)

Form No.: FCC 756

Action: Revision

Respondents: Individuals requesting new or renewed commercial radio operator license.

Estimated Annual Burden: 130,000 Responses; 11,667 Hours.

Title: Application for Ship Radio Inspection or Survey

Form No.: FCC 801

Action: Revision

Respondents: Ship radio service licensees.

Estimated Annual Burden: 3,800 Responses; 319 Hours.

Federal Communications Commission.

William J. Tricarico,

Secretary.

[FR Doc. 82-30399 Filed 11-3-82; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

Medicare Program; Schedule of Limits on Skilled Nursing Facility Inpatient Routine Service Costs

Correction

In FR Doc. 82-26579 appearing on page 42894 as "Part II", in the issue of Wednesday, September 29, 1982, make the following corrections:

1. On page 42894, column 1, line 10 in the "Summary" "Pub. L. 92-248" should be read "Pub. L. 97-248".

2. On page 42894, column 2, under **II. Major Provisions,** the eighth line of paragraph numbered "1.", "from" should read "form".

3. On page 42894, column 2, also under **II. Major Provisions,** in the third line of paragraph numbered "3", "device" should read "derive".

4. On page 42896, column 2, the formula in the "Hypothetical Sample Chart",

"6,375=4,990 ^{P}"

10

"should read "6,375+4,990 ^{P}"

10.

5. On page 42898, column 3, line 7, "September 45, 1980" should read "September 4, 1980".

6. On page 42898, column 3, lines 16 and 17, "Pub. L. 92-248" should read "Pub. L. 97-248".

7. a. On page 42900, column 1 in the "Wage Index" entry for "Boston-Lowell-Brockton-Lawrence-Haverhill, MA—NH", remove the reference to footnote 1.

b. The entry for Casper, Wy reading "[1] 1.0638" should read "[1] 1.0632".

c. In the third column, "Rochester, NM" should read "Rochester, MN".

8. On page 42901, the heading in "Appendix I" reading "Forecaster [2] percent changes (1980-84)" should have read "Forecaster [2] percent changes (1981-1984)".

9. On page 42902, the second line of footnote 1, "National Home Survey" should read "National Nursing Home Survey".

10. On page 42902, under Appendix II, "Areas No Longer Qualifying as SMSAs", under "Constituent Counties", "Pennsylvania" should read "Pennington".

BILLING CODE 1505-01-M

Health Resources and Services Administration

Health Planning and Development National Council; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following National Advisory body scheduled to meet during the month of December 1982.

Name: Steering Subcommittee of the National Council on Health Planning and Development date and time: December 10, 1982; 9:00 a.m. 3:00 p.m.

Place: Conference Rooms 303-305A, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, D.C. 20201. Open for entire meeting.

Purpose: The objectives of the Steering Subcommittee are to (1) assist the Chairperson in planning the order and timing of agenda topics for full Council consideration and action to assure that the Secretary will receive

advice and/or recommendations on each of its three areas of functional responsibilities under section 1503(a) in an appropriate time and manner; (2) coordinate information about and among subcommittee activities and plans; and (3) provide preliminary review of proposed changes in Council operations.

Agenda: (1) Status reports on the HRSA reorganization, Office of Health Planning and Office of Health Facilities; (2) Discussion of Agenda for Plenary Session in 1983; and (3) other Council business.

Anyone requiring information regarding the subject Subcommittee should contact Mr. Terry E. Shannon, interim Executive Secretary, National Council on Health Planning and Development, Room 6–22, Center Building, 3700 East-West Highway, Hyattsville, Maryland 20782. Telephone (301) 436–6852.

Agenda items are subject to change as priorities dictate.

Date: October 29, 1982.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 82-30390 Filed 11-3-82; 8:45 am]

BILLING CODE 4160-16-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. N-82-1180]

Submission of Proposed Information Collection to OMB

AGENCY: Office of Administration, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

ADDRESS: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and should be sent to: Robert Neal, OMB Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503..

FOR FURTHER INFORMATION CONTACT: David S. Cristy, Acting Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW., Washington, D.C. 20410, telephone (202) 755–5310. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal described below for the collection of information ot OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35).

The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the agency form number, if applicable; (4) how frequently information submissions will be required; (5) what members of the public will be affected by the proposal; (6) an estimate of the total number of hours needed to prepare the information submission; (7) whether the proposal is new or an extension or reinstatement of an information collection requirement; and (8) the names and telephone numbers of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

Copies of the proposed forms and other available documents submitted to OMB may be obtained from David S. Cristy, Acting Reports Management Officer for the Department. His address and telephone number are listed above. Comments regarding the proposal should be sent to the OMB Desk Officer at the address listed above.

The proposed information collection requirement is described as follows:

Notice of Submission of Proposed Information Collection to OMB

Proposal: Lump Sum Drawdown of CDBG Funds for Property Rehabilitation.

Office: Community Planning, and Development.

Form Number: None.

Frequency of Submission: Annually.

Affected Public: Individuals or Households and State or Local Governments.

Estimated Burden Hours: 100.

Status: New.

Contact: Leonard Czarniecki, HUD, (202) 755–6336, Robert Neal, OMB, (202) 395–6880

(Sec. 3507 of the Paperwork Reduction Act, 44 U.S.C. 3507; sec. 7(d) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Dated: October 27, 1982.

Judith L. Tardy,

Assistant Secretary for Administration.

[FR Doc. 82-30404 Filed 11-3-82; 8:45 am]

BILLING CODE 4210-01-M

[Docket No. NI-104]

Woodlands New Community, Montgomery County, Tex.; Finding of No Significant Impact

The Department of Housing and Urban Development gives notice concerning the proposed action affecting The Woodlands New Community, Montgomery County, Texas that: A Finding of No Significant Impact (FONSI) has been made based on an Environmental Assessment (EA) of the proposed action and the 1981 Supplemental Environmental Impact Statement (SEIS). Comments are solicited before the New Community Development Corporation (NCDC) of HUD makes a final determination whether to proceed without preparing a new SEIS.

Description

The Woodlands is a new community project approved in 1972 by HUD under Title VII of the Housing and Urban Development Act of 1970 (the "Act"). It is located in Montgomery County, Texas, 28 miles north of downtown Houston. It was originally perceived that the project was to create a new town of approximately 150,000 people, housed in 50,000 dwelling units. Associated and integrated commercial, industrial, institutional, and recreational land use areas were also to be contained within the project. Build-out for this 15,000 acre development was to occur in 1992.

Purpose of FONSI

According to Council on Environmental Quality and HUD environmental regulations, an environmental assessment has been prepared to determine whether or not an SEIS is required. It is the finding of the EA that there would be no significant impact on the human environment. Therefore, in accordance with the applicable regulations, a FONSI has been prepared, and this Notice is being published to that effect. Pursuant to 40 CFR 1501.4(e)(2) of the CEQ regulations, there will be a thirty (30) day comment period before HUD makes its final determination on the FONSI. Interested individuals, governmental agencies, and private organizations are invited to comment on the FONSI by the date and to the address set forth below.

Additional Information and Comments

NCDC completed a Supplement to the original EIS in 1981. It was written to comply with HUD environmental regulations that require an update of on-going projects that have EIS's more than 5 years old. The proposed action for

which that SEIS was drafted was to amend the development plan and continue the Title VII status and assistance to the project. Since that time, a Congressional mandate has necessitated that NCDC terminate its relationship with all remaining new community projects.

The only alternative HUD has available to this Proposed Action is to continue the Project Agreement and related documents. This alternative is not organizationally nor fiscally feasible for HUD or the Federal Government. In the opinion of NCDC, the development controls already in existence will be a more realistic and effective control of growth at a substantially lower cost than would be the continuation of HUD involvement.

Comments

Comments on the FONSI should be submitted to: General Manager, Mr. Warren T. Lindquist, New Community Developoment Corporation, U.S. Dept. of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C., 20410 (Attention: Mr. Edwin Baker, Environmental Clearance Officer). Commerical telephone number: (202) 755–6170. Comments should be received within 30 days of the publication of this notice.

Issued at Washington, D.C. October 27, 1982.

Richard H. Broun,

Director, Office of Environment and Energy.

[FR Doc. 82–30384 Filed 11–3–82; 8:45 am]

BILLING CODE 4210–29–M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Irrigation Operation and Maintenance Charges; Blackfeet Indian Irrigation Project, Montana

October 15, 1982.

ACTION: Recission of General Notice Document published January 27, 1982. This document is published under authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8. A General Notice document was published in the **Federal Register** (FR–3886) on Wednesday, January 27, 1982, establishing an increase in the per acre basic water rate for the Blackfeet Indian Irrigation Project in Montana.

That document is hereby rescinded immediately effective upon publication of this notice in the **Federal Register** because it did not comply with provisions of the Administrative Procedures Act on rulemaking. Any changes to 25 CFR 221 are required to be made in compliance with the Administrative Procedures Act (5 U.S.C. 551 et seq.). Water Rates will be increased for the Blackfeet Project in accordance with prescribed rulemaking procedures in the near future.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

[FR Doc. 30350 Filed 11–3–82; 8:45 am]

BILLING CODE 4310–02–M

Death Valley Timbi-Sha Shoshone Band of California; of Final Determination for Federal Acknowledgment

October 6, 1982.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary-Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(h) (formerly 54.9(h)) notice is hereby given that the Assistant Secretary acknowledges that the Death Valley Timbi-Sha Shoshone Band, c/o Mrs. Madeline Esteves, P.O. Box 108, Death Valley, California 92328, exists as an Indian tribe. This notice is based on a determination that the group satisfies all of the criteria set forth in 25 CFR 83.7 (formerly 54.7).

The modern Death Valley Timbi-Sha Shoshone Band is the successor and direct descendant of Panamint Shoshone groups which inhabited Death Valley and surrounding areas at the time of earliest white contact in 1849. Members of the group have continuously inhabited the area from earliest contact until the present. The original groups, which were historically linked, gradually combined into one beginning around 1920, coming to center on a settlement at Furnace Creek.

The group has functioned as a political unit since earliest historical times. Traditional leaders survived as late as the 1940's. A formal council was created in 1937, with Bureau assistance, and was dealt with as the group's representative until 1949. Spokesmen for the group existed and have been dealt with by the Federal Government from the early 1960's on. There is continuous evidence of informal but effective political processes which are consistent with the traditional culture.

The Timbi-Sha have retained a considerable degree of cultural distinction from surrounding non-Indian populations and are considered relatively conservative in comparison with recognized Indian groups in the area. A clear distinction is maintained with neighboring Indian groups, which recognize it as a distinct Indian group.

The group was considered to be under Bureau of Indian Affairs (BIA) jurisdiction and was provided services from as early as 1908 until 1956, although considered non-ward Indians in the 1930's. Allotments were provided some members and a reservation was created from the land belonging to one part of the group. The BIA unsuccessfully sought to create a reservation for the rest of the group in the 1930's. The group was determined eligible to orgalnize as a community of half-blood Indians under the Indian Reorganization Act in 1977.

Virtually all of the 199 members of the group can conclusively establish their ancestry as Shoshone Indian from the Death Valley area. No evidence was found that the members of the band are members of any other Indian tribes or that the tribe or its members have been terminated or forbidden the Federal relationship by an act of Congrress.

Notice of proposed findings that the Timbi-Sha Shoshone exist as an Indian tribe were published on page 10912 of the **Federal Register** on March 12, 1982. Interested parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the findings that the Death Valley Timbi-Sha Shoshone Band exists as an Indian tribe.

The 120-day comment period ended July 12, 1982. A letter supporting the proposed finding was received from the Office of the American Indian Coordinator of the Governor's Office of the State of California. No other comments were received.

The determination is final and will become effective 60 days from the date of publication, unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR 83.10 (formerly 54.10).

Kenneth Smith,

Assistant Secretary—Indian Affairs.

[FR Doc. 82–30323 Filed 11–3–82; 8:45 am]

BILLING CODE 4310–02–M

Final Determination That the Munsee-Thames River Delaware Indian Nation Does Not Exist as an Indian Tribe

September 22, 1982.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(h) (formerly 54.9(h)) notice is hereby given that the Assistant Secretary has determined that the Munsee-Thames River Delaware Indian Nation does not exist as an Indian tribe within the meaning of

Federal law. This notice is based on a determination, following a review of public comment on the proposed findings, that the group does not meet four of the criteria set forth in 25 CFR 83.7 and, therefore, does not meet the requirements necessary for a government-to-government relationship with the United States.

Notice of the proposed findings to decline to acknowledge the group was published on page 51652 of the **Federal Register** on October 21, 1981. Interested parties were given 120 days in which to submit factual or legal arguments to rebut evidence used to support the findings that the Munsee-Thames River Delaware do not exist as an Indian tribe. There were no rebuttals submitted pursuant to 25 CFR 83.9(g) to challenge the proposed findings. The Lieutenant Governor of the State of Colorado wrote a letter to the Assistant Secretary—Indian Affairs supporting the findings.

In accordance with § 83.9(j) of the Acknowledgment regulations, an analysis was made to determine what, if any, options other than acknowledgement are available under which the Munsee-Thames River Delaware Indian Nation could make application as a tribe for services and other benefits available to recognized Indian tribes. No alternatives could be found due to the group's doubtful Indian ancestry, lack of social and political organization, and inability to establish any historical connection with the Delaware tribe. This conclusion is based on independent research conducted by the acknowledgment staff and on the factual arguments and evidence presented in the Munsee-Thames River Delaware petition.

Requests for copies of the proposed findings published earlier should be addressed to the Office of the Assistant Secretary—Indian Affairs, Department of the Interior, 1951 Constitution Avenue NW., Washington, D.C. 20245, Attention: Branch of Federal Acknwledgment.

This determination is final and will become effective 60 days from the date of publication, unless the Secretary of the Interior requests the determination be reconsidered pursuant to 25 CFR 83.10(a–c).

Kenneth Smith,

Assistant Secretary—Indian Affairs.

[FR Doc. 82-30324 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-02-M

Samish Indian Tribe; Proposed Finding Against Federal Acknowledgment

October 29, 1982.

This notice is published in the exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

Pursuant to 25 CFR 83.9(f) (formerly 25 CFR 54.9), notice is hereby given that the Assistant Secretary proposes to deline to acknowledge that the Samish Indian Tribe, c/o Mr. Kenneth C. Hansen, P.O. Box 217, Anacortes, Washington 98221, exists as an Indian tribe within the meaning of Federal law. This notice is based on a determination that the group does not meet three of the criteria set forth in 25 CFR 83.7 and, therefore, does not meet the requirements necessary for a government-to-government relationship with the United States.

Under § 83.9(f) of the Federal regulations, a report summarizing the evidence for the proposed decision is available to the petitioner and interested parties upon written request.

Section 83.9(g) of the regulations provides that any individual or organization wishing to challenge the proposed findings may submit factual or legal arguments and evidence to rebut the evidence relied upon. This material must be submitted within 120 days of the publication of this notice. Comments and requests for a copy of the report should be addressed to the Office of the Assistant Secretary—Indian Affairs, Department of the Interior, 1951 Constitution Avenue, NW., Washington, D.C. 20245, Attention: Branch of Federal Acknowledgment.

After consideration of the written arguments and evidence rebutting the proposed findings and within 60 days after the expiration of the response period, the Assistant Secretary will publish his determination regarding the petitioner's status in the **Federal Register** as provided in § 83.9(h).

Ken Smith,

Assistant Secretary—Indian Affairs.

[FR Doc. 82-30322 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

[F-14909-A]

Alaska Native Claims Selection

The purpose of this decision is to modify the Decision to Issue Conveyance (DIC) of lands to Kuugpik Corporation, Inc. dated September 30, 1982, as published in the **Federal Register**, Vol. 47, No. 191, on pages 43436 through 43439, October 1, 1982.

Portions of the land descriptions in Parts I and II of the DIC have been revised to assure that all of those lands which are or may be involved in the National Petroleum Reserve in Alaska (NPR–A) boundary dispute (*State of Alaska* v. *Warner* et al., Civil Action No. J75–13, United States District Court for the District of Alaska) are included in Part II. Lands described in Part I of the DIC of September 30, 1982, which are not revised herein remain unchanged.

These descriptions are revised as follows:

Part I.—Lands Outside Naval Petroleum Reserve No. 4

Umiat Meridian, Alaska (Surveyed)

T. 10 N., R. 4 E.
Those portions of Tract A more particularly described as (protracted):
Sec. 1, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;
Sec. 12, all land lying above the line of the highest high water mark northeasterly of the northeasterly bank of the Nechelik Channel of the Colville River.

Containing approximately 555 acres.

T. 11 N., R. 4 E.
Those portions of Tract A more particularly described as (protracted):
Secs. 1 and 2, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;
Secs. 11, 12, and 13, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;
Secs. 24 and 36, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River.

Containing approximately 2,687 acres.

T. 12 N., R. 4 E.
Those portions of Tract A more particularly described as (protracted):
Secs. 2 and 3, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;
Secs. 10 and 11, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River, excluding Native allotment F–11949;
Sec. 14, excluding Native allotments F–11951 and F–11949;
Sec. 15, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River, excluding Native allotments F–11949 and F–11951;
Secs. 22 and 23, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;
Secs. 26 and 35, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River.

Containing approximately 3,406 acres.

T. 10 N., R. 5 E.
Those portions of Tract A more particularly described as (protracted):
Sec. 7, all land lying above the highest high water mark east of the east bank of the Nechelik Channel of the Colville River;

Sec. 9, all land lying above the highest high water mark of the northwesterly bank of the northwesterly channel of the Nechelik Channel of the Colville River.
Sec. 10, all land lying above the highest high water mark on the northwesterly bank of the Nechelik Channel and westerly bank of the Colville River;
Secs. 15 and 16, all land lying northerly of the highest water mark of the northwesterly bank of the Nechelik Channel of the Colville River.

Containing approximately 1,613 acres.

Part II.—Lands Within or Outside Naval Petroleum Reserve No. 4

Umiat Meridian, Alaska (Surveyed)

T. 10 N., R. 4 E.
That portion of Tract A more particularly described as (protracted):
Sec. 1, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River.

Containing approximately 35 acres.
T. 11 N., R. 4 E.
Those portions of Tract A more particularly described as (protracted):
Secs. 2, 11, 13, 24, and 36, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River;
That portion of Tract B more particularly described as (protracted):
Sec. 11, all land lying above the highest high water mark west of the west bank of the Nechelik Channel of the Colville River.

Containing approximately 608 acres.
T. 12 N., R. 4 E.
Those portions of Tract A more particularly described as (protracted):
Secs. 2, 3, and 4, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River;
Sec. 10, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River excluding Native allotment F–11949;
Sec. 15, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River excluding Native allotments F–11949 and F–11951;
Sec. 22, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River;
Secs. 26 and 35, all land lying below the highest high water mark west of the east bank of the Nechelik Channel of the Colville River.

Those portions of Tract B more particularly described as (protracted):
Sec. 15, all land lying above the highest high water mark west of the west bank of the Nechelik Channel of the Colville River, excluding Native allotments F–11943 and F–11947;
Sec. 22, all land lying above the highest high water mark west of the west bank of the Nechelik Channel of the Colville River, excluding Native allotment F–11943;
Secs. 26, 27, and 35, all land lying above the highest high water mark west of the west bank of the Nechelik Channel of the Colville River.

Containing approximately 2,088 acres.
T. 10 N., R. 5 E.
Those portions of Tract A more particularly described as (protracted):
Sec. 9, all land lying below the highest high water mark of the northwesterly bank of the Nechelik Channel of the Colville River;
Sec. 10, all land easterly of the highest high water mark of the west bank of the Colville River and all land lying southerly of the highest high water mark of the northerly bank of the Nechelik Channel of the Colville River;
Secs. 11 and 14;
Sec. 15, all land lying southeasterly of the highest high water mark on the northwesterly bank of the Nechelik Channel of the Colville River;
Sec. 16, all land lying southerly of the highest high water mark on the northerly bank of the Nechelik Channel of the Colville River;
Secs. 21, 22, and 23;
Secs. 27 and 28;
Secs. 32 and 33, excluding Native allotment F–14607;
That portion of Tract B more particularly described as (protracted):
Sec. 32.

Containing approximately 5,199 acres.

The total acreage approved for conveyance in Part I, Lands Outside NPR–A is 35,959 acres and Part II, Lands Within or Outside NPR–A is 7,930 acres.

Sections 1, 2, 10, and 11, of T. 12N., R. 6E., Umiat Meridian, containing 1,574 acres, are deleted from this decision and are not being approved for conveyance at this time. Also, further action on State Selection F–031802 as to these lands will be taken at a later date. Therefore, the total acreage being approved for conveyance to Kuugpik Corporation, Inc. is 48,026 acres. The remaining entitlement of approximately 24,433 acres will be conveyed at a later date.

The paragraph excluding certain water bodies which now reads:

Excluded from the above-described lands herein approved for conveyance are the submerged lands in the bed of the Colville River and in the beds of the Nechelik Channel, Kupigruak Channel, Elaktoveach Channels, Tamayayak Channel, and Sakoonang Channel; these lands are reserved in public ownership, pursuant to Sec. 1431(n), Pub. L. 96–487 of December 2, 1980.

is hereby modified to read as follows:

Excluded from the above-described lands and the acreage herein approved for conveyance are the submerged lands in the bed of the Colville River and in the beds of the Nechelik Channel, Kupigruak Channel, Elakatoveach Channels, Tamayayak Channel, and Sakoonang Channel; these lands are reserved in public ownership, pursuant to Sec. 1431(n), Pub. L. 96–487 of December 2, 1980. Also excluded is the Nanuk Lake which is considered, because of its physical setting, a part of the Colville River.

Except as modified by this decision, the Decision of September 30, 1982 stands as written and those lands not affected by this modification will be conveyed when the decision of September 30, 1982 is final.

In accordance with Departmental regulation 43 CFR 2650.7(d), notice of this decision is being published once in the **Federal Register** and once a week, for four (4) consecutive weeks, in the Tundra Times.

Any party claiming a property interest in lands affected by this decision, an agency of the Federal government, or regional corporation may appeal the decision to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the attached regulations in Title 43 Code of Federal Regulations (CFR), Part 4, Subpart E, as revised. However, pursuant to Pub. L. 96–487, this decision constitutes the final administrative determination of the Bureau of Land Management concerning navigability of water bodies.

If an appeal is taken the notice of appeal must be filed in the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances (960), 701 C Street, Box 13, Anchorage, Alaska 99513. Do not send the appeal directly to the Interior Board of Land Appeals. The appeal and copies of pertinent case files will be sent to the Board from this office. A copy of the appeal must be served upon the Regional Solicitor, 701 C Street, Box 34, Anchorage, Alaska 99513.

The time limits for filing an appeal are:

1. Parties receiving service of this decision shall have thirty days from receipt of this decision to file an appeal.

2. Unknown parties, parties unable to be located after reasonable efforts have been expended to locate, and parties who failed or refused to sign the return receipt shall have until December 6, 1982 to file an appeal.

Any party known or unknown who is adversely affected by this decision shall be deemed to have waived those rights which were adversely affected unless an appeal is timely filed with the Bureau of Land Management, Alaska State Office, Division of ANCSA and State Conveyances.

To avoid summary dismissal of the appeal, there must be strict compliance

with the regulations governing such appeals. Further information on the manner of and requirements for filing an appeal may be obtained from the Bureau of Land Management, 701 C Street, Box 13, Anchorage, Alaska 99513.

If an appeal is taken, the parties to be served with a copy of the notice of appeal are:

Kuugpik Corporation, Inc., Nooiksut (Nuiqsut), Alaska 99724
Artic Slope Regional Corporation, P.O. Box 129, Barrow, Alaska 99723
State of Alaska, Department of Natural Resources, Division of Research and Development, Pouch 7-005, Anchorage, Alaska 99510

Ann Johnson,

Chief, Branch of Alaska Native Claims Settlement Act Adjudication.

[FR Doc. 82-30321 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

[C-24224]

Colorado; Correction to Partial Cancellation of Withdrawal Application and Opening of Land

October 29, 1982.

FR Doc. 82-26573 appearing in Vol. 47, No. 188 on September 28, 1982, should be corrected as follows:

The land description on page 42641 starting with T. 51 N., R. 8 E., should be listed under New Mexico Principal Meridian instead of the Sixth Principal Meridian.

The description starting T. 15 S., R. 77 W., and the remainder of the land described in the order should be listed under the Sixth Principal Meridian.

On page 42642, T. 14 S., R. 78 W., Section 9, the final line which reads SE¼SE¼ should be corrected to SE¼SE¼.

Robert D. Dinsmore,

Chief, Branch of Adjudication.

[FR Doc. 82-30386 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

Disposal of Public Lands in Deschutes County, Oregon to the City of Bend, Recreation and Public Purposes Act; Realty Action

The City of Bend applied to purchase lands contained in two existing leases, and has applied to purchase an additional 280 acres of public land to complete acquisitions needed for their Wastewater Management System.

These lands have been examined and classified as suitable for sale under the Recreation and Public Purposes Act of June 14, 1926 as amended (43 U.S.C. 869 et. seq.). This classification segregates the land from all appropriations including location under the mining laws, except applications under the mineral leasing laws.

One of the current leases (OR-23469) was issued on June 15, 1981, and is being used by the City for the disposal of sludge. The lease comprises 850 acres and consists of the following described lands:

The following lands or portions thereof lyng south of the centerline of the North Unit Irrigation District Canal right-of-way and west of McGrath Road.

Willamette Meridian, Oregon

T. 17 S., R. 12 E.,
Sec 12, SE¼NE¼, E½SE¼.
T. 17 S., R. 13 E.,
Sec. 7, N½NE¼, SE¼NE¼, E½NW¼, SW¼NW¼, S½;
Sec. 8, W½SW¼;
Sec. 18, NE¼, N½NW¼.

The other lease (OR-23573) was issued on September 24, 1980, and is being used by the City for the disposal of effluent. The City has constructed a two cell infiltration evaporation pond on this parcel. This lease contains 440 acres and consists of the following described lands:

Willamette Meridian, Oregon

T. 17 S., R. 13 E.,
Sec. 5, SW¼;
Sec. 6, Portion of E½SE¼ lying east of North Unit Canal;
Sec. 7, E½NE¼, portion lying east of McGrath Road;
Sec. 8, NW¼.

Both lease areas have been used since July 1981 when the City began operating the Wastewater Treatment Plant. The Plant is situated on a 40 acre tract which was patented to the City by the Bureau under the authority of the Recreation and Public Purposes Act.

The additional 280 acre tract would be used to construct a third pond, necessary to provide an ultimate effluent disposal facility, capable of handling the estimated 6.0 MGD design flow of the Wastewater Treatment Plant through the year 2000. These lands are described as follows:

Willamette Meridian, Oregon

T. 17 S., R. 13 E.,
Sec. 5, S½NE¼, SE¼NW¼, W½SE¼, SE¼SE¼;
Sec. 8, NW¼NE¼.

Disposal of this property is consistent with the Bureaus land use planning as well as State and local planning and zoning.

There have been numerous public meetings conducted by the City of Bend during the course of this project.

The U.S. Environmental Protection Agency has prepared an Environmental Assessment with a Finding of No Significant Impact (FONSI) concluding that effluent disposal by a (3) cell infiltration/evaporation pond will not have any significant impacts.

In accordance with 43 CFR 2741.6(a)(2), conveyances under the Act involving public purposes other than recreation, shall not exceed 640 acres in any one calendar year.

Detailed information concerning this Recreation and Public Purposes sale is available for review at the Prineville District Office, P.O. Box 550, Prineville, Oregon 97754.

On or before December 6, 1982, interested parties may submit comments to the Prineville District Manager. Any adverse comments will be evaluated by the State Director, who may vacate or modify this action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department.

Dated: October 26, 1982.

Gerald E. Magnuson,

District Manager.

[FR Doc. 82-30393 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

Montana; Notice of Realty Action-Lease

AGENCY: BLM-Butte District Office, Interior.

ACTION: Notice of Realty Action, Lease of public lands in Jefferson County, Montana.

SUMMARY: The following described lands have been identified as suitable for a lease under Section 302 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1732:

T8N, R4W, PMM
Section 9:
From corner #84 of M.S. 2679B proceed S34° 50'W, 237.93 feet to the point of beginning; thence S34° 50'W, 258.60 feet; thence S79° 36'W, 130 feet; thence N32° 31'E, 346.35 feet; thence S57° 46'E, 105.603 feet to the point of beginning. Containing .69 acres

DATES: For a period of 45 days from the date of first publication of this notice, interested parties may submit comments to the District Manager, Bureau of Land Management, P.O. Box 3388, Butte, Montana 59702. Any adverse comments will be evaluated by the State Director, who may vacate or modify this realty action and issue a final determination. In the absence of any adverse comments, this realty action will become the final determination of this department.

FOR FURTHER INFORMATION: Information related to this lease is available at the Butte District Office, 106 N. Parkmont, P.O. Box 3388, Butte, Montana 59702.

SUPPLEMENTARY INFORMATION: These lands are to be leased noncompetitively to Donna and Jim Grace who currently own structures on the land without authorization. An incorrect survey in 1968 led Donna Grace to believe that they owned the previously described lands. The Grace's have built and maintain two summer cabins and other miscellaneous improvement on these lands. The terms, conditions, and reservations of the lease are:

1. The lease will run for a five-year period to be further evaluated upon expiration.

2. The lands will be leased subject to all valid existing rights.

3. The United States will reserve:

All the coal, oil, gas, geothermal, and other mineral deposits in the lease land together with the right to enter upon the land and prospect for, mine, and remove such materials.

The right to issue rights-of-way or use permits over the area. Such uses, however, shall not unduly impair the use of said lands for authorized purposes nor damage authorized improvements therein.

The right to use the public lands or authorize use of the public lands by the general public in any way compatible or consistent with the use authorized by this lease.

Gerald L. Quinn,

Acting State Director.

[FR Doc. 82-30349 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

Wyoming and Montana; Requesting Comments on the Draft Tract Ranking Factors for the Powder River Coal Production Region

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Request for Public Comment on Draft Tract Ranking Factors.

SUMMARY: This notice is to advise the public that the Powder River Regional Coal Team is requesting comments on the tract ranking factors to be used by the team during the second round of coal activity planning in the Powder River Coal Production Region.

DATES: Comments on the draft tract ranking factors must be received by the Powder River Project Manager by close of business December 21, 1982.

ADDRESSES: Comments on the draft tract ranking factors should be addressed to J. Stan McKee, Powder River Project Manager, Bureau of Land Management, Wyoming State Office (930), P.O. Box 1828, Cheyenne, Wyoming 82001.

FOR FURTHER INFORMATION CONTACT: J. Stan McKee, Powder River Project Manager, at 307-772-2413 or FTS 328-2413.

SUPPLEMENTARY INFORMATION: The team will rank the tracts on the basis of high, medium, and low desirability for leasing using three categories. These categories are coal economics, impacts on the natural environment, and social and economic impacts that could result if the tracts are leased and mined. These major categories may be further subdivided by the team into subcategories such as tons of coal that could be mined, effects on air quality, population increases, etc. For use in the ranking process, the regional coal team will determine the emphasis to be placed on, and the degree of importance of, each of the categories and subcategories.

The proposed tract ranking factors being considered for use by the regional coal team follow:

I. Coal Resource Data

A. Economic Viability.

1. Ratio of recovered Btu's per acre of suface disturbance.

2. Energy production potential. (To what extent is the tract economically feasible and likely to be developed? Includes economy of scale.)

3. Transportation. (Proximity of mine to expected use or transportation facility. Takes into account new construction requirements.)

4. Bypass potential if not mined at this time.

B. Later Delineation Potential. (This is a specialized subfactor relating to carry-over tracts from the first round. Is there the potential for the delineation of a more viable tract if the tract is deferred until a later sale?)

C. Expansion of Existing Mines.

D. Inclusion of State Lands. (Purpose is to rank those tracts higher which include State coal lands.)

II. Impacts on the Natural Environment

A. Wildlife Habitat.

B. Reclamation Potential.

C. Water Quality and Quantity Impacts.

1. Surface.

2. Ground.

D. Air Quality.

E. Conflict of Oil and Gas Development in Coal Areas.

III. Socioeconomic Impacts

A. Disruption of Family Farms/Ranches. (Reduction of economic viability of each farm/ranch unit. Loss of family farm concept.)

B. Changes to Agriculture Productivity. (Temporary loss of land to mining.)

C. Changes to Rural Quality of Life.

D. Changes to Communities and Local Community Services.

E. Conflict with Other State/Local Development Plans/Policies.

Sincerely yours,.

James H. O'Connor,

Acting State Director.

[FR Doc. 82-30392 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

Coal Preference Right Lease Applications, Meadowlark Farms; Public Hearing

AGENCY: Bureau of Land Management, Richfield District, Interior.

ACTION: Notice of public hearing.

SUMMARY: Notice is hereby given that a public hearing will be held to discuss three coal Preference Right Lease Applications in the Henry Mountain coal field held by Meadowlark Farms, Inc., of Indianapolis, Indiana. The hearing will be held on December 15, 1982 at 1 p.m. in the Sevier County Courthouse Auditorium, Richfield, Utah.

The purpose of the hearing is to allow opportunity for public statements on a draft Environmental Assessment (EA) of the impacts on Federal lands which could result from issuing the proposed leases.

DATES: Copies of the draft Environmental Assessment will be available from the Bureau of Land Management, Richfield District Office, 150 East 900 North, Richfield, Utah 84701 after October 29, 1982. Comments will be accepted in writing until January 3, 1983, or at the public hearing.

SUPPLEMENTARY INFORMATION: The following is a legal description of the lands for which Meadowlark Farms has filed Preference Right Lease Applications:

U-6733—Wildcat Mesa

T. 31 S., R. 8 E., Salt Lake Meridian:
Sec. 3: Lots 9-16, S½;
Sec. 10: All;
Sec. 11: All;
Sec. 14: All;
Sec. 15: All;
Sec. 22: All;
Sec. 23: All;
Sec. 26: All.

5,120 acres.

U-6740—Swap Mesa

T. 33 S., R. 8 E., Salt Lake Meridian:
Sec. 15: All;
Sec. 22: All;
Sec. 23: All;
Sec. 24: All;

Sec. 25: N½, SW¼;
Sec. 26: N½, SE¼;
Sec. 27: N½, N½S½;
Sec. 35: N½.
4,320 acres.

U-9238—Cave Flat

T. 33 S., R. 9 E., Salt Lake Meridian:
Sec. 22: All;
Sec. 23: All;
Sec. 27: N½, SW¼;
Sec. 28: NE¼.
1,920 acres.

The PRLAs are in the Bureau's Henry Mountain Planning Unit. The coal unsuitability study, which was completed for this unit in February 1982, was used in analyzing the Preference Right Lease Applications. Copies of the study are also available from the Richfield District Office.

FOR MORE INFORMATION CONTACT: Charles Horsburgh, Richfield District Office, 150 East 900 North, Richfield, Utah 84701, or telephone (801) 896-8221.

L. R. Oldroyd,

Acting District Manager.

October 29, 1982.

[FR Doc. 82-30398 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-84-M

Minerals Management Service

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the receipt of a proposed development and production plan.

SUMMARY: Notice is hereby given that Exxon Company, U.S.A. has submitted a Development and Production Plan describing the activities it proposes to conduct on Lease OCS-G 4834, Block 265, Main Pass Area, offshore Louisiana.

The purpose of this Notice is to inform the public, pursuant to Section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the Plan and that it is available for public review at the Office of the Minerals Manager, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana 70002.

FOR FURTHER INFORMATION CONTACT: Minerals Management Service, Public Records, Room 147, open weekdays 9 a.m. to 3:30 p.m., 3301 North Causeway Blvd., Metairie, Louisiana 70002, Phone (504) 837-4720, Ext. 226.

SUPPLEMENTARY INFORMATION: Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in Development and Production Plans available to affected States, executives of affected local governments, and other interested parties became effective December 13, 1979, (44 FR 53685). Those practices and procedures are set out in a revised § 250.34 of Title 30 of the Code of Federal Regulations.

Dated: October 29, 1982.

John L. Rankin,

Acting Minerals Manager, Gulf of Mexico OCS Region.

[FR Doc. 82-30347 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-31-M

National Park Service

Chesapeake and Ohio Canal National Historical Park Commission; Meeting

Notice is hereby given in accordance with Federal Advisory Committee Act that a meeting of the Chesapeake and Ohio Canal National Historical Park Commission will be held Saturday, December 4, 1982, at 1:00 p.m. at Grace Episcopal Church in Washington, D.C.

The Commission was established by Pub. L. 91-664 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Chesapeake and Ohio Canal National Historical Park.

The members of the Commission are as follows:

Miss Carrie Johnson, Chairman, Arlington, Virginia.
Mr. Carl L. Shipley, Washington, D.C.
Ms. Polly Bloedorn, Bethesda, Maryland.
Mrs. Constance Lieder, Baltimore, Maryland.
Mr. James B. Coulter, Annapolis, Maryland.
Mr. William H. Ansel, Jr., Romney, West Virginia.
Mr. Silas Starry, Shepherdstown, West Virginia.
Ms. Bonnie Troxell, Cumberland, Maryland.
Mr. John D. Millar, Cumberland, Maryland.
Mr. Rockwood H. Foster, Washington, D.C.
Mr. Barry Passett, Washington, D.C.
Ms. Barbara Yeaman, Brookmont, Maryland.
Ms. Marjorie Stanley, Silver Spring, Maryland.
Mrs. Minny Pohlmann, Dickerson, Maryland.
Dr. James H. Gilford, Frederick, Maryland.
Mr. R. Lee Downey, Williamsport, Maryland.
Mr. Edward K. Miller, Hagerstown, Maryland.

Matters to be discussed at this meeting include:

1. Discussion, Park Problems, Georgetown Section.
2. Superintendent's Report.
3. Committee Reports.
   Plans and Projects Committee.
   Recreation, Policies and Issues.
   Resource Protection.
4. Public Comments.
5. New Business.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Richard L. Stanton, Superintendent C&O Canal National Historical Park, P.O. Box 4, Sharpsburg, Maryland 21782.

Minutes of the meeting will be available for public inspection four (4) weeks after the meeting at Park Headquarters, Sharpsburg, Maryland.

Dated: October 29, 1982.

Robert Stanton,

Acting Regional Director, National Capital Region.

[FR Doc. 82-30338 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-70-M

Upper Delaware National Scenic and Recreational River; Meeting

AGENCY: National Park Service, Interior.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the date of the forthcoming meeting of the Upper Delaware Citizens Advisory Council. Notice of this meeting is required under the Federal Advisory Committee Act

DATE: November 26, 1982, 7 p.m.

ADDRESS: Arlington Hotel, Narrowsburg, New York.

FOR FURTHER INFORMATION CONTACT: John T. Hutzky, Superintendent; Upper Delaware National Scenic and Recreational River, Drawer C, Narrowsburg, N.Y. 12764-0159 (717/729-7135).

SUPPLEMENTARY INFORMATION: The Advisory Council was established under section 704(f) of the National Parks and Recreation Act of 1978, Pub. L. 95-625, 16 U.S.C. 1274 note, to encourage maximum public involvement in the development and implementation of the plans and programs authorized by the Act. The Council is to meet and report to the Delaware River Basin Commission, the Secretary of the Interior, and the Governors of New York and Pennsylvania in the preparation of a management plan and on programs which relate to land and water use in the Upper Delaware region. The agenda for the meeting will include review of Draft Management Plan.

The meeting will be open to the public. Any member of the public may file with the Council a written statement concerning agenda items. The statement should be addressed to the Council c/o

Upper Delaware National Scenic and Recreational River, Drawer C, Narrowsburg, N.Y. 12764–0159. Minutes of the meeting will be available for inspection four weeks after the meeting at the permanent headquarters of the Upper Delaware National Scenic and Recreational River, River Road, 1¾ miles north of Narrowsburg, N.Y., Damascus Township, Pennsylvania.

Dated: October 29, 1982.

Don H. Castleberry,

Acting Regional Director, Mid-Atlantic Region.

[FR Doc. 82-30337 Filed 11-3-82; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[Docket No. AB-10 (Sub-11)]

Norfolk and Western Railway Company Abandonment Between New Castle and Rushville, in Henry and Rush Counties, Indiana; Findings

The Commission has issued a decision approving the Norfolk and Western Railway Company's application to abandon its 22.21-mile rail line between milepost 1.92 near New Castle, IN and milepost 23.9 at Rushville, IN in Henry and Rush Counties, IN. An bandonment certificate will be issued unless the Commission also finds that: (1) A financially responsible person has offered financial assistance (through subsidy or purchase) to enable the rail service to be continued; and (2) it is likely that the assistance would fully compensate the railroad.

Any financial assistance offer must be filed with the Commission and served concurrently on the applicant, with copies to Mr. Louis E. Gitomer, Room 5417, Interstate Commerce Commission, Washington, DC 20423, no later than 10 days from publication of this Notice. Any offer previously made must be remade within this 10-day period.

Information and procedures regarding financial assistance for continued rail service are contained in 49 U.S.C. 10905 and 49 CFR 1121.38.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-30300 Filed 11-3-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers, Decision Notice; Finance Applications

As indicated by the findings below, the Commission has approved the following applications filed under 49 U.S.C. 10924, 10926, 10931 and 10932.

We find:

Each transaction is exempt from section 11343 (formerly section 5) of the Interstate Commerce Act, and complies with the appropriate transfer rules.

This decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

Petitions seeking reconsideration must be filed within 20 days from the date of this publication. Replies must be filed within 20 days after the final date for filing petitions for reconsiderations; any interested person may file and serve a reply upon the parties to the proceeding. Petitions which do not comply with the relevant transfer rules at 49 CFR 1132.4 may be rejected.

If petitions for reconsideration are not timely filed, and applicants satisfy the conditions, if any, which have been imposed, the application is granted and they will receive an effective notice. The notice will indicate that consummation of the transfer will be presumed to occur on the 20th day following service of the notice, unless either applicant has advised the Commission that the transfer will not be consummated or that an extension of time for consummation is needed. The notice will also recite the compliance requirements which must be met before the transferee may commence operations.

Applicants must comply with any conditions set forth in the following decision-notices within 30 days after publication, or within any approved extension period. Otherwise, the decision-notice shall have no further effect.

It is Ordered:

The following applications are approved, subject to the conditions stated in the publication, and further subject to the administrative requirements stated in the effective notice to be issued hereafter.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC–FC–80028. By decision of October 21, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to Custom Highway Interstate Express Freight, Inc. of Certificates No. MC–71478 issued July 9, 1951, No. MC–71478 (Sub-No. 14) issued September 22, 1952; No. MC–71478 (Sub-No. 18) issued March 3, 1955; No. MC–71478 (Sub-No. 20) issued October 4, 1955, No. MC–71478 (Sub-No. 21) issued April 7, 1959, No. MC–71478 (Sub-No. 23) issued March 18, 1960; No. MC–71478 (Sub-No. 26) issued February 1, 1962; No. MC–71478 (Sub-No. 28) issued March 10, 1964; No. MC–71478 (Sub-No. 29) issued April 19, 1965; No. MC–71478 (Sub-No. 31) issued April 11, 1967; No. MC–71478 (Sub-No. 32) issued February 17, 1972; No. MC–71478 (Sub-No. 33) issued September 12, 1977; No. MC–71478 (Sub-No. 39) issued October 23, 1978; No. MC–71478 (Sub-No. 48) issued November 4, 1980; No. MC–71478 (Sub-No. 49) issued September 3, 1981; and No. MC–71478 (Sub-No. 50) issued May 26, 1981; and No. MC–71478 (Sub-No. 52)X issued June 15, 1981; to the Chief Freight Lines Company (Debtor in Possession). The operating rights approved for transfer authorize transportation of general commodities, with exceptions, and other commodities over described regular routes named points in MO, OK, KS, and TX and over irregular routes between points in IL, IN, KY, KS, MO, NY, OH, OK, WV, and those in PA on and west of Interstate Hwy 79. Representative: Carl L. Steiner, 29 South LaSalle Street, Chicago, IL 60603.

MC–FC–80049. By decision of September 22, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to PONY LINES, INC. of Certificate No. MC–119864 (Sub-No. 79) issued July 19, 1982 to CRAIG TRANSPORTATION CO., authorizing the transportation of such commodities as are dealt in or used by grocery and food business houses, drug stores and department stores, between those points in the United States east of ND, SD, NE, CO and NM. Representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, MI 48167.

Note.—This notice corrects the notice published in the **Federal Register** Vol. 47, No. 192, p. 43801, Monday, October 4, 1982 which contained an inadvertent error.

MC–FC–80055. By decision of October 26, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to Four Star Trucking, subsidiary of Four Star Construction Inc., of Superior, WI, of Certificate No. MC–14566 (Sub-No. 1) F and all sub-numbers thereunder, issued variously in 1980 and 1981 to Stalberger, Inc. (Conrad H. Lund, Trustee in Bankruptcy), of Duluth, MN, authorizing the transportation of many specified commodities, such as roofing and building materials, metal products, floor coverings, appliances, food and food products, and paper, generally between specified points or points in named counties in MN, IL, PA, NJ, and parts or all of several other States on or near the

Mississippi River, on the one hand, and, on the other, points in named States in the mid-section of the US, or between ports of entry on the international boundary line between the US and Canada, on the one hand, and, on the other, points in many States; and general commodities (with certain exceptions) for the US Government, between points in the U.S. Representative: Dale K. Johnson, Four Star Construction, Inc., 7500 Tower Ave., Superior, WI 54880 (715) 394–9564.

MC–FC–80061—CORRECTION. Previously published in **Federal Register** on October 14, 1982. SHIPPERS TRANSPORTATION, INC., transferee. GRAND ISLAND MOVING & STORAGE, INC., transferor. Representative: Marshall D. Becker, Suite 610, 717 Mercy Road, Omaha, NE 68106. The purpose of this republication is to redescribe part (2)(A) of the authority set forth in the prior publication, so as to specify operations between points in Hall County, NE, and those in that part of Howard and Merrick Counties, NE, south of Nebraska Hwy 92, restricted to the performance of operations solely within Nebraska. Refercence to Howard and Merrick Counties.

MC–FC–80090. By decision of October 26, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to R.A. Caudle, Inc., d/b/a Fannie Lee Mitchell, Inc., of Lovington, NM of Certificate No. MC–120209 (Sub-No. 2) issued to Fannie Lee Mitchell, Inc., of Lovington, NM authorizing *machinery, materials, supplies, and equipment,* incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development, and production of natural gas and petroleum, between points in Lea County, N. Mex., and Oldham, Potter, Carson, Gary, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cottle, Cochran, Hockely, Lubbock, Crosby, Dickens, King, Yoakum, Terry, Lynn, Graza, Kent, Stonewall, Gaines, Dawson, Borden, Scurry, Fisher, Andrews, Martin, Howard, Mitchell, Nolan, Culberson, Loving, Winkler, Ector, Midland, Glassock, Sterling, Coke, Reves, Ward, Crabem Upton, and Reagan Counties, TX. Representative: Richard Hubbert, P.O. Box 10236, Lubbock, TX 79408.

Note.—TA lease is not sought. Transfer is not a carrier.

MC–FC–80101. By decision of October 26, 1982, issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Knight Lines, Inc., of Aliquippa, PA, of Permit No. MC–152672 (Sub-No. 1) issued March 26, 1981, to A Roger Leasing, Ltd., of Coraopolis, PA, authorizing: (1) *Iron and steel articles and iron and steel by-products,* and (2) *materials, equipment, and supplies* used in the manufacture and distribution of the commodities in (1) between points in the Untied States, under continuing contract(s) with United States Steel Corporation, of Pittsburgh, PA. Representative: Barry WEintraub, Attorney, 8133 Leesburg Pike, Suite 510, Vienna, VA 22180 (703)–442–8330.

Note.—TA lease is not sought. Transferee is not a carrier.

MC–FC–80107. By decision of October 15, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR 1132 Review Board Number 3 approved the transfer to Mercury Transportation, Inc., of Houston, TX, of paragraph 2 Certificate No. MC–142467 (Sub-No. 1) and all of certificate No. MC–142467 (Sub-No. 2), issued, respectively, December 2, 1981, and September 27, 1982, to Dixie Freight Line, Inc., of Greenville, MS, authorizing the transportation of: *such commodities as are dealt in or used in the manufacture, repair and servicing of vessels and watercraft* between points in AL, AR, DE, FL,. GA, KS, KY, IA, IL, IN, LA, MI, MN, MO, MS, NC, OH, OK, PA, SC, TN, TX, VA, WI, and WV; *such commodities as are dealt in or used by regional farm supply, manufacturing and marketing cooperatives,* between those points in the U.S. in and east of ND, SD, NE, CO, and NM. Application has been filed for temporary authority. Representative: Douglas C. Wynn, P.O. Box 1295, Greenville, MS 38701, (601) 335–3576.

MC–FC–80108. By decision of October 26, 1982, issued under 49 U.S.C. 10926 and the transfer rules at CFR Part 1132, Review Board Number 3 approved the transfer to SIOUXLAND REFRIGERATED EXPRESS COMPANY of Sioux City, IA, of Permit No. MC–124774 Sub 147 issued to MIDWEST REFRIGERATED EXPRESS, INC., of Omaha, NE authorizing: Food and related products, between points in the U.S. Representative: Arlyn L. Westergren, Suite 201, 9202 West Dodge Rd., Omaha, NE 68114.

Note.—TA lease is sought. Transferee is not a carrier.

MC–FC–80110. By decision of October 26, 1982 issued under 49 U.S.C 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Majic Transport, Inc., of Syracuse, NY of Certificate No. MC–10955 (Sub-No. 16) issued to Renner Motor Lines, Inc., of Akron, OH authorizing the transportation of *general commodities* (except commodities in bulk, household goods as defined by the Commission, and Classes A and B explosives), between points in CT, DE, IL, IN, KY, MA, MD, MI, MO, NJ, NJ, NY, OH, PA, RI, VT, VA, WV, and WI; subject to coincidental concellation at the written request of Renner Motor Lines, Inc., of Certificate No. MC–10955 (Sub-No. 15X) and the Certificate which it supersedes in No. MC–10955 and Sub-Nos. 2, 3, 6, 7, 10, 11, 12, 13, and 14. Representative: Herbert M. Canter, 305 Montgomery St., Syracuse, NY 13202.

Note.—TA lease is not sought. Transferee is not a carrier.

MC–FC–80118. By decision of October 20, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132 Review Board Number 3 approved the transfer to Ronaflex Corp. of Certificate No. MC–56641 (Sub–Nos. 4 and 5) issued October 12 and 27, 1976 to Torrey Delivery, Inc. generally authorizing the transporting (1) over irregular routes of food products and materials, equipment and supplies used in the manufacture of food products (except commodities in bulk), between Erie and Northesat, PA and Westfield and Brocton, NY, on the one hand, and the other, points in NY and (2) over irregular and regular routes of general commodities (With exceptions) between various named points in Western NY. Representative: E. Stephen Heisley, P.C., 1919 Pennsylvania Avenue, N.W., Suite 500, Washington, DC 20006.

MC–FC–80125. By decision of October 21, 1982, issued under 49 U.S.C. 10926 and the transfer rules at CFR Part 1132, Review Board Number 3 approved the transfer to RYAN TRANSFER CORPORATION, of Green Bay, WI of Certificate Nos. MC–69145 and MC–69145 (Sub–No 2), issued to CHARLES MONTGOMERY MITCHELL, CHARLES MULLINS MITCHELL AND WILLIAM EDWIN MITCHELL, d/b/a C.M. MITCHELL & SONS TRANSFER CO., of Meridian MS, which authorize the transportation, (1) over regular routes, of *general commodities* (with exceptions), (a) between Mt. Sterling, AL and Meridian MS, serving all intermediate points, and (b) between Mt. Sterling, AL, and the junction of AL Hwys 10 and 19, near Yantley, AL, serving the intermediate points of Lavaca, Pennington, Robjohn, Choctaw, Jachin, and Yantley, and the plant site of Marathon Corporation near Neheoln, AL, as an off-route point; and (2) over

irregular routes, *pulp, paper and related products*, between points in Meringo, Choctaw and Sumter Counties, AL, and Lauderdale County, MS, on the one hand, and, on the other, points in AL, MS, and LA. Representative: James Robert Evans, 145 W. Wisconsin Avenue, Neenah, WI 54956.

Note.—Transferee is not a carrier but is affiliated with Ryan Moving & Storage, a carrier under MC–111377.

MC–FC–80148. By decision of October 26, 1982 issued under 49 U.S.C. 10926 and the transfer rules at 49 CFR Part 1132, Review Board Number 3 approved the transfer to Summit Trucking, Inc., of Puyallup, WA of Certificate No. MC–156258 issued to Trails End Trucking, Inc., of Orting, WA authorizing the transportation of (1) *such commodities* as are dealt in or used by manufacturers, distributors and suppliers of clothing, between points in WA and UT, on the one hand, and, on the other, points in WA, OR, CA, UT, CO, MN, OH, IL, PA, NY, MA, NJ, RI, CN, and Teton County, WY, (2) *such commodities* as are dealt in or used by manufacturers, distributors and suppliers or ceramic tile, between points in Spokane County, WA on the one hand, and, on the other, Portland, OR, points in King County, WA and points in CA, and (3) *food and related products*, between points in King and Pierce Counties, WA on the one hand, and, on the other, Denver, CO, Milwaukee, WI and Los Angeles, CA. Representative: Jack R. Davis, 1200 IBM Bldg., Seattle, WA 98101.

Note.—TA lease is not sought. Transferee is not a carrier.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82–30301 Filed 11–3–82; 8:45 am]

BILLING CODE 7035–01–M

Motor Carriers, Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 1100.251. Special Rule 251 was published in the **Federal Register** on December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. Applications may be protested *only* on the grounds that applicant is not fit, willing, and able to provide the transportation service or to comply with the appropriate statutes and Commission regulations. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisidictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication (or, if the application later become unopposed), appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note.—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to Team 3 (202) 275–5223.

Volume No. OP3–11

Decided: October 29, 1982.

By the Commission, Review Board No. 2. Members Carleton, Williams, and Ewing. (Member Ewing not participating.)

MC 116544 (Sub-255), filed October 21, 1982. Applicant: ALTRUK FREIGHT SYSTEMS INC., 1703 Embarcadero Rd., Palo Alto, CA 94303. Representative: Joseph P. Ficurelli, P.O. Box 10280, Palo Alto, CA 94303, (415) 858–0400. As a *broker* of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

MC 164275, filed October 19, 1982. Applicant: BAY CITIES CRANE & RIGGING, INC., 912 Harbour Way So., Richmond, CA 94804. Representative: P. A. Trentz (same address as applicant), (415) 236–0101. As a *broker* of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

For the following, please direct status inquiries to Team 5 at 202–275–7289.

Volume No. OP5–234

Decided: October 25, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 164249, filed October 14, 1982. Applicant: A & W TRUCK BROKERS, INC., 7171 Mercy Rd., Suite 143, Omaha, NE 68106. Representative: James F. Crosby, 7363 Pacific St., Suite 210B, Omaha, NE 68114, (402) 397–9900. As a *broker* of *general commodities (except household goods)*, between points in the U.S. (except AK and HI).

MC 164238, filed October 15, 1982. Applicant: KEN-WAY LEASING INC., Box 291, R.D. 1, Mertztown, PA 19539. Representative: George E. Campbell, 985 Old Eagle School Rd., Suite 501, Wayne, PA 19087, (215) 293–9220. Transporting *food and other edible products and byproducts intended for human consumption* (except alcoholic beverages and drugs), *agricultural limestone and fertilizers, and other soil conditioners*, by the owner of the motor vehicle in such vehicle, between points in the U.S. (except AK and HI).

MC 163878, filed September 16, 1982. Applicant: HIGHWAY FREIGHT SERVICE, INC., 20715 N.W. Quail Hollow Drive, Portland, OR 97229. Representative: Fred W. Johnson (same address as applicant), (503) 645–9129. To operate as a *broker* of *general commodities (except household goods), between points in the U.S.*

Volume No. OP5-236

Decided: October 27, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 164219, filed October 12, 1982. Applicant: DIAMOND WESTERN CORPORATION, 11077 N. Vancouver Way, Portland, OR 97217. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Ave., Portland, OR 97210, (503) 226-3755. (1) Transporting, for or on behalf of the United States Government, *general commodities* (except used household goods, hazardous or secret materials, and sensitive weapons and munitions), between points in the U.S. (except AK and HI), and (2) As a *broker* of *general commodities* (except household goods), between points in the U.S. (except AK and HI).

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-30303 Filed 11-3-82; 8:45 am]

BILLING CODE 7035-01-M

Motor Carriers, Permanent Authority Decisions; Decision-Notice

The following applications, filed on or after February 9, 1981, are governed by Special Rule of the Commission's Rules of Practice, see 49 CFR 100.251. Special Rule 251 was published in the **Federal Register** of December 31, 1980, at 45 FR 86771. For compliance procedures, refer to the **Federal Register** issue of December 3, 1980, at 45 FR 80109.

Persons wishing to oppose an application must follow the rules under 49 CFR 1100.252. A copy of any application, including all supporting evidence, can be obtained from applicant's representative upon request and payment to applicant's representative of $10.00.

Amendments to the request for authority are not allowed. Some of the applications may have been modified prior to publication to conform to the Commission's policy of simplifying grants of operating authority.

Findings

With the exception of those applications involving duly noted problems (e.g., unresolved common control, fitness, water carrier dual operations, or jurisdictional questions) we find, preliminarily, that each applicant has demonstrated a public need for the proposed operations and that it is fit, willing, and able to perform the service proposed, and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. This presumption shall not be deemed to exist where the application is opposed. Except where noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient opposition in the form of verified statements filed on or before 45 days from date of publication, (or, if the application later becomes unopposed) appropriate authorizing documents will be issued to applicants with regulated operations (except those with duly noted problems) and will remain in full effect only as long as the applicant maintains appropriate compliance. The unopposed applications involving new entrants will be subject to the issuance of an effective notice setting forth the compliance requirements which must be satisfied before the authority will be issued. Once this compliance is met, the authority will be issued.

Within 60 days after publication an applicant may file a verified statement in rebuttal to any statement in opposition.

To the extent that any of the authority granted may duplicate an applicant's other authority, the duplication shall be construed as conferring only a single operating right.

Note:—All applications are for authority to operate as a motor common carrier in interstate or foreign commerce over irregular routes, unless noted otherwise. Applications for motor contract carrier authority are those where service is for a named shipper "under contract."

Please direct status inquiries to Team 3, (202) 275-5223.

Volume No. OP3-09

Decided: October 28, 1982.

By the Commission, Review Board No. 2, Members Carleton, Williams, and Ewing.

FF-624, filed October 18, 1982. Applicant: AAA FORWARDING, INC., 3700 Barrett Ave., Richmond, CA 94805. Representative: Radford K. Higa (same address as applicant), (415) 237-3700. As a *freight forwarder*, in connection with the transportation of *household goods, baggage, and automobiles*, between points in U.S.

FF-625, filed October 19, 1982. Applicant: SLAY TRANSPORTATION CO., INC., 2001 So. Seventh St., St. Louis, MO 63104. Representative: Gary Slay (same address as applicant), (314) 772-7200. As a *freight forwarder*, in connection with the transportation of *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI).

MC 15735 (Sub-56), filed October 8, 1982. Applicant: ALLIED VAN LINES, INC., P.O. Box 4403, Chicago, IL 60680. Representative: Richard V. Merrill (same address as applicant), (312) 681-8378. Transporting *general commodities* (except classes A and B explosives and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Sperry Corporation of Blue Bell, PA, Sperry Gyroscope of Great Neck, NY, Sperry Flight System of Phoenix, AZ, Sperry New Holland, of New Holland, PA, Sperry Research Center of Sudbury, MA, Sperry Univac Division of Blue Bell, PA, Sperry Vickers of Omaha, NE, Sperry Marine Systems of Charlottesville, PA, Sperry Corporation of Great Neck, NY and Sperry Microwave of Clearwater, FL.

MC 109154 (Sub-27), filed October 21, 1982. Applicant: BAYLOR TRUCKING, INC., R.R. 1, Milan, IN 47031. Representative: Robert W. Loser II, 1101 Chamber of Commerce Bldg., 320 N. Meridian St., Indianapolis, IN 46204, (317) 635-2339. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S., under continuing contract(s) with (1) The Wasserstorm Company, Columbus, OH, (2) Crown Zellerbach Corporation, South Glens, Falls, NY, and (3) Pri-Pak, Inc., of Sunman, IN.

MC 117165 (Sub-67), filed October 13, 1982. Applicant: ST. LOUIS FREIGHT LINES, INC., 1111 U.S. Highway 20 West, Michigan City, IN 46360. Representative: James M. Hodge, 3730 Ingersoll Ave., Des Moines, IA 50312, (515) 274-4985. Transporting *lumber and wood products* and *building materials*, between points in the U.S., on the one hand, and, on the other, those points in the U.S. in and east of ND, SD, NE, KS, OK, and TX.

MC 127064 (Sub-10), filed October 13, 1982. Applicant: E. J. PETER TRUCKING INC., 7525 Corlad Rd., Athens, WI 54411. Representative: Eugene J. Peter (same address as applicant), (715) 257-7121. Transporting *roofing granules*, and *stone and stone products*, between points in Marathon County, WI, on the one hand, and, on the other, points in IL, IN, MN, IA and OH.

MC 144595 (Sub-8), filed October 19, 1982. Applicant: ROBERT D. ANTHOLZ, d.b.a PAWNEE GRAIN COMPANY, Route 3, Box 42, Pawnee City, NE 68420. Representative: Jack L. Shultz, P.O. Box 82028, Lincoln, NE 68501, (402) 475-6761. Transporting *retail store fixtures and*

equipment, between points in the U.S. (except AK and HI).

MC 163794, filed October 15, 1982. Applicant: G. G. BARNETT TRANSPORT, INC., 507 York St., Beaver Dam, WI 53916. Representative: James A. Spiegel, Olde Towne Office Park, 6333 Odana Rd., Madison, WI 53719. (608) 273–1003. Transporting (1) *food and related products*, between points in Shelby County, TN and Hennepin County, MN, on the one hand, and, on the other, points in Dodge County, WI and (2) *petroleum and related products and automotive parts and supplies*, between Chicago, IL and points in Dodge, Jefferson, Washington and Waukesha Counties, WI.

MC 164314, filed October 19, 1982. Applicant: T.B.L. ENTERPRISES, INC., 4600 American Ave., Bakersfield, CA 93309. Representative: Donald R. Hedrick, P.O. Box 4334, Santa Ana, CA 92702, (714) 667–8107. Transporting *passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at points in Kern County, CA, and extending to points in OR, WA, MT, WY, ID, CO, ND, SD, AZ, UT, NM, ME, VT, NH, NY, MA and CT.

MC 164325, filed October 21, 1982. Applicant: HAWK TRUCKING, INC., 1725 Miller Rd., Dearborn, MI 48120. Representative: William B. Elmer, P.O. Box 801, Traverse City, MI 49685–0801, (616) 941–5313. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between those points in the U.S. in and east of AR, IA, LA, MN, and MO.

For the following, please direct status inquiries to Team 5 at 202–275–7289.

Volume No. OP5–233

Decided: October 25, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce, and Dowell.

MC 21259 (Sub-9), filed September 30, 1982. (Previously published in the **Federal Register** (republication) on October 18, 1982. Applicant: GERTSEN CARTAGE CO. INC., 3000 Hirsch St., Melrose Park, IL 60160. Representative: Anthony C. Vance, Suite 301, 1307 Dolly Madison Blvd., McLean, VA 22101, 703–821–1305. Transporting *general commodities* (except classes A and B explosives), between Chicago, Il and points in WI, on the one hand, and, on the other points in the U.S. (except AK and HI).

Note.—The purpose of this republication is to correct territorial description.

MC 116399 (Sub-1), filed October 15, 1982. Applicant: HILL-TOP TRANSPORT, Old Highway 601, P.O. Box 78, White Plains, NC 27031. Representative: Thomas Baity York (same address as applicant), (919) 789–5561. Transporting *petroleum products*, between points in NC, on the one hand, and, on the other, points in Henry, Patrick, Carroll, Pulaski, Floyd, Wythe, Grayson, Smith, and Washington Counties, VA.

MC 146909 (Sub-5), filed October 8, 1982. Applicant: PIONEER VAN LINES, INC., 1810 Park Place Bldg., Seattle, WA 98101. Representative: J. G. Dail, Jr., P.O. Box LL, McLean, VA 22101, (703) 893–3050. Transporting *used household goods*, between points in the U.S.

MC 151569 (Sub-4), filed October 11, 1982. Applicant: NEIL WADE TRUCKING, INC., 5225 N. Minnesota Ave., Portland, OR 97217. Representative: Russell M. Allen, 1200 Jackson Tower, Portland, OR 97205, (503) 224–4840. Transporting *general commodities* (except classes A and B explosives), household goods and commodities in bulk), between points in OR, WA, CA, ID, NV, and UT.

MC 154348 (Sub-2), filed October 1, 1982. Applicant: FRINK'S INDUSTRIAL WASTE, INC., Box 555, Pecatonica, IL 61063. Representative: Donald L. Shriver, 401 W. State St., Suite 701, Rockford, IL 61101. 815–965–8635. Transporting *industrial waste material* between points in Winnebago County, IL, on the one hand, and, on the other, points in Rock County, WI, Fayette County, IA, and Bon Homme County, SD.

MC 159798, filed October 13, 1982. Applicant: M. F. DAVALOS TRUCKING, INC., 13906 Valley Blvd., La Puente, CA 91746. Representative: Raymond Davalos (same address as applicant), (213) 968–4359. Transporting *general commodities* (except classes A and B explosives, commodities in bulk and household goods), between points in the U.S. (except AK and HI), under continuing contract(s) with (1) Latchford Glass Company of Los Angeles, CA, (2) Crown Zellerbach of San Francisco, CA (3) Boise Cascade Corporation of Boise, ID (4) Western Kraft Paper Group of Compton, CA (5) Motion Industries Teglen-Airdraulics Div., of Commerce, CA and (6) Seven Up Bottling Companies of Southern California of Vernon, CA.

MC 161569 (Sub-3), filed October 14, 1982. Applicant: TRANSPORT CONTRACTORS, INC., 2206 Frankfort Avenue, Louisville, KY 40206. Representative: Taylor O. Cowan III, 6408 Clinton Highway, Knoxville, TN 37912, (615) 938–5001. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in the U.S. (except AK and HI), under continuing contract(s) with Niehaus Industrial Sales, Inc., of Evansville, IN.

MC 161618, filed October 14, 1982. Applicant: GOLLERS EXPRESS, INC., 10155 Reading Rd., Cincinnati, OH 45241. Representative: Richard H. Brandon, 220 W. Bridge St., P.O. Box 97, Dublin, OH 43017, (614) 889–2531. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Cincinnati, OH, on the one hand, and, on the other, points in the U.S. (except AK and HI).

MC 162818, filed October 13, 1982. Applicant: CEL, INCORPORATED—ADVANCED TOURS DIVISION, 1379 E. Colorado Blvd., Glendale, CA 91205. Representative: Jesusa D. Caldito (same address as applicant), (213) 500–1365. Transporting *passengers and their baggage*, in special and charter operations, between points in Los Angeles County, CA, on the one hand, and, on the other, points in NV and AZ.

MC 163269, filed October 13, 1982. Applicant: TEXAS LOUISIANA CARTAGE, INC., 669 Good Acre, Pineville, LA 71360. Representative: Earl T. Templeton (same address as applicant), (318) 445–9832. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between Houston, TX, on the one hand, and, on the other, points in LA.

MC 163438 (Sub-1), filed October 13, 1982. Applicant: RAYFORD ROGERS, d.b.a. ROGERS FARMS, P.O. Box 248, Leola, AR 72084. Representative: James M. Duckett, 221 W. 2nd, Suite 411, Little Rock, AR 72201, (501) 375–3022. Transporting *lumber and wood products* between points in Dallas County, AR, on the one hand, and, on the other, points in TX, LA, KY, NM, OK, MS, AL, TN, IL, IN, KS, MO, IA, FL, SC, NC, and NE.

Volum No. OP5–235

Decided: October 27, 1982.

By the Commission, Review Board No. 3, Members Krock, Joyce and Dowell.

MC 124408 (Sub-27) filed October 12, 1982. Applicant: THOMPSON BROS., INC., P.O. Box 1283 Sioux Falls, SD 57101. Representative: Richard P. Anderson, 2525 South University Drive, P.O. Box 2581 Fargo, ND 58108 (701) 235–3300. Transporting (1) *food and related products*, between points in the U.S. (except AK and HI), (2) *chemicals or allied products*, and *petroleum products*, between points in ND, SD, MN, IA, NE, WY, and WI, and (3) *general commodities* (except household goods

and classes A and B explosives) (a) between points in ND, SD, and MN, on the one hand, and, on the other, points in the U.S. (except AK and HI, and (b) between points in ND, SD, and MN.

MC 150879 (Sub-3), filed October 19, 1982. Applicant: MARVIN McINTOSH, 4614 South 35 St., Omaha, NE 68107. Representative: Edward A. O'Donnell, 1004 29th St., Sioux City, IA 51104 (712) 255–3127. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Victor's Iowa Pack, Inc., of Council Bluffs, IA.

MC 157888 (Sub-1), filed October 4, 1982. Applicant: KEN's TRANSPORTATION SERVICE, INC., 10602 E. Pine St., Tulsa, OK 74116. Representative: C. L. Phillips, Room 248 Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106 (405) 528–3884. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in the U.S. (except AK and HI).

MC 162259 filed October 14 1982. Applicant: D.E.L.L. TRUCKING, INC., P.O. Box 1230, Ft. Morgan, CO 80701. Representative: Charles J. Kimball, 1600 Sherman St., #665, Denver, CO 80203 (303) 839–5856. Transporting *Mercer commodities* and *commodities which, because of size or weight, require the use of special equipment or special handling*, between points in ND, SD, NE, KS, OK, TX, LA, NM, CO, WY, MT, UT, NV, AZ, CA, IL, OH and PA.

MC 162569, filed October 19 1982. Applicant: G. R. JONES d.b.a. G. R. JONES CONSTRUCTION CO., Route 1, Box 101AA, Folsom, LA 70436. Representative: Fred W. Johnson, Jr., P.O. Box 1291, Jackson, MS 39205 (601) 355–3543. Transporting (1) *coal*, (2) *lumber and wood products*, (3) *pulp, paper, and related products*, and (4) *fuel oil*, between points in the U.S., under continuing contract(s) with Crown-Zellerbach Corporation, of Bogalusa, LA.

MC 164068, filed October 20, 1982. Applicant: KELLY CHAPLIN AND DON BULLARD, d.b.a. CHAPLIN & BULLARD TRUCKING, 3832 Cypress Ave., Dallas, TX 75227. Representative: D. Paul Stafford, P.O. Box 45538, Dallas, TX 75245 (214) 358–3341. Transporting *motorcycles and machinery*, between Baton Rouge, LA and Dallas, TX.

MC 164219 (Sub-1), filed October 18, 1982. Applicant: DIAMOND WESTERN CORPORATION, 11077 N. Vancouver Wy, Portland, OR 97217. Representative: Lawrence V. Smart, Jr., 419 N. W. 23rd Ave., Portland, OR 97210, 503–226–3755. Transporting *general commodities* (except classes A and B explosives, household goods, and commodities in bulk), between points in OR, WA, and CA, on the one hand, and, on the other, points in OR, WA, CA, NV, ID, UT, CO, and AZ.

MC 164259, filed October 15, 1982. Applicant: EMPIRE TRANSPORT COMPANY, P.O. Box 2985, Phoenix, AZ 85062. Representative: John T. Wirth, 717–17th St., Suite 2600, Denver, CO 80202–3357 (303) 892–6700. Transporting (1) *machinery and machinery parts*, (2) *commodities which because of their size or weight require the use of special handling or equipment*, (3) *transportation equipment*, and (4) *construction materials*, between points in AZ, CA, CO, ID, IL, IN, KS, IA, MO, MT, NE, NV, NM, ND, OK, OR, SD, TX, UT, WA and WY.

MC 164269, filed October 19, 1982. Applicant: METRO TRANSPORTATION SERVICES, INC., 4874 Highway 78, Memphis, TN 38118. Representative: Thomas A. Stroud, 109 Madison Avenue, Memphis, TN 38103 (901) 526–2900. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between Memphis, TN, points in Davidson, Fayette and Shelby Counties, TN, on the one hand, and, on the other, points in AR, AL, GA, FL, IL, KY, LA, MS, MO, NC, OK, SC, TN, TX and VA.

MC 164278, filed October 19, 1982. Applicant: NSD WAREHOUSING & DISTRIBUTION SYSTEMS, INC., d.b.a., NSD WAREHOUSING & DISTRIBUTION SYSTEMS, 1010 Knox St., Torrance, CA 90502. Representative: Milton W. Flack, 8484 Wilshire Blvd., #840, Beverly Hills, CA 90211, (213) 655–3573. Transporting *general commodities* (except classes A and B explosives, household goods and commodities in bulk), between points in CA.

MC 164279, filed October 19, 1982. Applicant: WILLIS GRASTY, d.b.a., GRASTY TRUCKING, 620 North Gaines, Stuart, IA 50250. Representative: James M. Hodge, 3730 Ingersoll Ave., Des Moines, IA 50312, (515) 274–4985. Transporting *building materials*, between Kansas City, MO, and points in Polk, Dallas, and Wapello Counties, IA, and Livingston and Buchanan Counties, MO, on the one hand, and, on the other, points in IA, IL, MN, MO, NE, SD, and WI.

MC 164289, filed October 19, 1982. Applicant: MARK S. SCHIMELPFENIG, d.b.a., H & S TRUCKING, 2509 County Highway N, Stoughton, WI 53589. Representative: Richard A. Westley, 4506 Regent St., Suite 100, P.O. Box 5086, Madison, WI 53705–0086, (608) 238–3119. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Sanna, Inc., of Madison, WI.

MC 164309, filed October 19, 1982. Applicant: FAIRVIEW, INC., P.O. Box 449, Ayer, MA 01432. Representative: Edward J. O'Neill, Jr. (same address as applicant), (617) 772–3321. Transporting *food and related products*, between points in the U.S. (except AK and HI), under continuing contract(s) with Pepsi Cola Bottling Co., of Greenland, NH.

Agatha L. Mergenovich,

Secretary.

[FR Doc. 82-30304 Filed 11-3-82; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 307]

Motor Carriers, Permanent Authority Decisions, Restriction Removals; Decision-Notice

Decided: October 28, 1982.

The following restriction removal applications, filed after December 28, 1980, are governed by 49 CFR Part 1137. Part 1137 was published in the **Federal Register** of December 31, 1980, at 45 FR 86747.

Persons wishing to file a comment to an application must follow the rules under 49 CFR 1137.12. A copy of any application can be obtained from any applicant upon request and payment to applicant of $10.00.

Amendments to the restriction removal applications are not allowed.

Some of the applications may have been modified prior to publication to conform to the special provisions applicable to restriction removal.

Findings

We find, preliminarily, that each applicant has demonstrated that its requested removal of restrictions or broadening of unduly narrow authority is consistent with the criteria set forth in 49 U.S.C. 10922(h).

In the absence of comments filed within 25 days of publication of this decision-notice, appropriate reformed authority will be issued to each applicant. Prior to beginning operations under the newly issued authority, compliance must be made with the normal statutory and regulatory requirements for common and contract carriers.

By the Commission, Restriction Removal Board, Members Shaffer, Williams, and Higgins.

Agatha L. Mergenovich,

Secretary.

MC 36918 (Sub-16)X, filed October 6, 1982. Applicant: FASTWAY

TRANSPORTATION, INC., 151 Morristown Rd., P.O. Box 383, Matawan, NJ 07747. Representative: A. David Millner, P.O. Box Y, 7 Becker Farm Rd., Roseland, NJ 07068. Lead and Subs 10F, and authority (portion) acquired in MC–F–13799; (1) broaden to (a) "general commodities (except classes A and B explosives, household goods, and commodities in bulk)" from general commodities (with exceptions) in lead and authority acquired in MC–F–13799, (b) "textile mill products, rubber and plastic products, and chemicals and related products" from carpets, carpet padding, and adhesives, in Sub 10F (part (1)); (2) change to counties (a) points in Westchester and Nassau Counties, NY, within 30 miles of Columbus Circle, (Westchester and Nassau Counties, NY) in lead, (b) facilities at or near Camden and Trenton, NJ, and Eddystone and Philadelphia, PA (Philadelphia, Bucks, Montgomery, Chester, and Delaware Counties, PA, New Castle County, DE, and Hunterdon, Mercer, Monmouth, Burlington, Camden, Gloucester, and Salem Counties, NJ), in Sub 10F; (3) remove restriction against providing service for named corporation, in lead.

MC 109294 (Sub-29)X, filed October 4, 1982. Applicant: COMMERCIAL TRUCK CO., LTD., 2120 United Blvd., Coquitlam, BC, Canada. Representative: Michael B. Crutcher, 200 IBM Bldg., P.O. Box 2927, Seattle, WA 98111. Sub 19 certificate: (1) Eliminate restriction to transportation on trailers and in containers in general commodity (with exceptions) authority; (2) broaden (a) named ports of entry in Washington to "ports of entry in Washington;" (b) Seattle and Tacoma, WA, to "King, Kitsap, Pierce, and Snohomish Counties, WA;" (c) Portland, OR to "Columbia, Washington, Yamhill, Clackamas, and Multnomah Counties, OR, and Clark County, WA;" and (3) remove restriction to prior or subsequent movement by water.

MC 110686 (Sub-70)X, filed May 3, 1982, previously noticed in the **Federal Register** of June 9 and July 2, 1982, and republished as follows: Applicant: McCORMICK DRAY LINE, INC., Avis, PA 17721. Representative: David A. Sutherland, Suite 400, 1150 Connecticut Avenue NW., Washington, DC 20036. Applicant seeks to remove restrictions in its Sub-Nos. 8 and 15 certificates to broaden the territorial description from Orviston, PA to "Centre and Clinton Counties, PA." The purpose of this republication is to reflect applicant's request to include Clinton County as well as Centre County in the countywide expansion of Orviston, PA, and to request comments from interested parties.

MC 110841 (Sub-25)X, filed September 10, 1982. Applicant: PORT NORRIS EXPRESS CO., INC., North Ave., Port Norris, NJ 08349. Representative: William P. Jackson, Jr., P.O. Box 1240, Arlington, VA 22210. Lead and Sub Nos. 2, 4, 5, 9, 10, 11, 13, 14, 18 and 19 certificates: Broaden: (1) sand (lead), clay (Subs 5, 9 and 11), and silica products (Sub 19), to "clay, concrete, glass or stone products"; fertilizer (Sub 2), potash (Sub 2), pitch (Sub 5), and fertilizer and fertilizer ingredients (Sub 4), to "chemicals and related products"; tankage (Sub 2), to "food and related products"; (2) sand (Subs 5, 9, 11, 13, 14 and 18), to "construction materials; gravel (Subs 5, 9, 11, and 18), to "ores and minerals"; silica sand (Sub 19), to "sand and construction materials"; foundry facing (Sub 10), to "such commodities as are dealt in or utilized by foundries"; remove restrictions to: in bulk or dry commodities in bulk (lead and Subs 4, 5, 9 and 10); bagged commodities (Sub 5); remove facilities restriction (Sub 19); broaden to radial authority (lead and all subs); remove service restriction "traversing the District of Columbia for operating convenience only" (lead); exception of Camden from authority to serve points in NJ (Sub 5); and exception of Manumuskin from authority to serve points in Cumberland County, NJ (Sub 11); broaden to countywide authority: Port Elizabeth and points within 10 miles thereof of Cumberland County, NJ; Cape May and points within 10 miles thereof to Cape May County, NJ; Wilmington to New Castle, DE, Salem and Gloucester Counties, NJ, and Chester and Delaware Counties, PA; Philadelphia to Philadelphia, Montgomery, Bucks, Chester and Delaware Counties, PA, Salem, Gloucester, Burlington, Camden, Mercer, Hunterdon and Monmouth Counties, NJ and New Castle County, DE (lead); Bridgeton to Cumberland County, NJ; Hurlock to Dorchester County, MD; Wilkes Barre to Luzerne County, PA; Quantico to Prince William County, VA; Orange to New Haven and Fairfield Counties, CT; Harrington to Kent County, DE; Charleston to Cecil County, MD; Doylestown to Bucks County, PA; Wilmington, DE to New Castle County, DE, Salem and Gloucester Counties, NJ and Chester and Delaware Counties, PA; Harrisburg to Dauphin, Perry, Cumberland and York Counties, PA; Chester to Delaware County, PA; Philadelphia to Philadelphia, Montgomery, Bucks, Chester and Delaware Counties, PA, Salem, Gloucester, Burlington, Camden, Mercer, Hunterdon and Monmouth Counties, NJ and New Castle County, DE (Sub 2); Bridgeton to Cumberland County, NJ (Sub 4); West Elizabeth to Allegheny County, PA (Sub 10); facilities at North Stonington, CT, Ottawa, IL and Rockwood, MI to New London County, CT, LaSalle County, IL and Wayne County, MI, respectively (Sub 19).

MC 116300 (Sub-92)X, Filed October 5, 1982. Applicant: NANCE AND COLLUMS, INC., P. O. Drawer J, Fernwood, MS 39635. Representative: Harold D. Miller, Jr., 17th Floor, Deposit Guaranty Plaza, P. O. Box 22567, Jackson, MS 39205. Lead and Subs 3, 5, 6, 7, 9, 12, 13, 14, 15, 17, 18, 19, 21, 23, 25, 27, 29, 30, 35F, 37F, 39F, 40F, 42F, 43F, 45F, 48F, 49F, 51F, 53F, 55F, 56F, 57F, 62F, 66F, 69F, 75F, 76F, 77F, 78F, 79F, 81F, 82F, 83F, and 87F: (1) broaden (a) salt, pepper, animal and poultry mineral feed mixtures, sugar, salt products, salt and empty containers, fruit preserves, condiments, liquid feed, liquid feed supplements and molasses, dry animal and fish food, malt beverages, materials and supplies as are used by or dealt in by malt beverage distributors, or used in the manufacture and distribution of malt beverages, such commodities as are dealt in by malt beverage distributors, dry animal and poultry feed, dry animal feed ingredients, promotional supplies, empty malt beverage containers, to "food and related products in the lead and Subs 3, 5, 7, 9, 12, 13, 14, 15, 18, 19, 21, 23, 30, 35F, 37F, 40F, 43F, 45F, 49F, 54F, 56F, 57F, 65F, 69F, 76F, 83F, 84F, and 87F; (b) treated poles, piling, timber and post to "forest products" in the lead and Subs 25 and 80F; (c) granulated slag, and ground limestone to "clay, concrete, glass or stone products" in Subs 75F and 82F; (d) fertilizer, fertilizer ingredients, liquid bleach and fabric finish, and liquid bleach and fabric finish containers, dry fertilizer, dry fertilizer ingredients, salt cake, and herbicides and pesticides to "chemicals and related products" in Subs 6, 27, 29, 39F, 48F, 51F, 53F, 66F, 77F, 79F, and 81F; (e) wood residuals, drag line mats, scaffolds, and treated and untreated lumber to "lumber and wood products" in Subs 17, 62F, and 80F; (f) steel and slab doors to "building materials" in Subs 42F and 85F; (g) drilling mud and proppant to "mercer commodities" in Subs 55F and 78F; (2) eliminate the facilities limitations in Subs 18, 45F, 57F, 62F, 69F, 76F, and 87F; (3) broaden: Fernwood and McComb to Pike County, MS; Weeks Island, Jefferson Island, and New Iberia to Iberia Parish, LA; Reserve, Arabi, Mathews, Supreme, Gramercy, and Houma to St. John Baptist, Saint Bernard, Lafourche, Assumption, Saint James, and Terrebonne Parishes, LA;

Vicksburg to Warren County, MS; Chalmette, Avery Island, Anse La Butte, and Baldwin to Saint Bernard, Iberia, St. Martin, and St. Mary Parishes, LA; Marion to Perry County, AL; Tupelo to Lee County, MS; Red Bay and Decatur to Franklin and Morgan Counties, AL; Hattiesburg, Pascagoula, and Yazoo City to Forrest, Jackson and Yazoo Counties, MS; Donaldsville to Ascension Parish, LA; Mobile and Cherokee to Mobile and Colbert Counties, AL; Lake Charles to Calcasieu Parish, LA; Columbus to Lowndes County, MS; Satsuma to Mobile County, AL; Blytheville, Paragould, El Dorado, Fort Smith, and Pine Bluff to Mississippi, Greene, Union, Sebastian and Jefferson Counties, AR; and Greenville to Washington County, MS; (4) expand one-way to radial; and (5) remove the restrictions, wherever they appear: in packages; in mixed truckloads with salt; when moving at the same time and in the same vehicle with shipments of salt (presently authorized); in bags; in sacks; except in bulk; against transportation of traffic having an immediately prior or subsequent movement by water or rail; packaged in individual servings, in mixed loads with sugar; in bulk; in tank vehicles; when shipped in mixed loads with salt and salt products; in containers; in dump vehicles; against the transportation of imported malt beverages; except Jackson, Hattiesburg, Meridian, Laurel, Picayune, Gulfport, Biloxi, Pascagoula, McComb, and Brookhaven, and points in their respective commerical zones in Sub 6; and except New Orleans, Gretna, and Destrahan in the lead and Sub 12; and restricted against service from the facilities of Gulf Oil Corporation at or near Donaldsonville, LA, to points in AR, MS, and TX, in Sub 39F.

MC 124545 (Sub-2)X, filed October 6, 1982. Applicant: DAVID NOAKE, INC., Rte. 103 Rockingham Rd. Bellows Falls, VT 05101. Representative: Brian S. Stern, 5411-D Backlick Rd., Springfield, VA 22151. MC-124545 lead permit: (1) Broaden mined or ground talc, in each part to "clay, concrete, glass or stone products;" (2) remove the restrictions in part (1) limiting the service to transportation "in bags, in shipper-owned trailers;" and (3) broaden to "between points in the United States" under continuing contract(s) named shipper.

MC 133811 (Sub-7)X, filed August 19, 1982, and previously noticed in FR September 10, 1982, republished as follows to notice inadvertent omission: Applicant: H. E. McCONNELL AND H. E. McCONNELL, II, d.b.a. McCONNELL & SON TRUCKING COMPANY, P.O. Box 3308, North Little Rock, AR 72117. Representative: James M. Duckett, 221 W. 2nd, Suite 411, Little Rock, AR 72201. Applicant seeks to remove restrictions in its lead and Sub 4F certificates as previously noticed, and, in addition, broaden (1) points on the Arkansas River located in Pulaski County, AR to "Pulaski County" (lead), (2) Bauxite, AR to "Saline County," (lead) and (3) North Little Rock, AR to "Pulaski County," (Sub 4F).

MC 142733 (Sub-6)X, filed October 13, 1982. Applicant: UNITED TRANSPORT, INC., P.O. Box 490, Riverside Station, Miami, FL 33135. Representative: Richard B. Austin, 320 Rochester Bldg., 8390 N.W. 53rd. St., Miami, FL 33166. Sub 3 permit: Broaden to (1) "food and related products" from plantains and agricultural commodities, the transportation of which is exempt from economic regulation, in mixed loads with plantains, and (2) "between points in the U.S. (except AK and HI)," under continuing contract(s) with a named shipper.

MC 143708 (Sub-9)X, filed September 1, 1982, previously noticed in the **Federal Register** of Sept. 27, 1982, republished as follows: Applicant: DUNES TRANSPORT, INC., 3965 North Meridian St., Indianapolis, IN 46208. Representative: Warren C. Moberly, 777 Chamber of Commerce Bldg., Indianapolis, IN 46204. Sub-3F certificate: broaden, in one portion, to city-wide authority at "Norwalk, OH," from authority limited to serve facilities at Norwalk, OH. The purpose of this republication is to include the above territorial expansion which was inadvertently omitted from the previous publication.

[FR Doc. 82-30302 Filed 11-3-82; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Public Information Collection Requirements Submitted to OMB for Review

The International Development Cooperation Agency submitted the following public information collection requirement to OMB, for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of the submission may be obtained from the Agency for International Development Clearance Officer by calling (202) 632-0084. Comments regarding this information collection should be addressed to the Reports Management Officer, Ms. Melita E. Yearwood, DM/IM, Room 714, SA-12, Washington, D.C. 20523; and to the OMB reviewer listed at the end of the entry no later than (10 days after publication).

Date submitted: October 26, 1982.

Submitting bureau: Agency for International Development.

OMB No.: N/A (New).

Form No.: N/A

Type of submission: New.

Title: AID Contractor/Grantee Survey.

Purpose: Data from this survey is needed to assess contractor and grantee perception of how well AID's procurement process operates. This information, together with information gathered during an internal analysis of the process, will be used to identify areas for improvement and improvement alternatives.

OMB Reviewer: Francine Picoult (202) 395-7231, Office of Management and Budget, Room 3201, New Executive Office Building, Washington, D.C. 20503.

Dated: October 28, 1982.

Linwood A. Rhodes,

Chief, Information Management Division.

[FR Doc. 82-30387 Filed 11-3-82; 8:45 am]

BILLING CODE 6116-01-M

DEPARTMENT OF JUSTICE

Proposed Consent Judgment in Action To Enjoin Discharge of Water Pollutants

In accordance with Departmental Policy, 28 CFR 50.7, 38 CFR Part 1902, notice is hereby given that a proposed Final [Consent] Judgment in *United States* v. *Mountain Mobile Mix*, Civil Action No. 80-M-1517, was lodged with the United States District Court for the District of Colorado on October 18, 1982. The proposed judgment requires Mountain Mobile Mix to pay a civil penalty for alleged violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, for the discharge of pollutants without a permit issued pursuant to 33 U.S.C. 1342.

The Department of Justice will receive for thirty (30) days from the date of publication of this notice, written comments relating to the proposed judgment. Comments should be addressed to the Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and refer to *United States* v. *Mountain Mobile Mix*, D.J. Ref. 90-5-1-1-1463.

The proposed consent judgment may be examined at the Region VIII office of the United States Environmental Protection Agency, Office of Regional Counsel, 1860 Lincoln Street, Denver, Colorado 80203; and at the Environmental Enforcement Section, Land and Natural Resources Division,

Department of Justice, Room 1515, Ninth and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed judgment may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division, Department of Justice.

Mary L. Walker,

Acting Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82-30395 Filed 11-3-82; 8:45 am]

BILLING CODE 4410-01-M

Proposed Modification to Consent Decree Requiring Compliance With Requirements of Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on October 8, 1982, a proposed modification to a consent decree in *United States of America and State of Michigan* v. *Dow Chemical Company*, Civil Action No. 80-40423, was lodged with the United States District Court for the Eastern District of Michigan. The proposed decree modifies a decree previously entered by the United States District Court on September 28, 1981. The original decree required Dow to pay a civil penalty and bring 10 boilers at Dow's petrochemical plant in Midland, Michigan, into compliance with the opacity, particulate, and sulfur dioxide requirements of the Michigan State Implementation Plan and the Clean Air Act. The proposed modified decree incorporates changes to the facility's compliance schedule which reflect the approval of the United States Environmental Protection Agency of Dow's application for a revision to the opacity and particulate requirements of the Michigan State Implementation Plan. EPA's approval of Dow's application for a revision was published on March 24, 1982, at 47 FR 12625.

The proposed consent decree may be examined at (1) the Office of the United States Attorney, Eastern District of Michigan, 817 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226; (2) the Office of the Environmental Protection Agency, Office of Regional Counsel, 230 South Dearborn Street, Chicago, Illinois 60604; and (3) the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice, Room 1515, Ninth and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed decree may be obtained in person or by mail from the Environmental Enforcement Section, Land and Natural Resources Division of the Department of Justice.

The Department of Justice will receive comments relating to the proposed consent decree for a period of thirty (30) days from the date of this notice. Comments should be directed to the Assistant Attorney General for the Land and Natural Resources Division of the Department of Justice, Ninth and Pennsylvania Avenue, NW., Washington, D.C. 20530 and should refer to *United States of America and State Michigan* v. *Dow Chemical Company*, DOJ Reference #90-5-2-1-101.

Carol E. Dinkins,

Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 82-30394 Filed 11-3-82; 8:45 am]

BILLING CODE 4410-01-M

NATIONAL ADVISORY COMMITTEE ON OCEANS AND ATMOSPHERE

Future Meeting Dates

October 28, 1982.

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. (1976), as amended, notice is hereby given that the National Advisory Committee on Oceans and Atmosphere (NACOA) will hold meetings on the days listed below in calendar year 1983. All the meetings will be held in Washington, D.C. except for the August meeting which will be held in San Francisco, CA. Exact times and locations will be announced at a later date.

The Committee, consisting of 18 non-Federal members appointed by the President from academia, business and industry, public interest organizations, and State and local government was established by Congress by Pub. L. 95-63, on July 5, 1977. Its duties are to (1) undertake a continuing review, on a selective basis, of national ocean policy, coastal zone management, and the status of the marine and atmospheric science and service programs of the United States; (2) advise the Secretary of Commerce with respect to the carrying out of the programs administered by the National Oceanic and Atmospheric Administration; and (3) submit an annual report to the President and to Congress setting forth an assessment, on a selective basis, of the status of the Nation's marine and atmospheric activities, and submit such other reports as may from time to time be requested by the President or Congress.

The tentative meeting dates are as follows:

January 24-25, 1983—Monday and Tuesday.
March 7-8, 1983—Monday and Tuesday.
April 13-14, 1983—Wednesday and Thursday.
May 23-24, 1983—Monday and Tuesday.
July 11-12, 1983—Monday and Tuesday.
August 25-26, 1983—Thursday and Friday.
October 17-18, 1983—Monday and Tuesday.
December 5-6, 1983—Monday and Tuesday.

The public is welcome at the sessions and will be admitted to the extent that seating is available. Persons wishing to make formal statements should notify the Chairman in advance of the meeting. The Chairman retains the prerogative to place limits on the duration of oral statements and discussions. Written statements may be submitted before or after each session.

Additional information concerning these meetings may be obtained through the Committee's Executive Director, Steven N. Anastasion, whose mailing address is: National Advisory Committee on Oceans and Atmosphere, 3300 Whitehaven Street, NW., Washington, DC 20235. The telephone number is 202/653-7818.

Dated: October 28, 1982.

Steven N. Anastasion,

Executive Director.

[FR Doc. 82-30389 Filed 11-3-82; 8:45 am]

BILLING CODE 3510-12-M

NATIONAL TRANSPORTATION SAFETY BOARD

Reports, Recommendations; Availability

Reports Issued

Aircraft Accident Report: Lufkin Industries, Inc., Beechcraft Super King Air, BE-200, N456L, near Parker, Colorado, March 27, 1980 (NTSBAAR-82-9).

Aircraft Accident Report: Midair Collision, U.S. Air Force F 111-D, Building Contractors, Inc., Cessna TU-206G, Clovis, New Mexico, February 6, 1980 (NTSB-AAR-82-10).

Railroad Accident Report: Rear-end Collision of Louisville & Nashville Railroad Company Trains No. 586 and Extra 8072 North, New Johnsonville, Tennessee, December 28, 1981 (NTSB-RAR-82-4).

Supplement to Marine Accident Report: Disappearance of U.S. Freighter SS POET, in North Atlantic Ocean, about October 25, 1980 (NTSB-MAR-81-6).

Marine Accident Reports: Summary Format, Issue Number 4—July 1979 through August 1980 (NTSB-MAB-82-3).

Pipeline Accident Report: Missouri Power and Light Company, Natural Gas Fires, Centralia, Missouri, January 28, 1980 (NTSB-PAR-82-3).

Hazardous Materials Accident Spill Maps: Gasoline Release Following Freight Train Collision with Cargo Tank Semitrailer, near Charlotte, North Carolina, November 29, 1980 (NTSB-HZM-82-2).

Recommendations to

Federal Aviation Administration: Feb. 2: A–82–4: Issued a Telert Maintenance Bulletin to notify operators and inspection personnel of the possibility of interchanging aft engine support frames of the Lama 315B and Alouette 316B/C and 319 helicopters and to recommend a dimensional check of the frame prior to installation even though the part number may be legible. *A–82–5:* Require the manufacturer to develop and implement a permanent method of affixing part numbers to the aft engine support frames on the Lama 315B and Alouette 316B/C and 319 helicopters. *Apr. 15: A–82–31:* Implement an in-depth study to determine what remedial action should be taken to eliminate the excessive failure rate of the Allision 250C–28B engine and fuel control system. *Apr. 23: A–82–40:* Issued an emergency Airworthiness Directive for Bell Model 222 helicopters to require removal and an immediate one-time fluorescent dye penetrant inspection of the drive link assembly PN 222–010–460–101 installed on applicable aircraft, and establish a frequent detailed inspection based on operating hours. *A–82–41:* Require that the improved drive link assembly, PN 222–011–416–101, be installed on applicable Bell Model 222 helicopters as soon as parts from the manufacturer are available. *May 3: A–82–42:* Issued an airworthiness directive (AD) making mandatory an inspection (as soon as practical depending on availability of spare units and the capability to replace the defective units) for incorrect split-ring sockets specified in Sundstrand Data Control Service Bulletin Document No. 012–0296–109, dated January 25, 1982, titled "Communications—Cockpit Voice Recorders/Models AV 557A, AV–557B, and AV–557C/Tape Deck Housing Connector Check," and require replacement of incorrect connectors at the earliest possible date. *A–82–44:* Disseminate immediately the contents and intent of this safety recommendation letter to the Civil Aviation Authorities of foreign countries having jurisdiction over aircraft using the subject Sunstrand cockpit voice recorder. *Aug. 11: A–82–79:* Issued a Maintenance Alert Bulletin to require Principal Maintenance Inspectors to emphasize to air carrier maintenance departments that proper maintenance of ground support equipment may be critical to flight operations and the importance of adhering to maintenance practices recommended by the manufacturers of such equipment. *A–82–80:* Issue a Maintenance Alert Bulletin to require Principal Maintenance Inspectors to review contract agreements between an air carrier operating into a facility at which another air carrier or maintenance contractor is providing maintenance services to assure that the responsibilities of both parties and key personnel are clearly defined and that the contractor providing the maintenance is thoroughly familiar with the maintenance of the type of aircraft involved. *A–82–81:* Issue and Operations Alert Bulletin to require Principal Operations Inspectors to require that air carrier training programs adequately cover the effects of aircraft leading edge contamination on aerodynamic performance, particularly as it affects the relationship between airspeed and angle of attack and those functions whose activition is dependent on the angle of attack, such as stall warning systems and autothrottle speed command systems. *A–82–82:* Require revision of the B–737 Approved Flight Manual to add "anti-ice" to the normal taxi and takeoff checklist. Review the checklists for all air carrier aircraft to ensure that all action items required for a successful takeoff are included on the appropriate checklist. Special consideration should be given to items whose functions may be affected by evironmental conditions subject to change during ground delay periods. *A–82–83:* Issue an Airworthiness Directive to implement the necessary airplane modifications and/or changes in operational procedures for B–737 aircraft takeoff operations during weather or runway conditions conducive to the formation of leading edge frost, snow, or ice contamination to require either: (1) that the leading edge is free of frozen contaminant through the pretakeoff use of a ground-operable wing thermal anti-ice system, or (2) an increased stall airspeed margin at liftoff which will provide adequate pitch and roll control to counter the effects of undetected leading edge contaminants by modification of takeoff flaps configuration and/or increased takeoff airspeed schedules. *A–82–84:* Amend Air Traffic Control coordination procedures and practices to require that terminal and en route facilities provide the Central Flow Control Facility (CFCF) with current and accurate information regarding congestion and that CFCF act on that information in a positive manner to minimize airport saturation and extensive traffic delays. Review implementation of prescribed gate-hold procedures and require their use wherever possible. *A–82–85:* Issue a General Notice to terminal area Air Traffic Control facilities to emphasize to controllers that the separation criteria set forth in FAA Air Traffic Control Handbook 7110.65C which require a minimum of 2 miles separation do not permit deviation based upon the anticipated acceleration differences between landing and departing traffic. *A–82–86:* Evaluate the criteria and current practices of Air Traffic Control facilities regarding the declaration and reporting of operational errors to ensure that all such errors are reported and are investigated. *A–82–87:* Provide for essential equipment and increased personnel training to improve the water rescue capabilities at the Washington National Airport in all anticipated weather conditions, and provide necessary funding for surrounding communities and jurisdictions which will be called on to support the airport's rescue response. *A–82–88:* Survey all certificated airports having approach and departure flightpaths over water and evaluate the adequacy of their water rescue plans, facilities, and equipment according to the guidance contained in Advisory Circular 150/5210–13 and make recommendations for improvement as necessary to appropriate airport authorities. *A–82–89:* Amend 14 CFR 139.55 to require adequate water rescue capabilities at airports having approach and departure flightpaths over water which are compatible with the range of weather conditions which can be expected. *Aug. 13: A–82–77:* Issue an Airworthiness Directive applicable to all Robinson R–22 helicopters to require an initial and a prescribed periodic inspection of the tail rotor driveshaft installation for excessive run-out in accordance with Robinson Helicopter Service Letter No. 14 and take appropriate action as required. *A–82–78:* Review the Robinson R–22 tail rotor driveshaft design and verify, through ground dynamic testing, that the installation provides an adequate margin of safety against resonance. If a resonant condition is identified, expedite approval and retrofit of the manufacturer's proposed redesign. *Aug. 26: A–82–99:* Require an immediate inspection of both the fore and aft hinge bolts on the main landing gear doors of Fairchild Swearingen Model SA226 airplanes that are affected by SB 32–026 to verify that the bolts and their retention nut plates are secure. *A–82–100:* Issue an airworthiness directive to require periodic inspection of the main landing gear door aft hinge bolts on Fairchild Swearingen Model SA226 airplanes that are affected by SB 32–026 until the modification prescribed by the service bulletin has been accomplished. In conjunction with the airplane manufacturer, determine whether the need may exist to expand SB 32–026 to require that the forward hinge bolts be safety-wired to their hinge brackets. *Sep. 9: A–82–120:* Require an immediate inspection of the N_2 accessory idler gear assembly on all Avco Lycoming LTP–101 (turboprop) engines for proper rigidity of the assembly. *A–82–121:* Require modification of the N_2 accessory idler gear assembly in accordance with the provisions of Avco Lycoming Service Bulletin LTP 101A–72–0021, dated May 14, 1982, and establish a mandatory inspection interval for reinspection of the modified gear assembly. *A–82–122:* Review the design of the N_2 accessory idler gear assembly on the Avco Lycoming LTP 101 engines to verify the adequacy of the gear assembly design and require modifications as necessary to preclude failure of the gear assembly. *Sep. 27: A–82–123:* Establish a requirement that manufacturers provide, as part of the initial certification of a new general aviation turbojet airplane, a training guide for pilot transition into the airplane. The training guide should encompass the entire flight envelope in which the airplane will be operating and any unique aspects of its systems design, handling characteristics, and performance including the hazards of exceeding the flight envelope. The training guide should be an approved manual for use by appropriate inspectors, pilot schools, flight instructors, and pilot examiners. *A–82–124:* Establish a requirement that manufacturers provide a training guide for pilot transition into currently certificated general aviation turbojet airplanes. The training guide should encompass the entire flight envelope in which the airplane will be operating and any unique aspects of its systems design, handling characteristics, and performance. The training guide should be an approved manual for use by appropriate inspectors, pilot schools, flight instructors, and pilot examiners. *A–82–125:* Review the criteria

currently prescribed for evaluating the type-rating requirement for successive Models of turbojet airplanes built by the same manufacturer evolving from an original design, to determine if they are sufficient to provide adequate consideration of performance differences, operating environments, unique operational normal and emergency procedures, and systems design. If the criteria are found to be inadequate, revise them appropriately, and review existent type-rating requirements under the new criteria. *A–82–126:* Upon approval of each specific training guide for general aviation turbojet airplanes, require that the criteria used by inspectors and pilot examiners in conducting type-rating flight checks include full consideration of the material provided in the training guides. *A–82–127:* Establish a minimum training curriculum to be used at pilot schools which covers special considerations involved in a pilot's initial transition into general aviation turbojet airplanes, including the aerodynamic, meteorological and physiological aspects of high-performance, high-altitude flight. *A–82–128:* Require that pilot applicants for an initial type-rating in a general aviation turbojet airplane complete a minimum training curriculum at an approved pilot school or an equivalent military training program for turbojet airplanes. *A–82–129:* Require that type-rating flight checks in general aviation turbojet airplanes include actual demonstration of pilot competency in handling characteristics in high-altitude flight at speed ranges compatible with the specified flight envelope of the airplane. *Sep. 29: A–82–130:* Amend 14 CFR 23.1147, "Mixture Controls," to require a means of assuring that a carburetor mixture control lever will move automatically to the full-rich position in the event it becomes disconnected from the mixture control linkage. *A–82–131:* Encourage manufacturers of small, single-engine airplanes to make available as service or accessory kits carburetor mixture control lever safety springs or their equivalent that will move the carburetor mixture control lever to the full-rich position in the event the lever becomes disconnected from the mixture control linkage. *A–82–132:* Emphasize the importance of proper maintenance and inspection of mixture control linkage assemblies in Advisory Circular No. 43–16, General Aviation Airworthiness Alerts. *Oct. 12: A–82–135:* Issue an immediate Airworthiness Directive to require compliance with the provisions of Fairchild Republic Company Service Letters F27–671 and FH227–36–23 for the inspection and replacement of the moisture separator shell. *A–82–136:* Require the airplane manufacturer to modify the installation of the F–27 and FH–227 left mechanical moisture separator assembly so that critical aircraft components would not be damaged if any mechanical moisture separator failure should occur. *Oct. 18: A–82–133:* Issue an operations bulletin directing Principal Operations Inspectors and Flight Service Station Specialists to remind operators that 14 CFR 91.83(a)(9) requires positively identifying an alternate airport when they file for an instrument flight rules flight. *A–82–134:* Amend the provisions of Flight Service Handbook, 7110.10F, Change 5, concerning domestic instrument flight rules flight plans to require that the alternate airport designated by the pilot be added to the items to be transmitted to the Air Route Traffic Control Center as part of the instrument flight rules flight plan. *Oct. 18: A–82–137:* Issue an Airworthiness Directive applicable to the Aerospatiale AS 350 and AS 355 model helicopters to require that the 1,200-hour life limit and the detailed inspection of the tail rotor driveshaft bearings recommended in Aerospatiale Service Bulletins 05.08 (AS 350) and 05.02 (AS 355) be made mandatory. *A–82–138:* Require that operators of the Aerospatiale AS 350 and AS 355 model helicopters perform a daily visual inspection of the tail rotor driveshaft bearings for proper condition. *A–82–139:* Review and evaluate with the French regulatory agencies the need for replacing the sealed bearings, PN 6007–2RS1KT47CA, now installed on the Aerospatiale AS 350 and AS 355 model helicopters with a bearing that can be lubricated periodically, and take appropriate action as necessary. *Oct. 26: A–82–142:* Issue an Airworthiness Directive requiring that Lockheed L–188 airplanes be modified by incorporating a hydraulic pressure "priority valve." Such a valve should assure adequate hydraulic pressure to the airplane's primary flight controls in the event hydraulic system capability falls below specified standards. *Oct. 27: A–82–143:* Suspend the airworthiness certificate of the Robinson R–22 model helicopter until (1) the main rotor system stability/stall characteristics and the main rotor rpm decay rates are determined to provide adequate margins of safety and to be compatible with normal pilot reaction times, and (2) the R–22 main rotor system is determined to be in compliance with 14 CFR 27.661. *A–82–144:* Conduct a study to verify that adequate engine torque is available to the Robinson R–22 model helicopter main rotor system to recover rpm should a rapid decay of rpm occur during flight.

National Highway Traffic Safety Administration: Oct. 6: H–82–38: Examine the crash performance of vans in rollovers and all accident types, through its crash testing and accident investigation programs, to determine if there is any tendency for doors and other escape areas to unnecessarily jam or be blocked in low-speed crashes. If necessary, establish additional crash performance standards for van escape areas, especially those used for public transportation.

Federal Highway Administration: Oct. 27: H–82–51: In coordination with the Association of American Railroads, study the problem presented by the lack of a standard distance gap between the end of crossing gates and the middle of the road or median, and establish and incorporate such a standard into the Manual on Uniform Traffic Control Devices. *H–82–52:* Review the effectiveness of guidelines in the Manual on Uniform Traffic Control Devices on the use of traffic divisional islands to deter motorists from driving around lowered railroad crossing gates.

Research and Special Programs Administration: Oct. 5: P–82–42: Discontinue the practice of granting waivers prospectively which permits the repair rather than the replacement of defective welds on pipelines yet to be constructed.

U.S. Coast Guard: Oct. 19: M–82–41: Establish a minimum horsepower-to-towlength ratio for downbound tows carrying dangerous cargoes while navigating through the Berwick Bay bridges during high water conditions.

Administration for Children, Youth and Families: Oct. 5: H–82–37: Advise all Head Start grantees and delegate agencies of the circumstances of the accident involving a Head Start school van near Hermanville, Mississippi, on Dec. 17, 1981, and adopt and emphasize the need for adherence to the policies and guidelines provided by the Pupil Transportation Safety Standard, Highway Safety Program Standard Number 17.

State of New York Department of Transportation: Oct. 27: H–82–45: Expeditiously proceed with plans and financing arrangements for the construction of grade separation structures at the Herricks Road crossing of the Long Island Railroad main line and other nearby crossings. *H–82–46:* Analyze the operational aspects of all grade crossings on the Long Island Railroad system and determine what, if any, short-and long-term improvements should be made for each crossing to improve safety. *H–82–47:* Based on the Federal Highway Administration's study to be carried out regarding the lack of a standard distance gap between the ends of crossing gates and the middle of the road or median, establish and incorporate such a standard into the State Manual on Uniform Traffic Control Devices. *H–82–48:* Provide guidelines in the New York State Manual on Uniform Traffic Control Devices on the use of traffic divisional islands to deter motorists from driving around lowered railroad crossing gates.

New York State Department of Motor Vehicles: Oct. 27: H–82–49: Provide information on drivers' responsibilities at grade crossings, particularly those with automatic railroad crossing gates and flashing lights, in the New York State Driver's Manual and examinations. *H–82–50:* Include in a future vehicle registration renewal mailing, an informational flier explaning drivers' responsibilities at automatic railroad crossing gates and flashing lights.

State of South Carolina: Oct. 18: H–82–40: Provide each resident maintenance engineer with an adequate number of construction and maintenance signs and require their use as specified in the Manual on Uniform Traffic Control Devices. *H–82–41:* Provide each resident maintenance engineer with an adequate number of arrowboards to enable work crews to provide additional advance warning and directional information which will assist in diverting and controlling traffic around construction on maintenance activities being conducted on or adjacent to the traveled way. *H–82–42:* Issue instructions to all maintenance crews and highway patrol officers that they are to follow the recommended practices for traffic controls in work zones as promulgated in the Manual on Uniform Traffic Control Devices and/or the South Carolina Manual on Uniform Traffic Control Devices. *H–82–43:* In cooperation

with the Federal Highway Administration, train supervisors of maintenance crews and highway patrol officers in the proper use of traffic control devices in maintenance operations. *H–82–44:* Prohibit the practice of using highway patrol vehicles in construction and maintenance zones as a substitute for the traffic control devices specified in the Manual on Uniform Traffic Control Devices.

New Jersey Department of Transportation: Oct. 20: R–82–107: Require that all hand-operated facing point switches on main tracks over which passenger commuter trains under their jurisdiction are permitted to operate at speeds greater than 30 mph be equipped with an electric lock to prevent the switches from being operated immediately in the face of an approaching train.

District of Columbia: Oct. 15: R–82–78: Require the District of Columbia Fire Department to review its planning for maintaining its rescue squad capability at all times. *R–82–79:* Improve the emergency procedures to be activated in the event of a Metrorail emergency which establishes effective and ongoing liaison between the District of Columbia Fire Department's onsite command post and its Communications Center, the Washington Metropolitian Area Transit Authority, the Metropolitan Police, and the hospitals, to (1) communicate the number of seriously injured persons together with the general nature and severity of their injuries; (2) ascertain each hospital's capacity to receive casualties; (3) direct ambulances to the appropriate hospitals; and (4) clear the most direct evacuation routes from the accident site to the hospitals. *R–82–80:* Require that the District of Columbia Fire Department expand its computer storage capability to include all the information needed by the Fire Dispatcher for automatic assignment and response of units to multiple incidents. *R–82–81:* Require the District of Columbia Fire Department in conjunciton with the Washington Metropolitan Area Transit Authority to expand the scope and frequency of the Disaster Crash simulations and include hospitals and fire/rescue units from surrounding jurisdictions.

Claiborne County (Mississippi) Board of Supervisors: Oct. 5: H–82–39: Provide engineering assistance to all public and private schools in the county in planning schoolbus routes and transportation policies for inclement weather that would avoid, to the extent possible, hazardous or substandard routes.

Washington (D.C.) Metropolitan Area Transit Authority: Oct. 15: R–82–55: Immediately implement an indepth continuing training program for controllers and their superiors in the Metrorail Operations Control Center which includes instruction in the rules, procedures, and fundamentals of rail transit operations; familiarization with all Metrorail operations; radio protocol; and periodic testing and certification by a professional training specialist who is knowledgeable in rail transit operations. *R–82–56:* Establish a Training Department for Metrorail that is accountable to top Washington Metropolitan Area Transit Authority management and is staffed by professional specialists in this field. *R–82–57:* Evaluate the quality of the curriculum, instruction, training aids, and periodic certification process of the present Metrorail train operators' training course, and implement necessary improvements. *R–82–58:* Modify the overspeed control on the Metrorail cars to enforce speed commands of the Automatic Train Protection subsystem to and including zero miles per hour. *R–82–59:* Change the identification numbers of its interlocking and interlocking signals to eliminate possible misunderstandings which could result in a train improperly passing a restricing signal. *R–82–60:* Require the Metrorail Operations Control Center personnel, rail transportation supervisors, and train operators to refer to all signals by their complete and proper designation. *R–82–61:* Require that the Metrorail Operations Control Center personnel and the transportation supervisors understand and implement provisions of Standard Operating Procedure No. 15 for the establishment of an absolute block when there is a failure in the Automatic Train Control system. *R–82–62:* Include in Metrorail operating rules a definition of restricted speed. Establish and require that all employees involved in the operation of trains understand and abide by the maximum allowable speed for trains being operated through an interlocking with inoperative track circuits. *R–82–63:* Eliminate the practice of issuing verbal instructions to the Metrorail Operations Control Center personnel which modify or amend operating rules and standard operating procedures. *R–82–64:* Modify the automated alert system to segregate the "serious" physical plant-related Type 1 visual alarms from the less serious train-oriented Type 2 alarms, and to provide an audible indication of a Type 1 alarm which must be manually acknowledged. *R–82–65:* Require that Type 1 automated alert alarms be immediately reported by the Operations Control Center to Maintenance Control for corrective action. *R–82–66:* Require that maintenance forces inspect switch machine fusetrons while making their regular preventive maintenance inspections of the control system apparatus. *R–82–67:* Provide train operators with some type of self-contained radios which will function in the event that auxiliary and emergency car power sources are lost. *R–82–68:* Arrange for a comprehensive review of its Metrorail safety program and of its rules and procedures by a peer review board of the American Public Transit Association. *R–82–69:* Provide all Metrorail Operations Control Center controllers and their supervisors with clear instructions that all automatic reclosing curcuit breakers or the traction power sections in the affected area must be commanded open prior to the commencement of an evacuation of a train. *R–82–70:* Require the installation of an adequate number of marked emergency escape windows on all new Metrorail cars and implement a program to similarly retrofit existing cars. *R–82–71:* Equip each Metrorail car with an adequate number of self-contained, battery-powered emergency lights which will automatically illuminate the car interior in the event the car's auxiliary and emergency power is lost. *R–82–72:* Post emergency information inside Metrorail cars at locations near the doors regarding the location and method of operation of the manual emergency door handle. *R–82–73:* Retrofit existing Metrorail cars with derailment detector devices which will apply the brakes in emergency when a car wheel leaves the rail. Require that all new cars be so equipped. *R–82–74:* Maintain the carborne monitors on existing Metrorail cars and require their installation on cars presently on order. Acquire the necessary equipment to read the monitor tapes. *R–82–75:* Provide a portable radio, compatible with the Metrorail communication system, at each station kiosk for dedicated use by fire/rescue personnel. *R–82–76:* Expedite the completion of its underground communication system. *R–82–77:* In conjunction with the District of Columbia Fire Department, expand the scope and frequency of the Disaster Crash Simulations and include hospitals and fire/rescue units from surrounding jurisdictions.

Consolidated Rail Corporation: Oct. 20: R–82–108: Install locks designed and constructed to resist unauthorized opening to secure hand-operated switches on main tracks over which trains are permitted to operate at speeds greater than 30 mph. *R–82–109:* Install electric locks on all hand-operated switches on main track over which trains are permitted to operate at speeds greater than 30 mph to prevent the switch from being operated in the face of an approaching train.

New York City Transit Authority: Oct. 13: R–82–105: Establish a procedure for scheduling and making permanent repairs within an established minimum time after temporary repairs have been made on signal circuits. *R–82–106:* Establish a training program for signal department employees performing inspections and testing signal circuits to give them a thorough understanding of proper signal circuit test procedures and principles.

Northern Plains Gas Company: Oct. 13: P–82–41: Revise its quality assurance program to provide high qualification standards for X-ray technicians and to prescribe procedures which will result in the detection and repair or replacement of girth weld defects before a pipeline is buried.

General Aviation Manufacturers Association: Oct. 20: A–82–140: Convenee a meeting of representatives of the aviation and petroleum industries to examine the practicality of standardizing and modifying nozzles and tank openings throughout the aviation fuel distribution system from the refinery to the airplane so that jet fuel cannot be inadvertently delivered to tanks intended for the containment of aviation gasoline (AVGAS). *A–82–141:* Coordinate the action by the aviation fuel distribution industry to implement measures in the distribution system that will positively prevent the inadvertent fueling of reciprocating engine-powered aircraft with jet fuel.

Association of American Railroads: Sep. 29: R–82–103: Advise its membership of the circumstances of the wheel failure accident that involved Seaboard Coast Line Train No. 175 near Pembroke, North Carolina, on Feb. 24, 1982, and warn them of the failure record of the D–28 wheel. *R–82–104:* Issue instructions that all D–28 wheels be removed prior to October 1, 1984. *Oct. 27: H–82–56:*

Incoordination with the Federal Highway Administration, study the problem presented by the lack of a standard distance gap between the end of crossing gates and the middle of the road or median, and establish and incorporate such a standard distance into the Association's recommended practices.

The Long Island Railroad: Oct. 27: H–82–53: Extend the length of the crossing gate arms at the Herricks Road grade crossing and where required at the other grade crossings of the main line of the Long Island Railroad so they will comply with your existing standards. *H–82–54:* Remove the billboard and its supports in the northwest quadrant of Herricks Road and the main line of the Long Island Railroad and remove all extraneous matter, such as shrubbery, on the railroad right-of-way which interferes with the sight line of motorists. *H–82–55:* Survey all other grade crossings on the Long Island Railroad system and remove extraneous obstacles on the railroad right-of-way which interfere with a motorist's sight line. Report extraneous matter, not on the railroad right-of-way, which obstructs a motorist's sight line to the owner of the property on which such matter exists and request its removal.

Note.—Reports may be ordered from the National Technical Information Service, 5285 Port Royal Road, Springfield, Virginia 22161, for a fee covering the cost of printing, mailing, handling, and maintenance. For information on reports call 703–487–4650 and to order subscriptions to reports call 703–487–4630. Single copies of recommendation letters (identified by recommendation number) are free on written request to: Public Inquires Section, National Transportation Safety Board, Washington, D.C. 20594.

H. Ray Smith, Jr.,

Federal Register Liaison Officer.

November 4, 1982.

[FR Doc. 82-30097 Filed 11-3-82; 8:45 am]

BILLING CODE 4810-58-M

NUCLEAR REGULATORY COMMISSION

Ad Hoc Committee for Review of Nuclear Reactor Licensing Reform Proposals; Meeting

Notice is hereby given in accordance with Section 10 of the Federal advisory Committee Act that NRC's Ad Hoc Committee for Review of Nuclear Reactor Licensing Reform Proposals will hold a meeting at 9:30 a.m., December 1, 1982. This meeting will take place at the office of Shaw, Pittmen, Potts and Trowbridge, South Building, 9th Floor Lobby, 1800 M Street, NW., Washington, D.C. and will be open for public observation.

At this meeting, the committee will continue its review of proposals for reforming the NRC's licensing process for nuclear plants. a transcript of the meeting will be made available for public inspection and copying at NRC's Public Document Room, 1717 H Street, NW., Washington, D.C.

Further information may be obtained from Mr. Rothschild, Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20550 (Telephone 202–634–1465).

Dated at Washington, D.C. this 29th day of October, 1982.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 82-30332 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50–269, 50–270 and 50–287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 114, 114 and 111 to Facility Operating Licenses Nos. DPR–38, DPR–47 and DPR–55, respectively, issued to Duke Power Company, which revised the Technical Specifications (TSs) for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina.

These amendments were authorized by telephone on October 14, 1982, and were confirmed by letter dated October 15, 1982; they were issued on an expedited basis to permit Unit 1 to continue operation based on the Commission's Safety Evaluation. These amendments change the TSs to allow the pressurizer code safety valves on Oconee Unit 1 to be degraded from October 14 through 29, 1982.

The application for the amendments 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 amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments 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 these amendments.

For further details with respect to this action, see (1) the application for amendments dated October 14, 1982, (2) the Commission's letter to the licensee dated October 15, 1982, (3) Amendments Nos. 114, 114, and 111 to Licenses Nos. DPR–38, DPR–47 and DPR–55, repectively, and (4) 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, N.W., Washington, D.C. and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina. A copy of items (2), (3) and (4) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 26th day of October 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 82-30326 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50–269, 50–270 and 50–287]

Duke Power Co.; Issuance of Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has issued Amendments Nos. 115, 115 and 112 to Facility Operating Licenses Nos. DPR–38, DPR–47 and DPR–55, respectively, issued to Duke Power Company, which revised the Technical Specifications (TSs) for operation of the Oconee Nuclear Station, Units Nos. 1, 2 and 3, located in Oconee County, South Carolina. The amendments are effective as of the date of issuance.

These amendments revise the TSs to reflect a Duke Power Company reorganization and personnel qualifications in the Administrative Controls Section and also correct the local leak testing requirements for certain containment penetrations.

The applications for the amendments comply 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 amendments. Prior public notice of these amendments was not required since the amendments do not involve a significant hazards consideration.

The Commission has determined that the issuance of these amendments 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 these amendments.

For further details with respect to this action, see (1) the applications for amendments dated July 30, 1982, and September 10, 1982, (2) Amendments Nos. 115, 115, and 112 to Licenses Nos. DPR-38, DPR-47 and DPR-55, respectively, and (3) the Commission's related Safety Evaluation. All of these items are available for pubic inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. and at the Oconee County Library, 501 West Southbroad Street, Walhalla, South Carolina. 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 Licensing.

Dated at Bethesda, Maryland, this 26th day of October 1982.

For the Nuclear Regulatory Commission.

John F. Stolz,

Chief, Operating Reactors Branch No. 4, Division of Licensing.

[FR Doc. 82-30327 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

Orion Chemical Co.; Order

[General License (10 CFR 40.22) EA 82-111]

I

Orion Chemical Company, 3853 North Sherwood Drive, Provo, Utah 84604 (the "licensee") is the holder of a general license granted by the Nuclear Regulatory Commission (the "Commission") pursuant to 10 CFR 40.22. The general license authorizes the use or transfer of not more than 15 pounds of source material at one time and the receipt of not more than 150 pounds of source material in any one calendar year.

II

An inspection of the licensee's premises at Orem, Utah, on August 23, 1982, by a representative of the NRC Region IV Office indicated that the licensee had conducted licensed activities in violation of certain Commission requirements. As result of this inspection, an Order to Show Cause and Order Temporarily Suspending License was issued to Orion Chemical Co. on September 3, 1982. The licensee responded to the citations in the Order to Show Cause on September 24, 1982, and described a number of corrective actions it planned to take including: (1) Measures to assure compliance with recordkeeping requirements and to permit inspection of records by representatives of the Commission, (2) improvements in the conduct of operations including the use of protective clothing, frequent instrument and service monitoring, and (3) the use of containers at each step of the process to prevent spills and contamination. In discussions with NRC personnel, the licensee has also committed to the use of a hood at each step of the process and to conduct all future operations in accordance with the recommendations of a consultant, Mr. Bob Decker of Chemrand Corporation. In addition, the licensee committed to meet all state and local regulations.

In view of these representations and commitments, the Director of the Inspection and Enforcement has determined that rescission of the September 3, 1982 Order is appropriate.

III

Accordingly, the licensee may resume operations in accordance with the requirements of the general license, issued under 10 CFR 40.22 of the Commission's regulations.

Dated at Bethesda, Maryland, this 22nd day of October, 1982.

For the Nuclear Regulatory Commission.

Richard C. DeYoung,

Director, Office of Inspection & Enforcement.

[FR Doc. 82-30328 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

[Byproduct Material License No. 41-19870-01; EA 82-105]

Radiodiagnostic Imaging Affiliates of Virginia, Inc.; Decision on Order To Show Cause Dated August 27, 1982 and Order Further Modifying License (Effective Immediately)

I

Radiodiagnostic Imaging Affiliates of Virginia, Inc., 2500 21st Avenue South, Nashville, TN 37212 (the "Licensee") is the holder of Byproduct Material License No. 41-19870-01 (the "License") issued by the Nuclear Regulatory Commission (the "Commission"). The License authorizes the possession of byproduct material and its use for medical diagnostic purposes. The License was originally issued on February 26, 1982, and the present expiration date of the License is February 28, 1987.

II

Following a routine inspection on August 12, 1982, an investigation of Licensee activities was conducted by representatives of the NRC Region II (Atlanta, GA) Office on August 17 and 18, 1982, to determine compliance with Commission requirements. As a result of this investigation, an Order to Show Cause Why the License Should Not Be Revoked and an Order Modifying License, dated August 27, 1982, were issued by the Director, Office of Inspection and Enforcement.

The Licensee responded by filing a written answer to the Order to Show Cause on September 17, 1982. The Licensee responded to each of the items of noncompliance cited in the Order and set forth the corrective actions taken. The Licensee also described additional steps taken to improve its activities including obtaining a generator shield to store depleted generators until shipment and obtaining additional shielding for xenon storage. On the basis of an evaluation of the Licensee's response, the results of an inspection conducted on September 16, 1982, and supporting statements from three hospitals, the Director, Office of Inspection and Enforcement, has determined that the specific plans, procedures and facility changes, if continued or implemented as described by the Licensee, are adequate to enable the Licensee to conduct future activities involving licensed material in compliance with Commission requirements. The Director has further determined that the public health, safety and interest requires that these additional commitments be made requirements by an immediately effective Order.

III

In view of the foregoing, pursuant to Section 161(b) of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2, 20, 30, and 35, it is hereby ordered effective immediately that:

A. License No. 41-19870-01 is modified to include the Licensee's statements and representations contained in the letter of September 17, 1982, as specified in Section II above.

B. The Licensee shall, beginning in the fourth quarter of 1982 and continuing through the fourth quarter of 1983, conduct internal compliance audits on a quarterly frequency to be performed by an independent consultant possessing certification or eligibility for certification by the American Board of Health Physics, American Board of Radiology in Radiological Physics or Medical Nuclear Physics, or the American Board of Nuclear Medicine Services. These audits shall be documented and maintained on file at

the Licensee's Big Stone Gap Facility. Once these independent audits have commenced, the bi-weekly audits by the Radiation Safety Officer, required by the Order of August 27, 1982, may be discontinued.

IV

The Licensee may request a hearing on this Order within 25 days of its issuance. A request for hearing shall be submitted to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies of the request shall also be sent to the Secretary of the Commission and the Executive Legal Director at the same address. If a hearing is requested by the Licensee, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be:

Whether, on the basis of the matters set forth in Section II of this Order, License No. 41–19870–01 should be modified as set forth in Section III of this Order.

In the event that a need for further action becomes apparent, either in the course of proceedings on this Order, or any other time, the Director will take appropriate action.

Dated at Bethesda, Maryland, this 26th day of October 1982.

For the Nuclear Regulatory Commission.

Richard C. DeYoung,

Director, Office of Inspection and Enforcement.

[FR Doc. 82-30329 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-312, License No. DPR-54, EA 82-50]

Sacramento Municipal Utility District, Rancho Seco Nuclear Generating Station; Order Imposing Civil Monetary Penalties

I

Sacramento Municipal Utility District, 6201 S. Street, P.O. Box 15830, Sacramento, California 95813 (the "licensee") is the holder of License No. DPR–54 (the "license") issued by the Nuclear Regulatory Commission (the "Commission") which authorizes the licensee to operate the Rancho Seco Nuclear Generating Station in Sacramento County, California, in accordance with conditions specified therein. The license was issued on August 16, 1974.

II

A special inspection of the licensee's activities under the license was conducted on February 11 through April 28, 1982 at the Rancho Seco Nuclear Generating Station in Sacramento County, California. As a result of this inspection, it appears that the licensee had not conducted its activities in full compliance with the conditions of its license. A written Notice of Violation and Proposed Imposition of Civil Penalties was served upon the Licensee by letter dated June 24, 1982. The Notice states the nature of the violations, and the license conditions which the licensee had violated, and the amount of civil penalty proposed for each violation. An answer dated August 31, 1982 to the Notice of Violation and Proposed Imposition of Civil Penalties was received from the licensee.

III

Upon consideration of the answers received and the statements of fact, explanation, and argument for mitigation of the proposed civil penalties contained therein, as set forth in the Appendix to this Order, the Director of the Office of Inspection and Enforcement has determined that the penalties proposed for the violations designated in the Notice of Violation and Proposed Imposition of Civil Penalties should be imposed.

IV

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2282, Pub. L. 96–295), and 10 CFR 2.205, it is hereby ordered that:

The licensee pay civil penalties in the amount of One Hundred Twenty Thousand Dollars ($120,000) within thirty days of the date of this Order, by check, draft, or money order, payable to the Treasurer of the United States and mailed to the Director of the Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555.

V

The licensee may within thirty days of the date of this Order request a hearing. A request for a hearing shall be addressed to the Director, Office of Inspection and Enforcement. A copy of the hearing request shall also be sent to the Executive Legal Director, USNRC, Washington, D.C. 20555. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. If the licensee fails to request a hearing within thirty days of the date of this Order, the provisions of this Order shall be effective without further proceedings; if payment has not been made by that time, the matter may be referred to the Attorney General for collection. In the event the licensee requests a hearing as provided above, the issues to be considered at such hearing shall be:

(a) Whether the licensee violated NRC license conditions as set forth in the Notice of Violation and Proposed Imposition of Civil Penalties; and

(b) Whether, on the basis of such violations, this Order should be sustained.

Dated at Bethesda, Maryland, this 26th day of October 1982.

For the Nuclear Regulatory Commission.

Richard C. DeYoung,

Director, Office of Inspection and Enforcement.

Appendix—Evaluation and Conclusion

The licensee admits all of the violations as set forth in the Notice of Violation dated June 24, 1982. In the licensee's response dated August 31, 1982, reasons given for the cited violations included inadequate equipment design, inadequate training, inadequate procedures and failure to follow established procedures. Nonetheless, the licensee included in the response a request for mitigation of the proposed civil penalties pursuant to the provisions of 10 CFR 2.205(b) on the following bases:

1. Although the circumstances regarding the inoperability of the "B" diesel generator were similar to those reported in LER–81–33, the licensee contends that appropriate corrective action had been initiated to move the open relay condition from the "Diesel Trouble" alarm to the "Diesel Not Ready for Auto Start" alarm, and, further to investigate better relay marking techniques to insure that disabling conditions would be identified and therefore contends that an increased penalty for inadequate corrective action is improper and unnecessary.

2. With respect to the violation involving the inoperability of the "B" HPI pump, the licensee contends that the events associated with LER–79–11 and reportable occurrences which led to the 1980 enforcement action are not similar and, therefore, penalties beyond the base penalty should not be imposed. As defined in the NRC Enforcement Policy "similar" refers to "those violations which could have been reasonably expected to have been prevented by the licensee's corrective action for previous violations."

3. The fact that the violations were discovered by the licensee, promptly reported to NRC, and comprehensive corrective action initiated prior to the NRC issuing the Notice of Violation along with the contention that neither violation represented multiple examples of a particular violation during the inspection period, is contended by the licensee to warrant consideration of a reduction in the civil penalty.

The licensee's first contention fails to fully recognize that the event described in LER–81–33 occurred on June 11, 1981, some eight months prior to the occurrence which resulted in the current civil penalty action. At

that time the licensee stated that to preclude a recurrence more effective relay marking techniques would be developed to assist the operators in detecting open relays during their shift checks. In the licensee's current response to the Notice of Violation the licensee states that once again an open breaker was not discovered by the routine shift checks nor during investigation of the trouble alarm. Since then, white indicating boxes have been added to each relay cover where trip flag indicators are located to assist operators in locating and checking the status of all relay targets.

In addition, evidently, subsequent to the event reported in LER–81–33, the licensee failed to review the circuitry and assure that all identified fault relays that would prevent the diesel from operating were properly put on the diesel generator "Auto Start Inoperable" alarms.

The Commission requires licensee's to perform prompt competent evaluations of events that impact on the safety of facility operations as well as to initiate and complete appropriate corrective action in a timely manner. Nothing less is acceptable. Therefore, the licensee's contention that they had identified the problem and initiated action, some eight months previous is without merit in view of the recurrence of the events and the simplicity of the changes made to reduce the likelihood of operator error subsequent to the subject violation. The Commission also expects the licensee to assure that all personnel operating equipment in a nuclear power plant be appropriately qualified to perform assigned duties. Again, nothing less is acceptable. Therefore, the reasons set forth by the licensee as the cause of the violation relating to inadequate training are inexcusable and without merit.

The licensee's second contention is also without merit. The corrective action for the mispositioned switch reported in LER–79–11 was to institute a log sheet and verify the switch position every eight hours. A similar procedural provision was required for the breaker charging spring status for the HPI pump. In addition, the 1980 NRC Order specifies: (1) "Administrative procedures shall be adopted and implemented to require independent verification of valving line-ups and *equipment operability* (Emphasis added) whenever safety related equipment is removed from or placed in service." and (2) "Existing administrative procedures and controls shall be reviewed and revised as necessary to assure that operating procedures are readily updated and maintained to reflect changes in safety related plant systems or their operation."

The licensee's response focused on the operations personnel's misunderstanding of the meaning of the diesel generator alarm indicator light. The response ignored the cause of the violation. Had the equipment been properly returned to service and had the fault flag been recorded as required, this violation could have been prevented. However, the licensee contends that due to operations personnel's misunderstanding, this violation is not similar to previous items. As used in the NRC enforcement policy previously stated above, the term "similar" means those violations which could have been reasonably expected to have been prevented by licensee's corrective action for previous violations. For the case in point, the events associated with the previous LER and the Order clearly demonstrate the need to assure that any and all switches, breakers and other safety related equipment are routinely verified to be correctly positioned. Failure on the part of procedures or implementation of the procedures to accomplish special or routine verifications are by definition similar. It can be reasonably expected that the corrective action should prevent future similar type violations. The policy does not require that the equipment or system be the same as implied in the licensee's response. Consequently, the staff disagrees with the licensee's assertion that the 1980 Order is irrelevant to the cited violations.

The licensee's final contention is also without merit. The "Diesel Trouble" alarm could not be cleared after the suspected cause had been corrected. The inoperability of the HPI was discovered when an attempt to start the pump resulted in its failure to start. Also, the licensee's procedures required the operations personnel to check the status of the equipment every eight hours. The inoperability of the equipment should have been discovered earlier had the procedures been properly implemented. Concerning the factor of multiple examples of a violation, the civil penalty amount was not increased based upon the existence of multiple examples. Additionally, the enforcement policy does not provide for mitigation on the basis of the absence of multiple examples of a particular violation. In view of the circumstances associated with these violations and information available to the licensee concerning the existence of a problem, the staff concludes that credit for self identification is not appropriate.

Based on the foregoing the staff believes a reduction of the penalty would be contrary to the stated enforcement policy and therefore unwarranted. Further, the staff finds no basis set forth by the licensee in his request for mitigation to grant a reduction of the penalty for these violations and that the penalty is proper and necessary to provide the licensee an incentive to conduct the licensed activities not only to the letter, but also, to the intent of the regulatory requirements.

[FR Doc. 82–30330 Filed 11–3–82; 8:45 am]
BILLING CODE 7590–01–M

[Docket No. 50–206]

Southern California Edison Co. and San Diego Gas & Electric Co. (San Onofre Nuclear Generating Station, Unit No. 1); Exemption

I

The Southern California Edison Company (SCE) and the San Diego Gas and Electric Company (the licensees) hold Provisional Operating License No. DPR–13, which authorizes Southern California Edison Company to operate the San Onofre Nuclear Generating Station, Unit No. 1 (the facility) at power levels not in excess of 1347 megawatts (thermal) rated power. The facility, which is located in San Diego County, California, is a pressurized water reactor (PWR) used for the commercial generation of electricity.

II

Section 50.54(t) of 10 CFR Part 50 requires that a nuclear power reactor licensee provide for a review of its emergency preparedness program at least every 12 months by persons who have no direct responsibility for implementation of the emergency preparedness program. By application dated March 18, 1982, the licensee requested an exemption from the § 50.54(t) schedular requirement to permit a one-year extension of the annual review of the review of the emergency preparedness program for San Onofre Nuclear Generating Station, Unit No. 1 from April 1, 1982 to April 1, 1983. Discussions between the licensees' representatives and members of the NRC staff indicated that schedular relief until February 16, 1983, rather than April 1, 1983, would be acceptable for San Onofre Unit No. 1. This modified date coincides with the date that a similar audit is required for San Onofre Unit No. 2. Accordingly, the licensees and the NRC staff mutually agreed to modify the extension request to February 16, 1983.

The licensees stated that the requested schedular relief is justified by the comprehensive review of existing onsite and offsite emergency preparedness for the site, including SONGS–1 conducted during the past year-and-a-half by the NRC staff and the Federal Emergency Management Agency (FEMA) in conjunction with licensing proceedings related to San Onofre Nuclear Generating Station, Units 2 and 3. In an affidavit submitted in support of the exemption request, the licensee cited (1) the full-scale exercise of the San Onofre Unit No. 1 onsite emergency plan and the San Onofre Nuclear Generating Station offsite emergency plans conducted on May 13, 1981, by Southern California Edison Company and the involved offsite jurisdictions, under the observation of FEMA and NRC staff representatives, (2) the April 15, 1982 exercise of the San Onofre Unit No. 2 onsite plan and the offsite emergency plans under the observation of FEMA and NRC

represenatatives, (3) the December 2, 1981 FEMA report, (4) the February 9, 1982 report issued by the NRC on the emergency preparedness appraisal for San Onofre Units 2 and 3, and (5) the NRC inspections of emergency preparedness in October and November 1981, and January 1982.

III

The affidavit submitted in support of the licensees' request presents a factual picture of the salient milestones in the development and review of the site's emergency preparedness program. That description is generally consistent with the schedule of events that have occurred at each of the operating plants (and the near term operating license applicant's sites) during the course of calendar year 1981. One significant additional factor unique to the San Onofre Nuclear Generating Station site is the occurrence of an additional exercise during April, 1982 for the purpose of evaluating the San Onofre, Unit 2, onsite program and for demonstrating the level of offsite capability beyond that evaluated during the May, 1981, exercise. We note that the Unit 1 offsite plans are the same plans applicable to Unit 2.

Based on our review, we find that the additional onsite and offsite review performed in conjunction with the April 1982 emergency planning exercise is sufficient to support the granting of an exemption until February 16, 1983 for the conduct of an independent audit of the San Onofre Unit No. 1 emergency plan.

We conclude that the extension until February 16, 1983, is acceptable based on the additional onsite and offsite review performed in conjunction with the April 1982 exercise. We further conclude that this extension of time until February 16, 1983 for the conduct of an independent audit of the San Onofre Unit 1 emergency preparedness program will not endanger the health and safety of the public and should, therefore, be granted.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security, is otherwise in the public interest, and is hereby granted.

The Commission has determined that the granting of this exemption 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 this action.

This exemption is effective upon issuance.

Dated at Bethesda, Maryland, this 28th day of October, 1982.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 82-30331 Filed 11-3-82; 8:45 am]

BILLING CODE 7590-01-M

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

AGENCY: Railroad Retirement Board.

ACTION: In accordance with the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) Collection title: Appeal Under the Railroad Retirement Act.

(2) Form(s) submitted: HA-1.

(3) Type of request: Revision.

(4) Frequency of use: On occasion.

(5) Respondents: 700.

(6) Annual responses: 800.

(7) Annual reporting hours: 267.

(8) Collection description: Under Section 7(b)(3) of the RRA, a person aggrieved by decision on his or her application for an annuity or other benefit has the right to appeal to the agency. The application will porvide the means for initiating the appeals action.

Additional Information or Comments

Copies of the proposed forms and supporting documents may be obtained from Pauline Lohens, the agency clearance officer (312-751-4692). Comments regarding the information collection should be addressed to Pauline Lohens, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611 and the OMB reviewer, Milo Sunderhauf (202-395-6880), Office of Management and Budget, Room 3201, New Executive Office Building, Washington, D.C. 20503.

William A. Oczkowski,

Director of Planning and Information Management.

[FR Doc. 82-30396 Filed 11-3-82; 8:45 am]

BILLING CODE 7905-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-19185; File No. SR-Amex-82-17]

Self-Regulatory Organizations; American Stock Exchange, Inc.; Relating to Transaction Charges on Treasury Securities Options Transactions

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on October 20, 1982, the American Stock Exchange filed with the Securities Exchange Commission the proposed rule change as described in Items I, II, and III below, which items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Board of Governors of the American Stock Exchange has approved the following Resolution.

Resolution

Resolved, that the following fee schedule for options transactions in Treasury securities be established and imposed by the Exchange pursuant to Article VII, Section 5 of the Exchange Constitution:

—6¢ per contract side for proprietary business; and,
—30¢ per contract side for customer business.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) *Purpose.* The proposed rule change establishes a fee schedule for transactions in Treasury securities options. Such transaction charges will provide a source of revenue to pay for

the operational and regulatory activities of the Exchange associated with the trading of these options.

The proposed charges are essentially the same as the Exchange's current stock options charges; there is one difference, reflecting a technical difference in the new contract. Currently, stock options transaction charges provide that if an options premium is less than one dollar, the per contract charge on customer business is 15¢ rather than 30¢. Since interest rate options premiums are expressed as a percentage of principal amounts, this standard would be inappropriate. To provide a similar price differential in interest rate option fees would involve a different formula for each contract which would defeat the uniformity and simplicity the Exchange is pursuing in the development of its new option products.

(b) *Basis.* The adoption of the transaction charge schedule is consistent with Section 6(b) of the Exchange Act in general and furthers the objective of Section 6(b)(4) in particular in that it will assure the equitable allocation of reasonable dues, fees, and other charges among the Exchange's members and other persons using its facilities.

B. Self-Regulatory Organization's Statement on burden on competition

While the proposed change will impose a fee on trading in Treasury options, that fee is not a significant expense. Further, the fee will not create an unnecessary burden on competition in that the revenues generated by the collection of transaction charges on proprietary and customer transactions will be used by the Exchange to help cover its operational costs as well as the cost of carrying out its self-regulatory functions under the Act.

C. Self-Regulatory Organization's statement on comments on proposed rule change received from members, participants, or others

No written comments were solicited or received with respect to the proposed rule changes.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of the Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule changes that are filed with the Commission, and all written communications relating to the proposed rule changes between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, N.W., 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 in the caption above and should be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: October 27, 1982.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30293 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12765; (812-5181)]

Jefferson Standand Life Insurance Co., Jefferson Standard Separate Account A, and Jefferson-Pilot Equity Sales, Inc.; Application For an Order Pursuant to Section 6(c) of the Act Granting Exemptions From Sections 2(a)(32), 2(a)(35), 26(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c–1 Thereunder

October 26, 1982.

Notice is hereby given that Jefferson Standard Life Insurance Company ("Jefferson"), Jefferson Standard Separate Account A ("Account"), and Jefferson-Pilot Equity Sales, Inc. ("Equity Sales") 101 North Elm Street Greensboro, NC 27401, (hereinafter collectively called "Applicants"), filed an application on May 28, 1982, and amendments thereto on September 27 and October 12, 1982, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order granting exemptions to the extent necessary from the provisions of Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c–1 thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

The Account is a separate account of Jefferson established as the facility for issuing certain variable annuity contracts. All amounts credited to the Account pursuant to variable annuity contracts will initially be invested in shares of JP Growth Fund, Inc., JP Income Fund, Inc., or Jefferson-Pilot Money Market Fund, Inc. ("Funds"), diversified open-end investment companies registered under the Act. It is proposed that upon their registration statements becoming effective under the Securities Act of 1933 the securities of Jefferson-Pilot Growth Fund, Inc. and Jefferson-Pilot Income Fund, Inc., diversified open-end investment companies, will be substituted for securities of JP Growth Fund, Inc. and JP Income Fund, Inc., respectively, pursuant to Rule 6c–6 of the Act.

Jefferson is a stock life insurance company chartered under the laws of North Carolina and a wholly-owned subsidiary of Jefferson-Pilot Corporation. Equity Sales, a wholly-owned subsidiary of Jefferson-Pilot Corporation, is a registered broker-dealer under the Securities Exchange Act of 1934. JP Investment Management Company is investment advisory to the Funds.

According to the application, the contracts ("Contracts") to be funded through the Account are individual immediate and deferred single purchase payment and periodic purchase payment variable annuity Contracts designed for use in connection with tax qualified retirement plans ("qualified Contracts") and sales where no special tax treatment is involved ("non-qualified Contracts"). The Contracts permit purchase payments to be made on a flexible basis subject to certain minimums. The application also states that at the present time contracts are not available for purchase except in connection with pension or profit-sharing plans and individual retirement accounts qualified for special tax treatment under the Internal Revenue Code and public employee deferred compensation plans. Prior to September 25, 1981, contracts were available for purchase otherwise than in connection

with such plans and accounts. Any person who prior to that date bought a contract is entitled to continue such contract. The application states that at such time as the securities of Jefferson-Pilot Growth Fund, Inc. and Jefferson-Pilot Income Fund, Inc. are substituted for the securities of JP Growth Fund, Inc. and JP Income Fund, Inc., Contracts, with the terms described below, will be available for purchase otherwise than in connection with such plans and accounts.

According to the application, on each contract anniversary on or prior to the annuity date, there will be deducted from the value of each deferred Contract a maximum contract administration charge of $30 for administration expenses relating to the Contracts. Such charge will also be deducted upon the withdrawal in full of the contract value on any date other than a contract anniversary. For single purchase payment immediate Contracts, the administration charge is $90 and is deducted from the single purchase payment when the Contract is issued. Applicants assert that these charges are designed only to reimburse Jefferson for administration expenses and are not calculated to include a profit element or expected to result in any profit. The applicants further assert that these administrative costs are incurred in full by Jefferson with respect to each Contract each contract year, including a Contract which is surrendered prior to the end of the contract year. Furthermore, according to the application, there are additional administrative costs incurred in the handling of the surrender of a Contract. Applicants state that they are fully justified, therefore in charging the full charge, without proration thereof, with respect to a Contract which is surrendered prior to the end of the contract year.

Applicants state that with respect to deferred Contracts no sales charges will be deducted from purchase payments as they are made. Instead, a contingent deferred sales charge will be assessed (a) in the event of a full or partial withdrawal of the net contract value within fifteen years after the Contract's issue date, or (b) if within five years from the Contract's issue date the Contract's value is used to provide an annuity certain (*i.e.*, without a life contingency) and if the (i) specified payment period is less than ten years or (ii) specified amount, annualized is more than 15 percent of the Contract's value at the time used to provide an annuity certain. The Applicants state that the charge provided for in (b) is intended to prevent an annuitant from avoiding the contingent deferred sales charge by electing, in the early contract years, an annuity involving no life contingency and resulting in the complete liquidation of his contract value within a relatively short period of time. This charge is designed to obtain for Jefferson a sales charge comparable to that provided for under (a).

According to the application, the contingent deferred sales charge made at withdrawal or upon effecting annuity payments will be 9 percent of the amount withdrawn or used to effect annuity payments during the first contract year, and the percentage will scale downward by ½ percent each month after end of the first contract year to 2 pecent at the end of the eighth contrct year. According to the application, in no event will the charge exceed 8½ percent of the total gross purchase payments under a periodic payment Contract or 6½ percent of the total gross single purchase payment under a single payment Contract. The application also describes circumstances when the contingent deferred sales charge may be appropriately waived or reduced. The Applicants assert that the amount, computation and timing of the contingent deferred sales charge are designed to reimburse Jefferson solely for expenses relating to the sale of the Contracts.

According to the application, Jefferson guarantees that (i) the $30 contract administration charge assessed annually prior to the annuity date will never be increased and (ii) the amount of each annuity payment after the annuity date will not be affected by variations in the mortality experience of persons receiving such payments or the general population. For assuming these risks, Jefferson will assess an expense risk charge and a mortality risk charge which on an annual basis will equal .2555 percent and .73 percent, respectively, of the daily net asset value of the Account. Jefferson reserves the right to decrease or increase these charges annually, but in no event may such combined charges exceed 1.460 percent annually. The application states that the mortality and expense risk fee charges will be added to the general account of Jefferson and will not be specifically earmarked for any other purpose. According to the application Jefferson utilizes the assets in its general account to meet administration, mortality and general expenses, as well as any shortfall in recovery of distribution costs related to the Contracts. Charges under other contracts Jefferson issues also provide a source of revenue to meet these expenses. Based upon Jefferson's actuarial projections, it is possible that the contingent deferred sales charge described above may, at least initially, be insufficient to recover all of the distribution costs and related expenses incurred in connection with the Contracts. In such event, the applicants state that some portion of the mortality and expense risk charges (to the extent such charges comprise surplus in the general account) may be utilized by Jefferson to meet such excess sales expenses. Applicants have stated that such charges are consistent with industry practice and reasonable in relation to the risks incurred and purposes intended. Also, any premium taxes imposed by a state or other government entity will be deducted from the contract value at the annuity date, at actual cost.

Applicants seek exemptions pursuant to Section 6(c) from Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c–1 thereunder to the extent necessary to permit the issuance and sale of the Contracts with a contingent deferred sales charge and Applicant's assessment of an annual contract administration charge, mortality and expense risk charges, and a deduction for premium taxes.

Applicants also request an exemption from Sections 26(a) and 27(c)(2) of the Act to the extent necessary to permit Jefferson to hold the assets of the Account for safekeeping rather than to enter into a custodial or safekeeping agreement with a bank, and to permit shares of the Funds to be held under an open account arrangement without the use of stock certificates. In veiw of the absence of stock certificates, Applicants also request an exemption from the requirement of Section 26(a)(2)(D) that a trustee or custodian have physical possession of the assets and that the assets of the Account be segregated and held in trust. The Applicants state that there is little or no necessity, given the other safeguards and conditions, for requiring a bank trustee or custodian in the context of an established insurance company offering variable ennuity contracts though a separate account registered as a unit investment trust.

Section 6(c)

Section 6(c) of the act authorizes the Commission to exempt any person, security or transaction, from the provisions of the Act and rules promulgated thereunder, if and to the extent that such exemption is consistent

with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. For the reasons stated above, Applicants request exemption pursuant to Section 6(c) from certain provisions of the Act as summarized below.

Sections 2(a)(32), 2(a)(35), 22(c), 27(a)(3), 27(c)(1), 27(d) and Rules 22c–1

Section 2(a)(32) of the Act defines a redeemable security as any security under the terms of which the holder is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Section 27(c)(1) of the Act, in pertinent part, prohibits any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter of such company, to sell such certificate unless it is a redeemable security.

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes, or adminitrative expenses or fees which are not properly chargeable to sales or promotional activities.

Section 22(c) of the Act and Rule 22c–1 thereunder prohibit a registered investment company issuing redeemable securities, such as the contracts, from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security.

Section 27(a)(3) of the Act prohibits any registered investment company issuing periodic payment plan certificates, or any depositor or underwriter of such company, from selling any such certificate if the deduction for sales charges on any first payment proportionately exceeds the amount deducted on any other such payment, or the deduction for sales charges on any subsequent payment proportionately exceeds the amount of the deduction on any other subsequent payment. Section 27(d) of the Act, in pertinent part, requires that the holder who surrenders his or her periodic payment plan certificate within eighteen months of issuance receive his or her account value plus an amount equal to the excess paid for sales expenses which exceed 15% of the purchase payments made by the certificate holder.

Sections 27(c)(2) and 26(a)

Section 27(c)(2), in relevant part, prohibits the issuer of a periodic payment plan certificate and any depositor or underwriter for such issuer from selling such certificate unless the proceeds of all payments (other than any sales load) are deposited with a qualified bank acting as trustee or custodian, and held under an agreement containing, in substance, the provisions required by Section 26(a)(2) and 26(a)(3). Those provisions require that such agreement must provide, *inter alia*, that the bank (i) shall have possession of all property of the unit investment trust and segregate and hold the same in trust subject only to the charges and collections specifically allowed under clauses (A), (B), and (C) of such section until distribution to the securityholders of the trust; (ii) shall not resign until the trust has been liquidated or a successor has been appointed; (iii) may collect from the income and, if necessary, from the corpus of the trust such fees for services provided for in the agreement; (iv) shall not allow as an expense any payment to the depositor or principal underwriter except a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services of a character normally performed by the bank itself.

Notice is further given that any interested person may, not later than November 19, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30295 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 22684; (70-6678)]

National Fuel Gas Co., National Fuel Gas Distribution Corp., Penn-York Energy Corp., and National Fuel Gas Supply Corp.; Notice of Intra-System Borrowing Arrangements and Issuance and Sale of Commercial Paper and Notes to Banks by Holding Company; Request for Exception From Competitive Bidding

October 27, 1982.

National Fuel Gas Company ("National"), National Fuel Gas Co., 30 Rockefeller Plaza, New York, New York 10112, a registered holding company, and National Fuel Gas Distribution Corporation ("Distribution"), National Fuel Gas Supply Corporation ("Supply"), National Fuel Gas Supply Corp.; 308 Seneca Street, Oil City, Pennsylvania 16301, and Penn-York Energy Corporation ("Penn-York"), 10 Lafayette Square, Buffalo, New York 14203, each a subsidiary of National, (collectively referred to as the "System") have filed with this Commission an application-declaration and amendments thereto pursuant to Sections 6(a), 7, 9(a), 10, 12(b), and 12(f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules 42(b)(2), 43, 45, 50(a)(2) and 50(a)(5) thereunder.

Applicants-declarants seek to obtain authorization for National to issue and sell through December 31, 1983 commerical paper and short-term notes to banks pursuant to established external short-term lines of credit. The proceeds from such borrowings would be loaned to System subsidiaries. Authorization is also sought to institute a money pool arrangement among National, Distribution, Supply and Penn-York.

The maximum principal amount of unsecured debt, as defined in National's Certificate of Incorporation, that the System may have outstanding at any one time is limited to 25% of the consolidated capitalization of the System pursuant to a restriction in National's Certificate. As of June 30, 1982, twenty-five percent of its consolidated capitalization equals $122,440,250.

Certain borrowings for use by Supply to finance its inventory of storage gas and accounts receivable loans are

excluded from the definition of unsecured debt. This permits portions of the short-term debt of the System to fit within an exclusion and short-term borrowings in the aggregate to exceed the above debt limitations.

Applicants-declarants are accordingly seeking authorization to issue and sell through December 31, 1983 commerical paper and short-term notes to banks not exceeding $308,000,000 in aggregate principal amount outstanding at any one time. That amount includes up to $185,559,750 of loans which are excluded from the definition of unsecured debt.

At certain times during the year, National and certain of its subsidiaries generate surplus funds. The Commission has authorized short-term loans of such surplus funds between subsidiaries (HCAR No. 20870, January 4, 1979; HCAR No. 21402, January 21, 1980). More recently the Commission authorized a money pool arrangement for the System. (HCAR No. 21903, February 2, 1981).

Applicants-declarants propose a continuation of the money pool arrangement. The money pool would consist of funds from the following sources: (1) Surplus funds of any of the subsidiaries; (2) surplus funds of National; (3) Proceeds from National's sales of commerical paper; and (4) borrowings by National from banks. During each Year (1982 and 1983), it is anticipated that National and certain subsidiaries will have, on an aggregate basis, up to $100,000,000 of surplus funds which could be made available to other subsidiaries through the money pool.

National would administer the money pool by matching up, to the extent possible, the short-term cash surpluses and borrowing requirements of itself and its subsidiaries. Subsidiary requests for short-term loans would be met first from surplus funds of the other subsidiaries that would be available to the money pool, and then from National's appropriate funds, to the extent available. Each subsidiary would be authorized to make borrowings through the money pool up to the following maximum aggregate principal amounts outstanding at any one time through December 31, 1983:

Distribution, $105,000,000
Supply, $99,000,000
Penn-York, $61,000,000

Distribution would use the proceeds in connection with its construction program and the financing of deferred purchased gas costs. Supply would use the proceeds to purchase storage gas, to finance deferred purchased gas costs and in connection with its construction program. Penn-York would use the proceeds in connection with the construction of underground storage facilities to serve non-affiliates.

Borrowings from and contributions to the money pool will be adequately documented and will be evidence on the books of each participant who is borrowing or contributing surplus funds through the money pool. The interest rate applicable to all loans of surplus funds through the money pool will be the lower of the rate for commercial paper placed by A.G. Becker & Co., Incorporated having the same rating as National and having a term most nearly equal to the particular money pool loan in question or the prime rate at the Chase Manhattan Bank, N.A.

The interest rate applicable to funds borrowed by National (either through commercial paper or bank loans) and loaned through the money pool will be equal to National's net cost for such external borrowings. In cases where both surplus funds from other subsidiaries and external funds are concurrently borrowed through the money pool, the interest rate applicable to all funds borrowed will be equal to the net cost of the externally borrowed funds. Interest on all borrowings through the money pool will be payable monthly until the principal amount is paid in full except where there are external borrowings from Chase. In that instance, interest will be payable in a manner to allow National to make its payment of interest to Chase on a quarterly basis. Supply is expected to repay borrowings from the money pool from funds received when gas in storage is withdrawn and sold and from other funds generated internally.

When sources of funds for the money pool become insufficient to meet short-term loan requests, borrowings would be made from outside the system through the issuance and sale of commercial paper and/or under band lines of credit. National proposes to issue and sell from time to time through December 31, 1983, up to $80,000,000 aggregate principal amount at any one time outstanding of its commercial paper to A. G. Becker & Co., Incorporated ("Dealer") and/or short-term unsecured notes to Chase to evidence borrowings under a back-up line of credit and make the proceeds therefrom available to its subsidiaries through the money pool.

The Commercial paper would be sold by National to the Dealer in minimum sales amounts of not less than $50,000 and note denominations of not less than $25,000, with varying maturities not to exceed nine months, and will not be prepayable prior to maturity. No commission will be payable in connection with the issuance and sale of the commercial paper; however, the Dealer will reoffer and sell the commercial paper at a discount rate of ⅛ of 1% per annum less than the prevailing discount rate from the Dealer to National. The Dealer, in reoffering the commercial paper, will limit the reoffer and sale to a nonpublic list of not more than 200 buyers of commercial paper. No additions will be made to such list of customers without approval of the Commission. It is anticipated that the Commercial paper of National will be held by the buyer to maturity; however, the Dealer may, if desired, repurchase the commercial paper and reoffer it to others on the approved list of buyers.

The decision to issue commercial paper or short-term notes would be at the discretion of National except that, if the effective interest cost for commercial paper exceeds the effective cost of equivalent borrowings from Chase under the back-up line of credit on the date of issue, National will issue its short-term unsecured notes to Chase.

National proposes to establish lines of credit (including the back-up line of credit mentioned above) with various banks aggregating $210,000,000 and to issue and sell from time to time through December 31, 1983, short-term unsecured notes pursuant thereto, and to make the proceeds therefrom available to its subsidiaries through the money pool. The names of the banks and the maximum principal amount to be borrowed and outstanding at any one time from each bank are as follows:

Bank	Amount of line
Chase Manhattan Bank, N.A.:	
Line of Credit	$40,000,000
Back-up Line of Credit	80,000,000
Buffalo Group:	
Marine Midland Bank-Western	14,000,000
Manufacturers and Traders Trust Company	7,000,000
Liberty National Bank and Trust Company	3,000,000
Citibank	25,000,000
Erie Group:	
Erie National Bank of Pennsylvania	3,000,000
Marine Bank	2,000,000
Oil City Group:	
First Seneca Bank and Trust Company	2,000,000
Pennsylvania Bank and Trust Company	1,500,000
Northwest Pennsylvania Bank and Trust Company	1,500,000
McDowell National Bank	1,000,000
Foreign:	
Swiss Bank Corporation	30,000,000
Total	210,000,000

Under each of the lines of credit, any unsecured note issued will be issued by National, will be dated as of the date of issue, will mature not later than twelve months from the date thereof and will be prepayable at any time, in whole or in part, without penalty or premium. The notes issued and sold to Chase and to

the Erie and Oil City banks will bear interest at the prime rate of interest in effect from time to time at Chase. The notes issued and sold to the Buffalo banks will bear interest at the prime rate of interest of each individual bank in effect from time to time. In the case of Chase, interest will be payable quarterly until the principal amount is paid in full. In the case of all the other banks, interest will be payable monthly until the principal amount is paid in full.

In addition to the lines of credit, certain of the banks listed above may have small amounts of funds available, which they will lend to National at fixed rates below the existing prime rate for short periods of time (one day to sixty days). Depending upon market conditions, National may find it beneficial to repay existing notes outstanding at the prime rate with funds borrowed at the lower fixed rate. Since the one-day—sixty-day notes are not prepayable, National will not utilize such notes unless it anticipates the need for the funds for at least the maturity of the notes. With the exception of Citibank there will be no commitment fee or any closing or related costs in connection with the above borrowings. However, each bank may require the system to keep compensating balances on deposit at the bank.

In recent years the banks have required compensating balances from 5–10% of the line of credit and from 0–15% of the amount borrowed. Under proposed lines, the banks have requested that the compensating balance arrangement vary depending upon market conditions, however, in no case would the compensating balance arrangement require a balance greater than 20% of the amount of fully utilized lines of credit. In most cases, the average balances maintained for normal operating needs across the system are sufficient to cover these amounts. Assuming National borrowed the full amount under each line of credit, and a compensating balance of 20% under each line was required, the effective cost of money, based on a 12% prime rate, would be 15%.

If the line of credit with Citibank is exercised, a commitment fee of one-half (½) of one percent (1%) will be charged on the amount borrowed. It is possible that this line of credit with a commitment fee could result in a more favorable borrowing rate for National. Costs, in the form of compensating balances, may be incurred to support the lines of credit. The aggregate of the operating balances of National, Distribution, Supply, and Penn-York are expected to cover these amounts. Initially, the cost of compensating balances will be allocated to the subsidiaries on the basis of 41% to Distribution, 37% to Supply and 22% to Penn-York. At the end of the calendar year, the costs would be retroactively reallocated. Each subsidiary would be reallocated that proportion of the total line of credit costs which is equal to the percentage that its maximum amount of short-term borrowings during the year represents of the aggregate of the maximum short-term borrowings, on a non-coincidental basis, of all the subsidiaries.

National requests that the sale of its commercial paper be excepted from the requirements of Rule 50 pursuant to sub-paragraph (a)(5) thereof since the notes will have maturity not to exceed nine months, will be issued to a limited defined group of buyers, interest cost thereon will not exceed the cost of equivalent borrowings from Chase, and the rate for commercial paper for prime issuers such as National are at any time ascertainable by reference to daily publications.

The application-declaration and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by November 15, 1982, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicants-declarants at the addresses specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30298 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19183; (SR-OCC-82-18)]

Options Clearing Corp.; Order Approving Proposed Rule Change

October 27, 1982.

On September 8, 1982, OCC filed with the Commission pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78 (b)(1), (the "Act") and Rule 19b–4 thereunder, a proposed rule change that would require all OCC participants to use an approved authorization stamp on various input documents submitted to OCC. Currently, all input documents to OCC are manually signed by authorized personnel of OCC participants, and those signatures are individually compared by OCC against it master files of signatures. In its filing, OCC stated that participants' use of the stamp would reduce OCC's risk of accepting unauthorized documents and would eliminate processing delays inherent in the signature verification process.

Notice of the proposed rule change, together with the terms of substance of the proposed rule change, was given by publication of the Commission Release (Securities Exchange Act Release No. 19063, September 20, 1982) and by publication in the **Federal Register** (47 FR 42661, September 28, 1982). No letters of comment were received by the Commission.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to registered clearing agencies, and in particular, the requirements of Section 17A of the Act.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30297 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19184; File No. SR-PSE-82-12]

Pacific Stock Exchange, Inc.; Filing and Order Granting Accelerated Approval of Proposed Rule Change

October 27, 1982.

The Pacific Stock Exchange, Incorporated ("PSE") 301 Pine Street, San Francisco, California 94104, submitted on October 19, 1982, copies of a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), (the "Act") and Rule 19b–4 thereunder, to amend its options rules [1]

[1] The Chicago Board Options Exchange, Incorporated ("CBOE"), American Stock Exchange, Inc. ("Amex"), and Philadelphia Stock Exchange, Inc. ("Phlx") recently filed similar proposed rule

in order to conform to the revised disclosure system for standardized options recently established by the Commission.[2] In general, the rule change requires member firms to deliver an options disclosure document to each customer at or prior to the time the customer's account is approved for trading the class of options covered by that disclosure document. The proposed rule change would also require member firms to deliver copies of the current Options Clearing Corporation prospectus to a customer upon request by that customer. In addition, the proposed rule change establishes procedures for the furnishing to customers of amendments to the options disclosure documents or the prospectus, and contains technical changes to PSE rules reflecting the fact that the disclosure documents, rather than the prospectus, will be the primary source of information to investors about standardized options.

Interested persons are invited to submit any written data, views and arguments concerning the proposed rule change within 21 days from the date of publication of the submission in the **Federal Register**. Persons desiring to make written comments should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, Washington, D.C. 20549. Reference should be made to File No. SR–PSE–82–12.

Copies of the submissions, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. § 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of the filing and of any subsequent amendments also will be available at the principal office of the above-mentioned self-regulatory organization.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange and, in particular, the requirements of Section 6 of the Exchange Act and the rules and regulations thereunder. The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof, in that the rule change implements the immediate use of the new disclosure system with respect to standardized options. The new disclosure system was the subject of extensive notice prior to its adoption by the Commission.[3] Accordingly, the Commission finds that notice on the proposed rule change is unnecessary. In addition, for the reasons set forth in the Commission release adopting the new disclosure rules, the Commission finds it to be in the public interest to permit the disclosure system to go into effect as soon as possible. Prompt approval of the subject proposed rule change is necessary to effectuate that result.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82–30299 Filed 11–3–82; 8:45 am]

BILLING CODE 8010–01–M

changes which were approved by the Commission pursuant to Securities Exchange Act Release No. 19156, October 19, 1982. *See* File Nos. SR–CBOE–82–14, SR–Amex–82–13, SR–Phlx–82–11.

[2] The revised disclosure system was proposed in Securities Exchange Act Release No. 18836 (June 24, 1982), 47 FR 28688 (July 1, 1982) and approved in Securities Exchange Act Release No. 19055 (September 16, 1982), 47 FR 41950 (September 23, 1982).

[3] In that regard, the Commission received 13 comments on the new disclosure system in response to Securities Exchange Act Release No. 18836 (June 24, 1982), 47 FR 28688 (July 1, 1982). While many of the commentators raised questions about technical aspects of the disclosure system, each of the commentators endorsed the concept of replacing the prospectus with an options disclosure document as the principal source of information to investors about standardized options.

[Release No. 12766; (812–5199)]

Pilot Life Insurance Co., Pilot Separate Account A, and Jefferson-Pilot Equity Sales, Inc.; Application for an Order Pursuant to Section 6(c) of the Act Granting Exemptions From Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c–1 Thereunder

October 26, 1982.

Notice is hereby given that Pilot Life Insurance Company ("Pilot"), Pilot Separate Account A ("Account"), and Jefferson Pilot Equity Sales, Inc. ("Equity Sales"), 101 North Elm Street, Greensboro, NC 27401 (hereinafter collectively called "Applicants"), filed an application on May 28, 1982, and amendments thereto on September 27 and October 12, 1982, pursuant to Section 6(c) of the Investment Company Act of 1940 ("Act") for an order granting exemptions to the extent necessary from the provisions of Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c–1 thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

The Account is a separate account of Pilot established as the facility for issuing certain variable annuity contracts. All amounts credited to the Account pursuant to variable annuity contracts will initially be invested in shares of JP Growth Fund, Inc., JP Income Fund, Inc., or Jefferson-Pilot Money Market Fund, Inc. ("Funds"), diversified open-end investment companies registered under the Act. It is proposed that upon their registration statements becoming effective under the Securities Act of 1933 the securities of Jefferson-Pilot Growth Fund, Inc. and Jefferson-Pilot Income Fund, Inc., diversified open-end investment companies, will be substituted for securities of JP Growth Fund, Inc. and JP Income Fund, Inc., respectively, pursuant to Rule 6c–6 of the Act.

Pilot is a stock life insurance company chartered under the laws of North Carolina and a wholly-owned subsidiary of Jefferson-Pilot Corporation. Equity Sales, a wholly-owned subsidiary of Jefferson-Pilot Corporation, is a registered broker-dealer under the Securities Exchange Act of 1934. JP Investment Management Company is investment advisor to the Funds.

According to the application, the contracts ("Contracts") to be funded through the Account are individual immediate and deferred single purchase payment and periodic purchase payment variable annuity Contracts designed for use in connection with tax qualified retirement plans ("qualified Contracts") and sales where no special tax treatment is involved ("non-qualified Contracts"). The Contracts permit purchase payments to be made on a flexible basis subject to certain minimums. The application also states that at the present time contracts are not available for purchase except in connection with pension or profit-sharing plans and individual retirement accounts qualified for special tax treatment under the Internal Revenue Code and public employee deferred compensation plans. Prior to September 25, 1981, contracts were available for

purchase otherwise than in connection with such plans and accounts. Any person who prior to that date bought a contract is entitled to continue such contract. The application states that at such time as the securities of Jefferson-Pilot Growth Fund, Inc. and Jefferson-Pilot Income Fund, Inc. are substituted for the securities of JP Growth Fund, Inc. and JP Income Fund, Inc., contracts, with the terms described below, will be available for purchase otherwise than in connection with such plans and accounts.

According to the application, on each contract anniversary on or prior to the annuity date, there will be deducted from the value of each deferred Contract a maximum contract administration charge of $30 for administration expenses relating to the Contracts. Such charge will also be deducted upon the withdrawal in full of the contract value on any date other than a contract anniversary. For single purchase payment immediate Contracts, the administration charge is $90 and is deducted from the single purchase payment when the Contract is issued. Applicants assert that these charges are designed only to reimburse Pilot for administration expenses and are not calculated to include a profit element or expected to result in any profit. The applicants further assert that these administrative costs are incurred in full by Pilot with respect to each Contract each contract year, including a Contract which is surrendered prior to the end of the contract year. Furthermore, according to the application, there are additional administrative costs incurred in the handling of the surrender of a Contract. Applicants state that they are fully justified, therefore, in charging the full charge, without proration thereof, with respect to a Contract which is surrendered prior to the end of the contract year.

Applicants state that with respect to deferred Contracts no sales charges will be deducted from purchase payments as they are made. Instead, a contingent deferred sales charge will be assessed (a) in the event of a full or partial withdrawal of the net contract value within fifteen years after the Contract's issue date, or (b) if within five years from the Contract's issue date the Contract's value is used to provide an annuity certain (*i.e.*, without a life contingency) and if the (i) specified payment period is less than ten years or (ii) specified amount, annualized is more than 15 percent of the Contract's value at the time used to provide an annuity certain. The Applicants state that the charge provided for in (b) is intended to prevent an annuitant from avoiding the contingent deferred sales charge by electing, in the early contract years, an annuity involving no life contingency and resulting in the complete liquidation of his contract value within a relatively short period of time. This charge is designed to obtain for Pilot a sales charge comparable to that provided for under (a).

According to the application, the contingent deferred sales charge made at withdrawal or upon effecting annuity payments will be 9 percent of the amount withdrawn or used to effect annuity payments during the first contract year, and the percentage will scale downward by ½ percent each month after the end of the first contract year to 2 percent at the end of the eighth contract year. According to the application, in no event will the charge exceed 8½ percent of the total gross purchase payments under a periodic payment Contract or 6½ percent of the total gross single purchase payment under a single payment Contract. The application also describes circumstances when the contingent deferred sales charge may be appropriately waived or reduced. The Applicants assert that the amount, computation and timing of the contingent deferred sales charge are designed to reimburse Pilot solely for expenses relating to the sale of the Contracts.

According to the application, Pilot guarantees that (i) the $30 contract administration charge assessed annually prior to the annuity date will never be increased and (ii) the amount of each annuity payment after the annuity date will not be affected by variations in the mortality experience of persons receiving such payments or the general population. For assuming these risks, Pilot will assess an expense risk charge and a mortality risk charge which on an annual basis will equal .2555 percent and .73 percent, respectively, of the daily net asset value of the Account. Jefferson reserves the right to decrease or increase these charges annually, but in no event may such combined charges exceed 1.460 percent annually. The application states that the mortality and expense risk fee charges will be added to the general account of Pilot and will not be specifically earmarked for any other purpose. According to the application Pilot utilizes the assets in its general account to meet administration, mortality and general expenses, as well as any shortfall in recovery of distribution costs related to the Contracts. Charges under other contracts Pilot issues also provide a source of revenue to meet these expenses. Based upon Pilot's actuarial projections, it is possible that the contingent deferred sales charge described above may, at least initially, be insufficient to recover all of the distribution costs and related expenses incurred in connection with the Contracts. In such event, the applicants state that some portion of the mortality and expense risk charges (to the extent such charges comprise surplus in the general account) may be utilized by Pilot to meet such excess sales expenses. Applicants have stated that such charges are consistent with industry practice and reasonable in relation to the risks incurred and purposes intended. Also, any premium taxes imposed by a state or other government entity will be deducted from the contract value at the annuity date, at actual cost.

Applicants seek exemptions pursuant to Section 6(c) from Sections 2(a)(32), 2(a)(35), 22(c), 26(a), 27(c)(1), 27(c)(2) and 27(d) of the Act and Rule 22c-1 thereunder to the extent necessary to permit the issuance and sale of the Contracts with a contingent deferred sales charge and Applicant's assessment of an annual contract administration charge, mortality and expense risk charges, and a deduction for premium taxes.

Applicants also request an exemption from Sections 26(a) and 27(c)(2) of the Act to the extent necessary to permit Pilot to hold the assets of the Account for safekeeping rather than to enter into a custodial or safekeeping agreement with a bank, and to permit shares of the Funds to be held under an open account arrangement without the use of stock certificates. In view of the absence of stock certificates, Applicants also request an exemption from the requirement of Section 26(a)(2)(D) that a trustee or custodian have physical possession of the assets and that the assets of the Account be segregated and held in trust. The Applicants state that there is little or no necessity, given the other safeguards and conditions, for requiring a bank trustee or custodian in the context of an established insurance company offering variable annuity contracts through a separate account registered as a unit investment trust.

Section 6(c)

Section 6(c) of the act authorizes the Commission to exempt any person, security or transaction, from the provisions of the Act and rules promulgated thereunder, if and to the extent that such exemption is consistent with the protection of investors and the

purposes fairly intended by the policy and provisions of the Act. For the reasons stated above, Applicants request exemption pursuant to Section 6(c) from certain provisions of the Act as summarized below.

Sections 2(a)(32), 2(a)(35), 22(c), 27(a)(3), 27(c)(1), 27(d) and Rules 22c–1

Section 2(a)(32) of the Act defines a redeemable security as any security under the terms of which the holder is entitled to receive approximately his proportionate share of the issuer's current net assets, or the cash equivalent thereof. Section 27(c)(1) of the Act, in pertinent part, prohibits any registered investment company issuing periodic payment plan certificates, or for any depositor or underwriter of such company, to sell such certificate unless it is a redeemable security.

Section 2(a)(35) of the Act defines "sales load" as the difference between the price of a security to the public and that portion of the proceeds from its sale which is received and invested, less any portion of such difference deducted for trustee's or custodian's fees, insurance premiums, issue taxes, or administrative expenses or fees which are not properly chargeable to sales or promotional activities.

Section 22(c) of the Act and Rule 22c–1 thereunder prohibit a registered investment company issuing redeemable securities, such as the contracts, from selling, redeeming or repurchasing any such security except at a price based on the current net asset value of such security.

Section 27(a)(3) of the Act prohibits any registered investment company issuing periodic payment plan certificates, or any depositor or underwriter of such company, from selling any such certificate if the deduction for sales charges on any first payment proportionately exceeds the amount deducted on any other such payment, or the deduction for sales charges on any subsequent payment proportionately exceeds the amount of the deduction on any other subsequent payment. Section 27(d) of the Act, in pertinent part, requires that the holder who surrenders his or her periodic payment plan certificate within eighteen months of issuance receive his or her account value plus and amount equal to the excess paid for sales expenses which exceed 15% of the purchase payments made by the certificate holder.

Sections 27(c)(2) and 26(a)

Section 27 (c)(2), in relevant part, prohibits the issuer of a periodic payment Plan certificate and any depositor or underwriter for such issuer from selling such certificate unless the proceeds of all payments (other than any sales load) are deposited with a qualified bank acting as trustee or custodian, and held under an agreement containing, in substance, the provisions required by Section 26(a)(2) and 26(a)(3). Those provisions require that such agreement must provide, *inter alia*, That the bank (i) shall have possession of all property of the unit investment trust and segregate and hold the same in trust subject only to the charges and collections specifically allowed under clauses (A), (B), and (C) of such section until distribution to the securityholders of the trust; (ii) shall not resign until the trust has been liquidated or a successor has been appointed; (iii) may collect from the income and, if necessary, from the corpus of the trust such fees for services provided for in the agreement; (iv) shall not allow as an expense any payment to the depositor or principal underwriter except a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services of a character normally performed by the bank itself.

Notice is further given that any interested person may, not later than November 19, 1982, at 5:30 P.M., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. An order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon its own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82–30296 Filed 11–3–82; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 12763; (812–5271)]

Shearson Daily Tax-Free Dividend Inc., Filing of an Application for an Order Pursuant to Section 6(c) of the Act for Exemption From Sections 2(a)(41) and 12(d)(3) of the Act and Rules 2a–4 and 22c–1 Thereunder

October 26, 1982.

Two World Trade Center, New York, New York 10048, Notice is hereby given that Shearson Daily Tax-Free Dividend Inc. ("Applicant"), registered under the Investment Company Act of 1940 ("Act") as an open-end, diversified, management investment company, filed an application of August 11, 1982, for an order of the Commission pursuant to Section 6(c) of the Act exempting Applicant from the provisions of Section 12(d)(3) of the Act to the extent necessary to permit Applicant to acquire rights to sell its portfolio securities to brokers or dealers and from the provisions of Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder to the extent necessary to permit Applicant to value the rights acquired in the manner described in the application. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it registered as an investment company on July 29, 1982, and that it seeks to maximize current income to the extent consistent withe preservation of capital and the maintenance of liquidity by investing primarily, but not exclusively, in securities commonly termed "municipal obligations," the income from which is exempt from federal income taxation. Municipal obligations purchased by the Applicant will be of high quality and will have short-term maturities. Specific municipal obligations in which the Applicant will invest include: (1) Municipal bonds with remaining maturities of one year or less that are rated Aaa or Aa at the date of purchase by Moody's Investors Services, Inc. ("Moody's") or AAA or AA by Standard and Poor's Corporation ("S&P") or, if not rated, are of comparable quality as determined by the Applicant's director (the "directors"); (2) municipal commercial paper that is rated Prime–1

or Prime–2 by Moody's or A–1+, A–1 or A–2 by S&P at the date of purchase or, if not rated, is of comparable quality as determined by the directors; (3) municipal notes with remaining maturities of one year or less that are rated MIG–1 or MIG–2 at the date of purchase by Moody's or, if not rated, are of comparable quality as determined by the directors.

Applicant states that generally in periods of normal market conditions it will attempt to invest 100%, and will at a minimum invest 80%, of its total assets in municipal obligations. Applicant declares that because its purpose is to provide income exempt from federal income taxes, it will invest in taxable obligations only if and when the directors believe it would be in the best interests of its shareholders to do so. Situations in which Applicant may invest in taxable securities include: (a) pending investment of proceeds of sales of Applicant's shares or of portfolio securities (b) pending settlement of purchases of portfolio securities and (c) when Applicant is attempting to maintain liquidity for the purpose of meeting anticipated redemptions. Applicant states that it may temporarily invest more than 20% in taxable securities to maintain a "defensive" posture when, in the opinion of Applicant's investment adviser, it is advisable to do so because of adverse market conditions affecting the market for municipal obligations. Applicant states that the kind of taxable securities in which it may invest are limited to the following: (1) Obligations of the United States Government of its agencies, instrumentalities or authorities; (2) commercial paper rated Prime–1 by Moody's or A–1+ or A–1 by S&P; (3) certificates of deposit of domestic banks with assets of $1 billion or more; and (4) repurchase agreements with respect to any securities that Applicant is permitted to own.

Applicant represents that it expects to maintain a $1.00 constant net asset value per share and a relatively stable daily dividend by keeping its average weighted portfolio maturity under 120 days, by not purchasing any instrument with a remaining maturity of greater than one year, and by calculating net asset value per share by using the amortized cost method of portfolio valuation. Applicant obtained an exemptive order from the Commission permitting it to utilize the amortized cost method of valuing its portfolio securities on October 5, 1982 (Investment Company Act Release No. 12707).

Applicant states that its directors believe that the investors for which Applicant is designed will require not only an assurance of a constant net asset value per share but also the ability to receive next-day redemption proceeds in federal funds. Applicant states that in order to provide its investors with the ability to receive next-day redemption proceeds, it must obtain the cash needed to meet net redemptions within one business day after receipt of redemption requests. Such cash must be obtained from maturing portfolio securities or settlements arranged within one business day on sales of securities. Applicant asserts that unless prior arrangements assuring immediate liquidity have been made, the negotiation of next-day settlements on sales of Applicant's portfolio securities within the brief time available frequently would be difficult or could result in the Applicant's receiving a less favorable execution price on a sale notwithstanding that the securities sold have a short remaining maturity. Applicant states that the investment techniques used by taxable money market funds to obtain liquidity are not viable options for it because their implementation would be prohibitively expensive or would produce undesirable taxable income.

Applicant proposes to improve its portfolio liquidity by assuring same-day settlements on portfolio sales (and thus facilitate the same-day payments of redemption proceeds in federal funds) through the acquisition of "Stand-by Commitments." Applicant describes a Stand-by Commitment as a right granted by a broker, dealer or other financial institution, to an investment company upon a purchase of a municipal obligation permitting the investment company to sell the same principal amount of such securities back to the seller, at the company's option, at a specified price. Stand-by Commitments are also know as "puts." Applicant states that its investment policies will permit the acquisition of Stand-by Commitments solely to facilitate portfolio liquidity, and that the acquisition or exercisability of a Stand-by Commitment will not affect the valuation or maturity of Applicant's underlying portfolio of municipal obligations, which will continue to be valued in accordance with the amortized cost method.

Applicant states that the Stand-by Commitments will have the following features: (1) They will be in writing and will be physically held by Applicant's custodian; (2) they may be exercisable by Applicant at any time prior to the underlying security's maturity; (3) Applicant's rights to exercise them will be unconditional and unqualifies; (4) they will be entered into only with dealers, banks and broker-dealers who in Applicant's investment adviser's opinion present a minimal risk of default; (5) although they will not be transferable, minicipal obligations purchased subject to such commitments may be sold to a third party at any time, even though the commitment was outstanding; and (6) their exercise price will be (i) Applicant's acquisition cost of the municipal obligations that are subject to the commitment (excluding any accrued interest that Applicant paid on their acquisition), less any amortized market premium or plus any amortized market or original issue discount during the period Applicant owned the municipal obligations, plus (ii) all interest accured on the securities since the last interest payment date during the period the municipal obligations were owned by Applicant. Applicant further states that because it will value municipal obligations on an amortized cost basis, the amount payable under a Stand-by Commitment will be sustantially the same as the value assigned by Applicant to the underlying securities. Moreover, Applicant submits that there is little risk of an event occurring that would make amortized cost valuation of Applicant's portfolio securities inappropriate. Applicant represents that in the unlikely event that the market or fair value of securities in its portfolio were not substantially equivalent to their amortized cost value, however, the directors may determine that the securities should be valued on the basis of available market information. Applicant represents that it expects to refrain from exercising the Stand-by Commitments to avoid imposing a loss on a dealer and jeopardizing Applicant's business relationship with that dealer.

According to the application Applicant expects that Stand-by Commitments generally will be available without the payment of any direct or indirect consideration. Applicant states that, if the directors believe it to be necessary or advisable, Applicant will pay for Stand-by Commitments, either separately in cash or by paying a higher price for portfolio securities that are acquired subject to the commitment. As stated by Applicant, as a matter of policy, the total amount "paid" in either manner for outstanding Stand-by Commitments held in its portfolio will not exceed ½ of 1% of the value of its total assets calculated immediately after any Stand-by Commitment is acquired.

As stated in the application, it is difficult to evaluate the likelihood of use or the potential benefit of a Stand-by Commitment. Therefore, Applicant states that the directors believe that the value of a Stand-by Commitment is zero, regardless of whether any direct or indirect consideration is paid. When Applicant has paid for a Stand-by Commitment, its cost will be reflected as unrealized depreciation for the period during which the commitment is held. In addition, Applicant states that, for purposes of complying with the condition of its amortized cost order, the dollar-weighted average maturity of its portfolio shall not exceed 120 days and the maturity of a portfolio security shall not be considered shortened or otherwise affected by the acquisition of a Stand-by Commitment.

Applicant declares that is has not sought a favorable ruling from the Internal Revenue Service ("IRS") with respect to Stand-by Commitments. Applicant states that it will apply to the IRS for a ruling or seek an opinion of counsel that interest on municipal obligations subject to Stand-by Commitments will be tax-exempt. Applicant states that in the absence of a favorable tax ruling or opinion of counsel, Applicant will not engage in the purchase of securities subject to Stand-by Commitments.

In relevant part, Section 2(a)(41) of the Act defines value to mean: (i) With respect to securities for which market quotations are readily available, the market value of such securities, and (ii) with respect to other securities and assets, fair value as determined in good faith by the board of directors. Rule 22c–1 adopted under the Act provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem, or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security.

Rule 2a–4 adopted under the Act provides, as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule and that portfolio securities with respect to which market quotations are readily available shall be valued at current market value and other securities and assets shall be valued at fair value as determined in good faith by the board of directors.

Section 6(c) of the Act provides, in pertinent part, that the Commission by order upon application, may conditionally or unconditionally exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from any provision of the Act or of any rule or regulation under the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Applicant requests an order pursuant to Section 6(c) of the Act exempting it from the provisions of Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder to the extent necessary to permit it to value the Stand-by Commitments as proposed.

Section 12(d)(3) of the Act, in relevant part, prohibits any registered investment company from purchasing or otherwise acquiring any security issued by or any other interest in the business of any person who is a broker, a dealer, is engaged in the business of underwriting, or is an investment adviser. Therefore, Applicant also requests an order pursuant to Section 6(c) of the Act exempting it from the provisions of Section 12(d)(3) of the Act to the extent necessary to permit its acquisition of Stand-by Commitments from brokers or dealers.

Applicant asserts that the requested relief is appropriate, is in the public interest, and is consistent with the protection of investors. Applicant submits that the proposed acquistion of Stand-by Commitments will not affect the calculation of its net asset value per share and will not pose new investment risks, but rather will improve its liquidity and ability to pay redemption proceeds on the next day in federal funds. Furthermore, Applicant states that the aquisition of Stand-by Commitments will not meaningfully expose its asets to the entrepreneurial risks of the investment banking business, nor require it to evaluate the credit of dealers in determining its net asset value. Applicant asserts that the relationship between it and a dealer will be comparable to a fully collateralized broker-dealer repurchase agreement or security loan. In this regard, Applicant states that although the failure of a broker or dealer to fulfill its obligation under a Stand-by Commitment could result in a loss to Applicant, this risk of loss is not different quantitatively from the risk of loss faced by any investment company that is holding securities pending settlement after having agreed to sell the securities to a broker or dealer in the ordinary course of business. Finally, Applicant states that it will not acquire Stand-by Commitments to promote reciprocal practices, to encourage the sales of its shares or to obtain research services.

Notice is further given that any interested person may, not later than November 22, 1982, at 5:30 p.m., submit to the Commission, in writing a request for a hearing on the application accompanied by a statement as to the nature of his/her interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he/she may request that he/she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, and order disposing of the application herein will be issued as a matter of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30294 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12770; (812-5263)]

American Balanced Fund, Inc.; Filing of an Application for an Order Pursuant to Section 6(c) of the Act Exempting Applicants From the Provisions of Section 22(d) of the Act and Rule 22d-1 Thereunder

October 29, 1982.

In the matter of American Balanced Fund, Inc., AMCAP Fund, Inc., American Mutual Fund, Inc., The Bond Fund of America, Inc., Fundamental Investors, Inc., The Growth Fund of America, Inc.,

The Income Fund of America, Inc., The Investment Company of America, New Perspective Fund, Inc., The Tax-Exempt Bond Fund of America, Inc., Washington Mutual Investors Fund, Inc., and American Funds Distributors, Inc., 333 South Hope Street, Los Angeles, CA 90071.

Notice is hereby given that American Balanced Fund, Inc., AMCAP Fund, Inc., American Mutual Fund, Inc., The Bond Fund of America, Inc., Fundamental Investors, Inc., The Growth Fund of America, Inc., The Income Fund of America, Inc., The Investment Company of America, New Perspective Fund, Inc., The Tax-Exempt Bond Fund of America, Inc., and Washington Mutual Investors Fund, Inc., each registered under the Investment Company Act of 1940 ("Act") as a diversified, open-end, management investment company, and any other member fund to be formed in the American Funds group of funds (collectively, "Funds"), and American Funds Distributors, Inc. ("AFD"), the principal underwriter of the Funds (collectively referred to with the Funds as "Applicants"), filed an application on August 3, 1982, for an order pursuant to Section 6(c) of the Act exempting Applicants from the provisions of Section 22(d) of the Act and Rule 22d–1 thereunder to the extent necessary to permit, as described below, the sale of shares of the Funds at net asset value to directors, advisory board members and employees of the Funds, employees of the Capital Group, Inc., and its subsidiaries, family members of such persons and trusts primarily for the benefit of such persons. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

According to the application each Fund is currently engaged in a continuous public offering of its shares through AFD at a public offering price equal to the net asset value plus a sales charge. Applicants state that the sales charges on purchases of shares of the Funds vary with the size of purchase and that the Tax-Exempt Bond Fund of America, Inc., has a sales charge which differs from that of the other Funds. Applicants state that each Fund receives the entire net asset value component of the offering price of its shares.

Applicants state that Capital Research and Management Company ("Adviser"), a Delaware corporation, serves as the investment adviser for each of the Funds. AFD, a California corporation, is the principal underwriter for each of the Funds. AFD is a wholly-owned subsidiary of Adviser, which is in turn wholly-owned by The Capital Group, Inc. ("CG"). CG is the parent company of eight other subsidiaries that specialize in investment management services, one of which is the transfer agent for the funds. CG, Adviser, AFD, present subsidiaries of CG and CG subsidiaries acquired or formed subsequent to the date of this application are hereinafter referred to as the "CG Companies."

Applicants represent that the boards of directors of the Funds consist of from seven to eleven members and three of the Funds have from six to ten advisory board members. The Investment Company of America ("ICA") has three employees. While most directors serve on more than one Fund's board, no director serves on all of the Funds' boards. Each advisory board member advises one Fund. The Funds now propose to adopt a non-qualified employee benefit plan (the "Fund Plan") that would permit those directors who do not serve on all boards to purchase shares of any of the Funds at net asset value. In addition, the Funds propose to permit all advisory board members to invest in any of the Funds' shares under the Fund Plan. The employees of ICA will also be permitted to purchase shares under the Fund Plan. In addition, it is proposed that members of families of such persons or trusts primarily for the benefit of the above persons, be eligible for the Fund Plan. Purchase orders for family members must be directed by the director, advisory board member or employee, while associated with the Funds in either the person's individual capacity or as trustee. Also, it is proposed that retired directors, advisory board members and ICA employees, the estates of such active or retired persons, testamentary and insurance trusts established by such persons, and the spouses of such retired or deceased persons be eligible for the Fund Plan. Purchase orders for these accounts must be directed by the retired director, advisory board member, ICA employee, spouse of such retired or deceased person, the executor or administrator of the estate, or the trustee. Persons eligible for the Fund Plan are hereinafter referred to as "Fund Associated Persons."

Applicants also propose to offer a non-qualified employee purchase plan (the "CG Plan") which would permit certain persons to purchase at net asset value, rather than at the current public offering price, shares of any of the Funds. The persons who would be eligible for the Plan include employees of the CG Companies, members of their families and trusts primarily for the benefit of such persons. Purchase orders for these accounts must be directed by the employee while associated with the CG Companies in either the employee's individual capacity or as trustee. In addition, Applicants propose that retired employees, the estates of active or retired employees, testamentary and insurance trusts established by employees, and the spouses of retired or deceased employees be eligible for the Plan. Persons eligible for the CG Plan are hereinafter referred to collectively with the Fund Associated Persons as "Associated Persons."

Applicants state that the minimum investment for each Plan is that which is established for each Fund. Participating Associated Persons would agree not to resell any Fund shares acquired except by repurchase or redemption by or for the account of the appropriate Fund.

Applicants represent that no individual sales solicitations, or face-to-face group sales solicitations concerning either Plan would be made. The directors, advisory board members, ICA employees and employees of the CG Companies will periodically receive a notice concerning the Plans. Applicants state that this notice, which will be furnished at the expense of CG, will describe the Funds and their investment objectives, indicate that investments in the Funds can be made at net asset value and detail the methods by which investments can be made. The notice will also state that additional information concerning the Plans and the Funds can be obtained from CG and will inform Associated Persons of the availability of prospectuses of the Funds from CG. A copy of the appropriate prospectus will be furnished prior to or at the time any person makes an initial investment in a Fund through the Plans. Applicants state that each prospectus will contain appropriate disclosure concerning the Plans.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except either to or through a principal underwriter for distribution or at a current public offering price described in the prospectus, and, if such class of security is being currently offered to the public by or through an underwriter, no principal underwriter of such security and no dealer shall sell any such security to any person except a dealer, a principal underwriter, or the issuer, except at a current public offering price described in the prospectus.

Rule 22d–1 under the Act, permits sales of fund shares without any sales charge to directors, officers, employees or sales representatives of a fund, its investment adviser and principal underwriter, provided that any such person who is not a director, officer or full-time employee of the fund, or other funds having the same investment adviser, must spend one-half of his working time providing investment advice to the fund, selling its shares or supervising those that are entitled to the elimination of sales charges. Applicants state that directors, advisory board members and ICA employees are not affiliated with every Fund and technically could not purchase shares of every Fund under Rule 22d–1. Members of their families also are not covered under the rule; nor are retired directors, advisory board members, ICA employees, their estates, or the spouses of these deceased or retired persons; nor are trusts primarily for the benefit of such persons.

Applicants further state that certain employees of the CG Companies do not qualify for purchases at net asset value under Rule 22d–1 because they do not directly provide investment advice to or distribute shares of the Funds or supervise persons employed in such positions. Also, their relatives and their estates are not covered under the rule; nor are retired employees or the spouses of deceased or retired employees; nor are trusts primarily for the benefit of such persons.

Applicants state that, arguably, sales of Fund shares at net asset value by AFD under the Plans to certain Associated Persons would be permitted by Rule 22d–1, which permits the elimination of sales charges in a sale pursuant to a uniform offer described in a prospectus and made to, inter alia, employee benefit plans not qualified under Section 401 of the Internal Revenue Code, provided such non-qualified Plans satisfy uniform criteria relating to the realization of economies of scale in sales effort and sales-related expenses. Applicants further state that the term "employee benefit plan" is broadly defined, and "employer" is defined to mean all "affiliated employers" within the meaning of Section 2(a)(3)(C) of the Act. The employers constituting the CG Companies are clearly "affiliated employers" within the meaning of Section 2(a)(3)(C) of the Act. The Plans are employee benefit plans and offer economies of scale in sales effort and sales-related expense. However, according to Applicants, not all Associated Persons are "employees." In addition, Rule 22d–1 does not, by its terms, extend to relatives of employees, deceased employees, estates of employees and certain trusts.

Section 6(c) of the Act provides, in part, that the Commission by order upon application may conditionally or unconditionally exempt any person, security or transaction or any class of persons, securities or transactions from any provision of the Act or any rule under the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicants submit that investment by Associated Persons in shares of the Funds at net asset value is supported by strong policy considerations; that such sales should result in demonstrable economies in sales effort and sales-related expense as compared with other sales, and would not be unjustly discriminatory; and that the grant of the exemption requested by this application is appropriate in the public interest and consistent with the protection of investors and the purposes of Section 22(d) of the Act. Applicants therefore submit that the elimination of all sales charges on Fund shares purchased by Associated Persons is justified. Sales of Fund shares to such persons serve legitimate corporate purposes by promoting incentive, goodwill and loyalty. Applicants assert that under the Plan there would be no adverse effects on the interests of investors, and that such sales do not involve any of the abuses against which Section 22(d) was directed.

Applicants believe that sales to directors, advisory board members and ICA employees result in economies of sales effort and sales-related expense. According to the application, those persons possess a sophisticated understanding of the nature of an investment company as well as general familiarity with and loyalty to the Fund with which they are associated. As a result, no individual or group solicitation is necessary for sales to such individuals under the Fund Plan. Applicants further submit that those economies of scale also apply to the relatives of directors, advisory board members and ICA employees and certain trusts for these persons.

Applicants also believe that since employees of the CG Companies are more familiar with the Funds than the ordinary investor, there is no selling effort involved in offering shares of the Funds to such employees. All employees have ready access to prospectuses and reports and are familiar with the management of the Funds. Applicants further believe that the same economies of scale apply to relatives of CG employees and certain trusts for these persons.

Notice is further given that any interested person may, not later than November 23, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicants at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82–30340 Filed 11–3–82; 8:45 am]

BILLING CODE 8010–01–M

[File No. 22–11888]

Dayton Power & Light Co.; Application and Opportunity for Hearing

October 29, 1982.

Notice is hereby given that the Dayton Power & Light Company (the "Company") has filed an application under clause (ii) of Section 310(b) of the Trust Indenture Act of 1939 (the "Act") for a finding by the Commission that the trusteeship of Irving Trust Co. ("Irving Trust") under four indentures, one of which has been heretofore qualified under the Act, is not so likely to involve a material conflict of interest as to make

it necessary in the public interest or for the protection of investors to disqualify Irving Trust from acting as trustee under any of the three indentures.

Section 310(b) of the Act provides, in part, that if a trustee under an indenture qualified under the Act has or shall acquire any conflicting interest (as defined in the section), it shall within ninety days after ascertaining that it has such conflicting interest either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions, that a trustee is deemed to have a conflicting interest if it is acting as trustee under another indenture of the same obligor. However, pursuant to clause (ii) of section (1), there may be excluded from the operation of this provision another indenture or indentures under which other securities of such obligor are outstanding, if the issuer shall have sustained the burden of proving on application to the Commission, and after opportunity for hearing, thereon, that trusteeship under the qualified indenture and such other indenture is not likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under any of such indentures.

The Company alleges that:

(1) The Ohio Water Development Authority, an Ohio body politic and corporate and political subdivision of the State of Ohio, proposes to issue and sell approximately $36,000,000 principal amount of its State of Ohio Collateralized Water Development Revenue Bonds, 1982 Series, (The Dayton Power & Light Company Project) (the "Water Development Bonds") to be issued under an indenture to be dated as of October 1, 1982 between the Ohio Water Development Authority and Irving Trust as trustee.

(2) The Ohio Air Quality Development Authority, an Ohio body politic and corporate and political subdivision of the State of Ohio, proposes to issue and sell approximately $24,000,000 principal amount of its State of Ohio Collateralized Air Quality Development Bonds, 1982 Series (The Dayton Power & Light Company Project) (the "Air Quality Development Bonds," together with the Water Development Bonds, hereinafter called "The Pollution Control Bonds"), between the Ohio Air Quality Development Authority and Irving Trust as trustee.

(3) The Company has entered into agreements whereby (a) the proceeds of the Water Development Bonds will be loaned to the Company pursuant to a Loan Agreement between the Ohio Water Development Authority and the Company, dated as of October 1, 1982 and (b) the proceeds of the Air Quality Development Bonds will be loaned to the Company pursuant to a Loan Agreement between the Ohio Air Quality Development Authority and the Company, dated as of October 1, 1982 (the "Loan Agreements"). The proceeds of the Pollution Control Bonds and the Loan Agreements will be used to finance the cost of portions of certain air and water control facilities installed in connection with the Killen Generating Station located in Adams County, Ohio, which the Company owns an undivided 67% interest in as tenant in common with another public utility company.

(4) As of June 30, 1982, the Company has outstanding $785,995,000 principal amount of its First Mortgage Bonds, issued under its First and Refunding Mortgage dated as of October 1, 1935, as amended and supplemented between the Company and Irving Trust, as Trustee, qualified under the Act as File No. 2–5864. The Thirty-First Supplemental Indenture, dated as of October 1, 1982 provides for the Company's First Mortgage Bonds, Series Due 2012 (the "New Mortgage Bonds") between the Company and Irving Trust as trustee.

(5) The Company's obligation to make loan repayments pursuant to the Loan Agreements will be secured by the pledge of New Mortgage Bonds, which will be issued in an aggregate principal amount equal to, bear interest at a rate corresponding to, and have the same maturity and redemption provisions as the Pollution Control Bonds, and

(6) The differences in the provisions of the indentures are not likely to involve the Bank in a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify the Bank from acting as trustee under one of the two indentures.

The Company waives notice of hearing and waives hearing and any and all rights to specify procedures under Rule 8(b) of the Commission's Rules and Practice with respect to the application.

For a more detailed account of the matters of fact and law asserted, all persons are referred to said application which is a public document on file in the offices of the Commission at the Public Reference Room, 450 5th Street, NW., Washington, D.C. 20549.

Notice is further given that any interested person may, not later than November 24, 1982, 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 law or fact raised by such 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. At any time after said date, the Commission may issue an order granting the application upon such terms and conditions as the Commission may deem necessary or appropriate in the public interest or in the interest of investors, unless a hearing is ordered by the Commission.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30344 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-11-M

[File No. 81-674]

Deltec International Limited; Application Pursuant to Section 12(h) of the Securities Exchange Act of 1934 and Opportunity for Hearing

October 29, 1982.

Notice is hereby given that Deltec International Limited ("Applicant"), has filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), for an exemption from the periodic reporting requirements under Sections 13 and 15(d) of the 1934 Act.

The Application states in part:

On February 28, 1978, Applicant's shareholders approved a Plan of Distribution of all assets. Applicant has completely terminated business operations and substantially all of the assets of Applicant have been disposed of and the proceeds distributed to shareholders. Trading in Applicant's stock has ceased.

For a more detailed statement of the information presented, all persons are referred to said application which is on file at the Offices of the Commission, 450 5th Street NW., Washington, D.C. 20549.

Notice is further given that any interested person not later than November 23, 1982 may submit to the Commission in writing his views or any substantial facts bearing on the application or the desirability of a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 450 5th Street NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the

issues of fact and law raised by the application which he desires to controvert.

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. At any time after said date, an order granting the application may be issued upon request or upon the Commission's own motion.

For the Commission, by the Division of Corporation Finance, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30343 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12769; (812-5301)]

GIT Tax-Free Trust; Filing of Application for Order Pursuant to Section 6(c) of the Act Exempting Applicant From the Provisions of Sections 2(a)(41) and 12(d)(3) of the Act and Rules 2a-4 and 22c-1 Thereunder

October 29, 1982.

Notice is hereby given that GIT Tax-Free Trust ("Applicant"), 1800 North Kent Street, Arlington, Virginia 22209, an open-end, diversified, management company registered under the Investment Company Act of 1940 ("Act"), filed an application on September 1, 1982, and an amendment thereto on September 30, 1982, requesting an order of the Commission pursuant to Section 6(c) of the Act exempting Applicant to the extent necessary (1) from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to permit Applicant (a) to compute the net asset value per share of its "Money Market Portfolio" to the nearest cent on a share value of $1.00; (b) to consider the maturity of variable rate demand notes in its portfolio as the longer of the notice period required before Applicant would be entitled to prepayment on the note or the period remaining until the note's next interest rate adjustment; and (c) to value in the manner described herein rights acquired from issuers, dealers, or banks to sell portfolio securities to such persons; and (2) from the provisions of Section 12(d)(3) of the Act to permit Applicant to acquire rights to sell its portfolio securities to brokers or dealers. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it is an unincorporated business trust, organized under the laws of Massachusetts to provide, through investment principally in municipal obligations, a high level of current income exempt from federal income taxes, in accordance with the maturity and quality rating objectives of the fund. Applicant further states that it maintains two separate portfolios, i.e., the "Money Market Portfolio" and the "High Yield Portfolio." It is further stated that separate series of Applicant's shares of beneficial interest are issued for each portfolio. Applicant's Money Market Portfolio, it is stated, is generally regarded by the public as a no-load "money market fund" and holds itself out as such, whereas Applicant's High Yield Portfolio may be publically regarded as a no-load municipal bond fund. Applicant also states that investment decisions are made for it by its investment manager, Bankers Finance Investment Management Corp. ("Adviser").

Applicant states that municipal obligations in which it may invest consist of debt obligations issued by or on behalf of the states, territories and possessions of the United States, their political subdivisions, the District of Columbia and the duly constituted authorities, agencies, public corporations and other instrumentalities of these jurisdictions, the interest on which is wholly exempt from federal income taxation. Specific types of municipal obligations which, it is stated, Applicant may purchase include bond anticipation notes, construction loan notes, tax anticipation notes and projects notes. Applicant states that it may also invest in general obligation and revenue bonds, industrial development revenue bonds, and short-term tax-exempt commercial paper. Applicant represents that only municipal obligations of "High Grade" quality ratings may be purchased for Applicant's Money Market Portfolio, and that Applicant deems "High Grade" securities to be those rated MIG-1, MIG-2, Prime-1, Aaa, and Aa by Moody's Investors Service, Inc. ("Moody's"), and those rated A-1, AAA and AA by Standard & Poor's Corporation ("S&P"), or securities of comparable quality as determined by the Board of Trustees.

Applicant states that its Board of Trustees has adopted a policy whereby Applicant's Money Market Portfolio will attempt to maintain a net asset value of $1.00 through the method of valuation commonly referred to as "penny rounding", i.e. rounding net asset value per share to the nearest one cent on a share value of $1.00.

In relevent part, Section 2(a)(41) of the Act defines value to mean: (i) With respect to securities for which market quotations are readily available, the market value of such securities, and (ii) with respect to other securities and assets, fair value as determined in good faith by the board of directors. Rule 22c-1 adopted under the Act provides, in part, that no registered investment company or principal underwriter therefor issuing any redeemable security shall sell, redeem, or repurchase any such security except at a price based on the current net asset value of such security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell any such security.

Rule 2a-4 adopted under the Act provides, as here relevant, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution, redemption and repurchase shall be an amount which reflects calculations made substantially in accordance with the provisions of that rule, with estimates used where necessary or appropriate. Rule 2a-4 further states that portfolio securities with respect to which market quotations are readily available shall be valued at current market value and other securities and assets shall be valued at fair value as determined in good faith by the board of directors of the investment company. Prior to the filing of the application, the Commission expressed its view that, among other things, (1) Rule 2a-4 under the Act requires that portfolio instruments of "money market" funds be valued with reference to market factors, and (2) it would be inconsistent generally, with the provisions of Rules 2a-4 for a "money market" fund using a "floating" net asset value to "round off" calculations of its net asset value per share to the nearest one cent on a share value of $1.00 (Investment Company Act Release No. 9786, May 31, 1977). In view of the foregoing, Applicant requests exemptions from Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant to compute the net asset value per share of its Money Market Portfolio to the nearest one cent on a share value of $1.00.

In support of the relief requested, Applicant states that experience indicates that two features are necessary in any "money market" fund: (1) Certainty of stability of principal and (2) a steady flow of predictable and competitive investment income.

Applicant states that it can provide these features to investors by maintaining a portfolio of municipal obligations valued pursuant to the penny-rounding valuation method. Applicant asserts that the use of the penny-rounding valuation method will allow Applicant to maintain a constant net asset value of $1.00 per share for the Money Market Portfolio under most circumstances and thereby permit Applicant to serve the interests and requirements of shareholders notwithstanding its use of market-based values for its portfolio securities. Therefore, it is stated, Applicant's Board of Trustees has determined in good faith that, in light of the characteristics of Applicant's Money Market Portfolio, absent unusual or extraordinary circumstances, the penny-rounding valuation method is appropriate and that its use would be in the best interests of Applicant's shareholders. Moreover, Applicant submits that adherence to the conditions set forth below will substantially reduce the likelihood of significant variation from a constant share price and the likelihood of any dilution of the assets or investment returns of incoming and outgoing shareholders. Accordingly, Applicant has agreed that the following conditions may be imposed in any order of the Commission granting the exemptive relief requested:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management to the Adviser, Applicant's Board of Trustees undertakes—as a particular responsibility within the overall duty of care owed to Applicant's shareholders—to assure to the extent reasonably practicable, taking into account current market conditions affecting Applicant's investment objectives, that the net asset value per share, of Applicant's Money Market Portfolio, as computed for the purpose of sales, redemption and repurchases of its shares, rounded to the nearest one cent, will not deviate from $1.00.

2. Applicant will seek to maintain a dollar-weighted average portfolio maturity for its Money Market Portfolio appropriate to its objective of maintaining a stable net asset value per share. Applicant will not purchase any instrument with a remaining effective maturity of greater than one year, nor will it maintain a dollar-weighted average effective portfolio maturity in excess of 120 days.

3. Applicant will limit its Money Market Portfolio investments, including repurchase agreements, if any, to those U.S. dollar-denominated instruments which Applicant's Board of Trustees determines present minimal credit risks, and which are of high quality as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by the Board of Trustees.

In connection with compliance with the undertaking set forth in paragraph (2) above, Applicant asserts that the proliferation of tax-exempt mutual funds has significantly increased the demand for short-term tax-exempt instruments and, as a result, available yields on such instruments have tended to decline. At the same time, Applicant states, certain issuers of tax-exempt instruments have sought to lengthen the maturities of their instruments in an attempt among other things, to decrease the transaction costs associated with repeated short-term issues. Applicant states that, in order to induce longer term investments issuers have begun to offer higher yields on variable rate notes containing a demand feature allowing either party to terminate the obligation within relatively short notice periods. Applicant represents that it believes that the acquisition of such variable rate demand notes by its Money Market Portfolio would provide its shareholders with a higher tax-exempt return than short-term tax-exempt securities without subjecting them to increased investment risk.

Applicant states that it proposes to acquire tax-exempt variable rate demand notes having the following features: (1) Each note would have an interest rate determined by a prescribed formula and adjusted at periodic intervals not to exceed one year; (2) Applicant could at any time demand prepayment of the unpaid principal balance plus accrued interest thereon and would be entitled to prepayment within a prescribed notice period not to exceed seven calendar days; (3) issuers could, at their discretion, prepay the outstanding principal plus accrued interest thereon upon notice to Applicant within a period comparable to the notice periods required for Applicant to demand prepayment; (4) absent an earlier exercise by Applicant or an issuer of their respective prepayment privileges, the principal and interest under each note would be payable on a date exceeding one year from the date of purchase by Applicant; (5) each note purchased by Applicant would be determined under procedures prescribed by Applicant's Board of Trustees to present minimal credit risks and would have a rating by a major rating service that would comport with the permissible quality restrictions of Applicant's Money Market Portfolio or, if not rated, would be determined by the Board of Trustees to be comparable in quality to tax-exempt securities which are of such quality.

Applicant further states that the issuer's obligation to pay principal on its notes would be supported by an irrevocable, unconditional bank letter of credit where necesary to ensure that the notes were of "High Grade" (i.e., in all cases where the Board of Trustees could not determine that a note is of "High Grade" without a letter of credit). It is also stated that if a letter of credit is a feature of a variable rate instrument when it is purchased by Applicant, the variable rate instrument will always be supported by such letter of credit unless the instrument were to rise to the "High Grade" classification without the letter of credit.

Applicant represents that the Adviser intends to evaluate not less frequently than monthly the credit of the issuers of notes and the backing banks in accordance with other procedures used to evaluate the quality of portfolio securities. Applicant undertakes to dispose of any note (by exercising the demand privilege where beneficial) when, due to an adverse change in the issuer's credit, Applicant's Board of Trustees or any rating service concludes that the note is no longer of "High Grade".

Applicant further states that it will normally have an unconditional right to sell the notes at any time. However, Applicant represents that any note that is not freely assignable will be required to be backed by an irrevocable, unconditional bank letter of credit. It is also states that banks issuing such letters of credit will, in the Adviser's opinion, present minimal risk of default and will be major United States commercial banks having outstanding certificates of depoist suitable for portfolios of "High Grade" short-term "money market" instruments.

Applicant states that it proposes to acquire variable rate instruments as described above and to consider the effective maturity of such instruements for purposes of computing the proposed dollar-weighted average maturity limitation applicable to its Money Market Portfolio, and the proposed prohibition against purchases by the Money Market Portfolio of securities maturing in more than one year, as the longer of the notice period required before Applicant is entitled to prepayment under the instrument, or the period remaining until the instrument's next interest rate adjustment.

Applicant states that neither its proposed purchase of variable rate notes nor its proposed method of computing its dollar-weighted average portfolio maturity will violate the intent of the proposed conditions to its requested "penny-rounding" exemptive order for its Money Market Portfolio described herein above. It is states that because a note's interest rate adjustment provision reflects the prevailing rate from time to time on comparable tax-exempt securities, unrealized gains and losses with respect to any note would be eliminated as of each interest rate adjustment date. Absent unusual circumstances, Applicant asserts, the rate adjustment provision would permit the notes to be sold substantially at par on each intertest rate adjustment date. Applicant further states that if the interest rate, as adjusted, does not sufficiently eliminate material unrealized appreciation or depreciation on the adjustment date (due to unforeseen circumstances other than a decline in the notes to below "High Grade"), Applicant would demand prepayment of the note in full. Applicant also states that it will sell the notes or exercise its demand privilege (whichever is more beneficial) if, due to an adverse change in the issuer's credit, the notes are no longer of "High Grade." Applicant states that is believes that the maturity of a variable rate note for purposes of determining its credit risk is appropriately measured by the notice period required before Applicant is entitled to prepayment in full, and that where the period until the next interest rate adjustment is different from the notice period required for repayment, Applicant will utilize the longer of the two periods for purposes of computing the weighted average maturity limitation. It is stated that for purposes of measuring either of these risks, the maturity of a variable rate note in the Money Market Portfolio will never exceed one year. Applicant asserts, in addition, that this approach would be the most conservative one under the circumstances.

Applicant further states that it proposes to improve its portfolio liquidity through the acquisition of "Standby Commitments" for both its Money Market Portfolio and its High Yield Portfolio. A Stand-by Commitment, Applicant states, is a right of a fund, when it purchases a municipal obligation for its portfolio from a broker, dealer, or other financial institution, to sell the same principal amount of such security back to the seller, at the fund's option, at a specified price. It is stated that Standby Commitments are also knows as "puts", and that its investment policies permit the acquisition of Standby Commitments solely to facilitate portfolio liquidity. Applicant represents that the acquisition or exercisability of a Standby Commitment with respect to a portfolio security of Applicant will not affect the valuation or maturity of the underlying security.

Applicant undertakes to acquire only Standby Commitments having the following features: (1) They will be in writing and will by physically held by Applicant's custodian; (2) they may be exercisable by Applicant at any time prior to the underlying security's maturity; (3) Applicant's rights to exercise them will be unconditional and unqualified; (4) they will be entered into only with dealers, banks and brokers who in the Adviser's opinion present a minimal risk of default; (5) although they will not be transferable, Municipal Obligations purchased subject to such commitments could be sold to a third party at any time, even though the commitment was outstanding.

Applicant states that it intends to value any such Standby Commitments as a value of zero as separate securities but to value any related investments held by it at their fair value as determined in good faith by the Board of Trustees, after consideration of the value of the investment unit represented by the specific securities and the related put together, or at the value of such related investment alone, if higher. Thus, it is stated, in making such determinations as to fair value, the Board of Trustees will ascertain that in any situation in which exercise of a Standby Commitment would be advantageous to Applicant (i.e., where the exercise price of the put is higher than the market value of the underlying securities), the price at which the investment would be sold pursuant to the put is the same as the portfolio carrying value of the investment prior to its sale.

Applicant states that the foregoing valuation policy would apply to both the Money Market Portfolio and the High Yield Portfolio, and that such policy would not be affected by the fact that the net assets value per share of the Money Market Portfolio would be, in accordance with the "penny rounding" method of valuation, rounded to the nearest one cent on a value of $1.00 after having been computed exactly.

Applicant states that it expects that Standby Commitments generally will be available without the payment of any direct or indirect consideration. However, if necessary or advisable, Applicant states that it will pay for Standby Commitments, either separately in cash, or by paying a higher price for portfolio securities which are acquired subject to the commitment. Applicant represents that, as a matter of policy, the total amount paid in either manner for outstanding Standby Commitments held in its portfolio will not exceed ½ of 1% of the value of its total assets calculated immediately after any Standby Commitment is acquired.

Applicant asserts that it is difficult to evaluate the likelihood of use or the potential benefit of a Standby Commitment. Therefore, Applicant states that its Board of Trustees will determine that Standby Commitments have a "fair value" of zero, regardless of whether any direct or indirect consideration is paid. Where Applicant has paid for a Standby Commitment, Applicant states that its cost will be reflected as unrealized depreciation for the period during which the commitment is held. In addition, for purposes of complying with the proposed condition to its requested penny-rounding valuation method order, that the dollar-weighted average maturity of its portfolio shall not exceed 120 days, Applicant states that the maturity of a portfolio security shall not be considered shortened or otherwise affected by any Standby Commitment to which such security is subject.

Applicant states that it understands that the Internal Revenue Service ("IRS") has issued a favorable private ruling to the effect that a registered investment company will be the owner of municipal securities acquired subject to a put option and that interest on the securities will be tax-exempt to the company. Applicant states that it does not intend to seek a favorable ruling from the IRS with respect to its Standby Commitments and that there is no assurance that Standby Commitments will be available to it nor does Applicant assume that such commitments would continue to be available under all market conditions.

Section 12(d) of the Act, in relevant part, prohibits any registered investment company from purchasing or otherwise acquiring any security issued by or any other interest in the business of any person who is a broker, a dealer, is engaged in the business of underwriting, or is an investment adviser. Therefore, Applicant requests an order pursuant to Section 6(c) of the Act exempting it from the provisions of Section 12(d)(3) of the Act to the extent necessary to permit its acquisition of Standby Commitments from brokers or dealers. Applicant also requests, pursuant to Section 6(c) of the Act, an exemption from the provisions

of Section 2(a)(41) of the Act and Rules 2a–4 and 22c–1 thereunder, permitting it to value Standby Commitments in the manner described hereinabove.

Applicant asserts that this relief is appropriate in the public interest, and consistent with the protection of investors. Applicant asserts that the proposed acquisition of Standby Commitments will not affect its net asset value per share for purposes of sales and redemptions and will not pose new investment risks, but rather will improve its liquidity and ability to pay redemption proceeds. Applicant states that its reliance upon the credit of dealers, banks and brokers from which it purchases commitments will be secured to the extent of the value of the underlying municipal securities which are subject to the commitment. Therefore, Applicant asserts that a Standby Commitment may present less risk than a bank certificate of deposit and will be qualitatively no greater a risk than the risk of loss faced by any investment company which is holding securities pending settlement after having agreed to sell the securities to a broker or dealer in the ordinary course of business. Moreover, Applicant states that the Adviser intends to evaluate periodically the credit of institutions issuing Standby Commitments. According to Applicant, for that reason and in light of the fact that Standby Commitments will not be ascribed value for purposes of determining Applicant's net asset value, the acquisition of such commitments will not meaningfully expose its assets to the entrepreneurial risks of the investment banking business, nor require it to evaluate the credit of dealers in determining its net asset value.

Notice is hereby given that any interested person may, not later than November 23, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his/her interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he/she may request that he/she be notified if the Commission shall order a hearing thereon. Any such communication should be addressed to: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon the Applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date, unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30341 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 19192; (SR-OCC-81-8)]

Options Clearing Corporation ("OCC"); Order Approving Proposed Rule Change

October 29, 1982.

On July 24, 1981, OCC filed a proposed rule change with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) (the "Act") and Rule 19b–4 thereunder. The proposed rule change alters the terms of OCC's obligation to holders of option contracts and eliminates the requirement that clearing members maintain a separate options settlement account with their correspondent clearing corporation for the settlement of exercised options. Under the proposed rule change, OCC would no longer guarantee the settlement of exercised option contracts. Instead, OCC's obligation with respect to exercised contracts would terminate once such options are irrevocably transferred to the correspondent clearing corporation, after which time an exercising clearing member must look to its correspondent clearing corporation for performance.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 18072, August 28, 1981) and by publication in the **Federal Register** (46 FR 44546, September 4, 1981). OCC submitted various technical amendments to the proposed rule change on October 15, 1981, October 12, 1982, and October 18, 1982. The Commission received letters of comment endorsing the proposed rule change from each of the active correspondent clearing corporations: the Midwest Clearing Corporation; the National Securities Clearing Corporation ("NSCC"); the Pacific Clearing Corporation; and the Stock Clearing Corporation of Philadelphia.

The Commission believes that eliminating exercise settlement accounts will remove impediments to the national clearance and settlement system by allowing option exercise to be netted with regular purchase and sale stock transactions. Increased netting will benefit clearing members and the national clearance and settlement system by reducing the number of settlements clearing members must make and by avoiding the expenses associated with fails, including the expense of borrowing stock to cover fail positions. In addition, eliminating exercise settlement accounts will benefit both clearing members and correspondent clearing corporations by eliminating the cost of maintaining such accounts.

The Commission recognizes that eliminating OCC's secondary guarantee will increase the risk that a clearing member may not receive the benefit of its exercise, in the event an insolvent assigned clearing member fails to make settlement, if either (i) the correspondent clearing corporation becomes insolvent or (ii) option exercises are processed by the correspondent in a non-guaranteed mode. The Commission believes, however, that the benefits associated with eliminating the exercise settlement account outweigh the risk to clearing members that will result from OCC's terminating its secondary guarantee to option holders. Specifically, we note (i) that, given the business and regulatory history of registered clearing agencies, the possibility that one of the corresponding clearing corporations will fail is very remote and (ii) that the number of option exercises processed in a non-guaranteed mode by the correspondent clearing corporations is extremely small and will be further reduced when NSCC introduces its guaranteed balance order processing system. Also, the Commission does not believe that it is inappropriate for OCC to alter its guarantee to option holders. There appears to be no statutory reason why exercising options holders should have settlement guarantees that are greater than the guarantees to parties to stock transactions. (OCC's By-Laws and rules are applicable only to clearing members, and public customers exercising options receive performance from their broker-dealer or, in the event their broker-dealer becomes insolvent, from the Securities Investor Protection Corporation ("SIPC") to the extent of SIPC coverage).

Accordingly, the Commission has determined that the proposed rule change is consistent with the requirements of the Act pertaining to clearing agencies, and, in particular the requirements of Section 17A and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change be approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30342 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 12772 (812-5275)]

Parkway U.S. Government Trust; Filing of Application for Order Pursuant to Section 6(c) of the Act Exempting Applicant From the Provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 Thereunder

October 29, 1982.

Notice is hereby given that Parkway U.S. Government Trust ("Applicant"), Rodney Building, 3411 Silverside Road, Wilmington, Delaware 19810, an open-end investment company registered under the Investment Company Act of 1940 ("Act"), filed an application on August 12, 1982, requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder to the extent necessary to permit Applicant's $1.00 per share net asset value for each class to be computed for purposes of sales and redemptions by using the amortized cost method of valuing its portfolio securities. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that it is an investment company of the kind termed a "money market fund" and that it presently plans to offer one class of shares of beneficial interest (the "Shares"). Applicant states further that additional classes and series of classes may be offered from time to time in the future; provided, however, that Applicant undertakes to obtain such exemptions as may be required under Section 2(a)(41) of the Act and Rules 22c-1 and 2a-4 thereunder prior to the establishment of any class or series which may acquire puts.

Applicant represents that its investment objective is to provide investors with preservation of capital, liquidity, and, consistent with the foregoing objectives, the highest possible current income consistent with its permitted investments. Applicant represents further that the assets of the Shares will be invested in (1) securities issued or guaranteed by the United States Government ("Governments") and (2) repurchase agreements and reverse repurchase agreements secured by Governments.

Applicant submits that it intends to endeavor to maintain a per share net asset value of $1.00. According to the application, the net asset value of a class of Applicant is calculated by adding the value of all securities and other assets of the class, deducting its actual and accrued liabilities, and dividing by the number of shares of the class outstanding.

Applicant represents that its Trustees believe that it would be in the best interests of Applicant's potential shareholders to use the "amortized cost" method of valuation to maintain Applicant's per share net asset value at $1.00 for each class. Applicant represents further that amortized cost valuation would permit daily dividends to shareholders of each class which would not vary on account of unrealized capital gains and losses. Applicant further asserts that at the same time investors in each class would have the convenience of being able to value their holdings simply by knowing the number of shares of each class they own.

Applicant states that its net income will be declared as a dividend each business day. Applicant states further that net income (from the time of the immediately preceding determination thereof) consists of (a) interest accrued and discount earned (including both original issue and purchase discount), if any, plus or minus (b) all realized gains or losses on sales of portfolio securities of Applicant, less (c) amortization of premium and accrued expenses applicable to that dividend period. Applicant maintains that expenses, including the estimated compensation payable to Applicant's manager for such period, are accrued each day.

Rule 22c-1 provides, in relevant part, that no registered investment company issuing any redeemable security shall sell, redeem, or repurchase any security except at a price based on the current net asset value of each security which is next computed after receipt of a tender of such security for redemption or of an order to purchase or sell such security. The term "value" is defined in Section 2(a)(41) to mean the market value of securities for which market quotations are readily available, and for other securities and assets, the fair value as determined in good faith by the board of directors. Rule 2a-4 provides, in pertinent part, that the "current net asset value" of a redeemable security issued by a registered investment company used in computing its price for the purposes of distribution and redemption means an amount which reflects calculations made substantially in accordance with the following, with estimates used where necessary or appropriate: portfolio securities with respect to which market quotations are readily available shall be valued at current market value, and other securities and assets shall be valued at fair value as determined in good faith by the board of directors.

In Investment Company Act Release No. 9786 the Commission issued an interpretation of Rule 2a-4 which would require money market funds to value debt securities with greater than 60 days remaining to maturity based upon current market quotations if readily available or, if such quotations are not readily available, in such a manner as to take into account any unrealized appreciation or depreciation due to changes in interest rates and other factors which would influence the current fair values of such securities.

Section 6(c) of the Act provides, in pertinent part, that the Commission, by order upon application, may conditionally or unconditionally exempt any person, security or transaction or any class or classes of persons, securities or transactions from any provision of the Act or of any rule or regulation under the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant states that, in general, money market funds are attractive investments for a wide range of investors because these funds offer relative stability of principal and a steady flow of predictable income at a currently competitive rate. Applicant believes that for it to be in a position to meet the needs and expectations of potential investors and to offer its shareholders relative stability of principal and a steady flow of predictable income at currently competitive rates it must be able to price its portfolio at amortized cost. Applicant asserts that if it is not permitted to price its portfolio at amortized cost it will have difficulty maintaining a constant net asset value per share. Applicant further asserts that its not being able to

use the amortized cost method could result in artificial yield differentials caused by insignificant changes in the "market" price of securities in its portfolio. Applicant states that an unstable net asset value per share and artificial yield differentials would be clearly contrary to the best interests of its shareholders.

Applicant states that it will make investments only in instruments having a remaining maturity of one year or less, and its dollar-weighted average portfolio maturity will not exceed 120 days. Applicant asserts that given the nature of its policies and expected operations, there will normally be a relatively negligible discrepancy between the market value and the amortized cost value of Applicant's portfolio securities. Applicant believes that the possibility of a change in its price per share is largely obviated by its investment policies. Applicant asserts that because of the stable price, its investors will receive a yield related to yields available in the general debt market that otherwise would not be available if Applicant were required to maintain a portfolio having an average maturity of a duration shorter than proposed. Applicant further asserts that its Trustees have determined in good faith, in light of Applicant's proposed characteristics and the needs of investors, that, absent unusual or extraordinary circumstances, the amortized cost method of valuing portfolio securities is appropriate and preferable and will reflect the fair value of Applicant's securities.

Applicant submits that for the foregoing reasons, the issuance of the requested order is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act, within the meaning of Section 6(c) of the Act.

Applicant consents to the following conditions to the order granting the exemptions requested in the application:

1. In supervising Applicant's operations and delegating special responsibilities involving portfolio management by Applicant's investment manager, Applicant's Board of Trustees undertakes—as a particular responsibility within the overall duty of care owed to its shareholders—to establish procedures reasonably designed, taking into account current market conditions and Applicant's investment objectives, to stabalize Applicant's net asset value per share for each class, as computed for the purpose of distribution, redemption and repurchase, at $1.00 per share.

2. Included within the procedures to be adopted by the Board of Trustees of Applicant shall be the following:

(a) Review by the Board of Trustees of Applicant as it deems appropriate and at such intervals as are reasonable in light of current market conditions, to determine the extent of deviation, if any, of the net asset value per share for each portfolio as determined by using available market quotations from Applicant's $1.00 amortized cost price per share and the maintenance of records of such review. To fulfill this condition, Applicant intends to use actual quotations or estimates of market value reflecting current market conditions chosen by the Board of Trustees in the exercise of its discretion to be appropriate indicators of value which may include, *inter alia,* (1) quotations or estimates of market value for individual portfolio instruments, or (2) values obtained from yield data relating to types of money market instruments published by reputable sources.

(b) In the event that such deviation from Applicant's $1.00 amortized cost price per share for each of the classes should exceed ½ of 1%, a requirement that the Board of Trustees will promptly consider what action, if any, should be initiated.

(c) Where the Board of Trustees determines that the extent of any deviation from Applicant's $1.00 amortized cost price per share for each of the classes may result in material dilution or other unfair results to investors or existing shareholders, it shall take such action as it deems appropriate to eliminate or to reduce to the extent reasonably practicable such dilution or unfair results, which action may include: Redemption of shares in kind; selling portfolio instruments prior to maturity to realize capital gains or losses, or to shorten Applicant's average portfolio maturity; suspending dividends; or utilizing a net asset value per share for such class as determined by using available market quotations.

3. Applicant will maintain a dollar-weighted average class maturity appropriate to its objective of maintaining a stable net asset value per share in each of the classes; provided, however, that Applicant will not (a) purchase any instrument with a remaining maturity of greater than one year, or (b) maintain a dollar-weighted average portfolio maturity in any of the classes in excess of 120 days. In fulfilling this condition, Applicant agrees that if the disposition of a purtfolio instrument results in a dollar-weighted average portfolio maturity in any of the classes in excess of 120 days, such class will invest its available cash in such a manner as to reduce its dollar-weighted average portfolio maturity to 120 days or less as soon as reasonably practicable.

4. Applicant will record, maintain and preserve permanently in an easily accessible place a written copy of the procedures (and any modifications thereto) described in condition 1 above; Applicant will record, maintain and preserve for a period of not less than six years (the first two years in an easily accessible place) a written record of the Board of Trustees' considerations and actions taken in connection with the discharge of its responsibilities, as set forth above, to be included in the minutes of the meetings of the Board of Trustees. The documents preserved pursuant to this condition shall be subject to inspection by the Commission in accordance with Section 31(b) of the Act as though such documents were records required to be maintained pursuant to rules adopted under Section 31(a) of the Act.

5. Applicant will limit its investments in each of the classes, including repurchase agreements and reverse repurchase agreements, to those United States dollar denominated instruments which the Board of Trustees determines present minimal credit risks, and which are of high quality as determined by any major rating service or, in the case of any instrument that is not rated, of comparable quality as determined by the Board of Trustees.

6. If any action pursuant to condition 2(c) is taken, Applicant will file, as an attachment to Form N–1Q, a statement as to the nature and circumstances of such action.

Notice is further given that any interested person may, not later than November 23, 1982, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 29549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following

said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30339 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-19189; File No. SR-Amex 82-16]

Self-Regulatory Organization; Proposed Rule Change by American Stock Exchange, Inc.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on October 18, 1982, the American Stock Exchange filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The American Stock Exchange is proposing to amend Rule 300 to provide that the capital contribution of any partner of a member firm may not be withdrawn sooner than 12 months after it is made.

II. Self-Regulatory Organization's Statement of the Purpose of and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of and Statutory Basis for the Proposed Rule Change

(a) *Purpose.* Rule 300(b) requires that the partnership articles of each member firm subject to Rule 470 contain a provision that without the prior written approval of the Exchange, the capital contribution of any partner may not be withdrawn on less than six months written notice of withdrawal given no sooner than six months after such contribution is first made, i.e., 12 months after being made. Rule 470 encompasses only those firms which are subject to SEC Rule 15c3-1, the Net Capital Rule. Thus, a partner of an Amex member firm which is not subject to the Net Capital Rule has the right to withdraw his capital contribution at any time. Since many Amex members, including many Registered Traders and specialists, are not subject to the Net Capital Rule, the present scope of this Rule is too limited for the Exchange to ensure that all new capital contributions are "locked in" for a period of at least one year. While the Exchange has been successful to date in informally discouraging premature withdrawals of partners' capital contributions, there is no way to be sure that future problems will not be presented.

It is therefore proposed that Rule 300(b) be amended by deleting the reference to Rule 470. In this way the Rule will encompass all Amex partnerships.

(b) *Basis.* The proposed amendment is consistent with Section 6(b) of the Exchange Act in general and furthers the objectives of Section 6(b)(5) in particular in that it is designed to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will have no impact on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** 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 self-regulatory 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection any copying in the Commission's Public Reference Section, 450 5th Street, N.W., 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 be submitted within 21 days after the date of this publication.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: October 28, 1982.

George A. Fitzsimmons,

Secretary.

[FR Doc. 82-30345 Filed 11-3-82; 8:45 am]

BILLING CODE 8010-01-M

Forms Under Review By Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash (202) 272-2142.

Upon written request copy available from: Securities and Exchange Commission, Office of Consumer Affairs and Information Services, 450 Fifth Street, N.W., Washington, D.C. 20549.

Revised
Rule 12g3-2
No. 270-104

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for clearance certain proposals to amend Rule 12g3-2 (17 CFR 240.12g3-2) which governs the disclosure

requirements of certain foreign private issuers exempt from Section 12(g) of the Securities Exchange Act of 1934. Please cite Commission file number 270–104 in all references to the submission.

Comments should be submitted to Mr. Robert Veeder, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3235 NEOB, Washington, D.C. 20503.

George A. Fitzsimmons,

Secretary.

October 28, 1982.

[FR Doc. 82–30346 Filed 11–3–82; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Advisory Circular on Procedures for Determining Acceptable Fuel/Oil Ratio for Small Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Draft Advisory Circular availability and request for comments.

SUMMARY: The draft Advisory Circular (AC) sets forth an acceptable means, but not the only means, of showing compliance with the Federal Aviation Regulations applicable to procedures for determining acceptable fuel/oil ratio as required by FAR 23.1011(b) for small airplanes.

DATE: Commenters must identify file AC 23.1011–1, Subject: Procedures for Determining Acceptable Fuel/Oil Ratio as required by FAR 23.1011(b) and comments must be received on or before December 26, 1982.

ADDRESS: Send all comments on the draft Advisory Circular to: Federal Aviation Administration, ATTN: Regulations and Policy Office (ACE–110), 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. Richard F. Yotter, Aerospace Engineer, Regulations and Policy Office (ACE–110), Aircraft Certification Division, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106. Commercial telephone (816) 374–6941 or FTS 758–6941.

SUPPLEMENTARY INFORMATION: Any person may obtain a copy of this draft Advisory Circular by writing to: Federal Aviation Administration, Aircraft Certification Division, Regulations and Policy Office (ACE–110), 601 East 12th Street, Kansas City, Missouri 64106.

COMMENTS INVITED: Interested parties are invited to submit comments on the draft AC. Comments received on the draft AC may be inspected at the offices of the Regulations and Policy Office (ACE–110), Room 1656, Federal Office Building, 601 East 12th Street, Kansas City, Missouri, between the hours of 7:30 a.m. and 4 p.m. on weekdays, except Federal holidays.

Issued in Kansas City, Missouri, October 25, 1982.

Murray E. Smith,

Director, Central Region.

[FR Doc. 82–30279 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–13–M

Federal Highway Administration

Environmental Impact Statement: Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull, Mahoning Counties, Ohio

AGENCY: Federal Highway Administration, DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) is being prepared for a proposed highway project in thirteen counties extending across the northern part of the State of Ohio, from Williams County on the west to Mahoning County on the east.

FOR FURTHER INFORMATION CONTACT: Mr. John W. McBee, Division Administrator, or Mr. David M. Hall, District Engineer, Federal Highway Administration, 200 North High Street, Columbus, Ohio 43215. Telephone: (614) 469–6896 or 469–5148.

SUPPLEMENTARY INFORMATION: The Federal Highway Administration (FHWA), in cooperation with the Ohio Department of Transportation (ODOT), has been preparing a draft environmental impact statement (EIS) since 1980 on the proposed upgrading of the entire 241-mile Ohio turnpike, where practical, to current Interstate standards. This four-lane divided highway, crossing Ohio from Indiana to Pennsylvania, carries the designation of Interstate 80, Interstate 90, and Interstate 76 on various sections.

The proposed action specifically consists of adding thirteen new access points or new interchanges, redesigning four existing interchanges, removing toll booths and re-signing at the fourteen remaining existing interchanges, and constructing 30.6 lane miles of new mainline in the existing Turnpike median.

The proposed action will greatly improve local and regional access to and from the Turnpike by reducing traffic on parallel roadway systems. It will shorten trip lengths by eliminating circuitous routes to the Turnpike, producing savings in time and energy costs.

At each new interchange site, from one to six alternative configuations have been considered. At existing interchanges a number of alternatives have been considered, ranging from minor modification to complete replacement. Preferred configurations have been identified but no final decision has been made regarding alternatives. The no-build alternative is also being considered.

There are currently no plans to hold a formal scoping meeting. To date, there has been extensive federal, state, local and public involvement with the proposed project. It is envisioned that such involvement will continue throughout further development of the project.

To ensure that the full range of issues related to this proposed action are addressed and that all significant issues are identified, comments or questions concerning this action and the EIS should be addressed to the FHWA at the address provided above.

(Catalog of Federal Domestic Program Assistance Program No. 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular No. A–95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: October 28, 1982.

James J. Steele,

Assistant Division Administrator.

[FR Doc. 82–30411 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–22–M

Environmental Impact Statement; Prince George's County, Maryland

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Cancellation of the notice of intent.

SUMMARY: This notice rescinds the previous notice of intent to prepare an environmental impact statement for a proposed highway project on Maryland Route 214 (Central Avenue) in Prince George's County, Maryland.

FOR FURTHER INFORMATION CONTACT: Roy Gingrich, District Engineer, Federal Highway Administration, The Rotunda—Suite 220, 711 West 40th Street, Baltimore, Maryland 21211, Telephone: (301) 962–4011 and Mr. Hal Kassoff, Director, Office of Planning and Preliminary Engineering, Maryland State Highway Administration (SHA), 707 North Calvert Street, Baltimore,

Maryland 21202, Telephone: (301) 659–1110.

SUPPLEMENTARY INFORMATION:

Additional environmental analyses have indicated that no significant impacts will result from the proposed highway project. Therefore, preparation of an environmental impact statement is not required for the proposed improvement of Maryland 214 (Central Avenue) from I–95 (Capital Beltway) to U.S. Route 301 in Prince George's County, Maryland. An environmental assessment, however, is being prepared and it will be made available to the public for review and comment. A public hearing will be scheduled upon completion of the environmental assessment. A public notice will be issued announcing the time and place of the hearing.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The provisions of OMB Circular No. A–95 regarding State and local clearinghouse review of Federal and federally assisted programs and projects apply to this program)

Issued on: October 22, 1982.

Emil Elinsky,

Division Administrator, Baltimore, Maryland.

[FR Doc. 82–30051 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–22–M

Federal Railroad Administration

[FRA Waiver Petition Docket HS–82–21]

Batten Kill Railroad Co.; Petition for Exemption From Hours of Service Act

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Batten Kill Railroad Company (BK) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91–169, 45 U.S.C. 64A(e)). That petition requests that the BK be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

The BK seeks this exemption so that it can permit certain employees to remain continuously on duty for period not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS–82–21, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before December 17, 1982, will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 7321A, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590.

(Sec. 5 of the Hours of Service Act of 1969 (45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49 (d))

Issued in Washington, D.C. on October 21, 1982.

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 82–30091 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–06–M

[FRA Waiver Petition Docket HS–82–22]

Moscow, Camden & San Augustine Railroad Co.; Petition for Exemption From Hours of Service Act

In accordance with 49 CFR 211.41 and 211.9, notice is hereby given that the Moscow, Camden & San Augustine Railroad Company (MSCA) has petitioned the Federal Railroad Administration (FRA) for an exemption form the Hours of Service Act (83 Stat. 464, Pub. L. 91–169, 45 U.S.C. 64A(e)). That petition requests that the MSCA be granted authority to permit certain employees of continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provisions that permits a railroad, which employs no more than fifteen employees who are subject to the statute, to seek an exemption from this twelve hour limitation.

The MSCA seeks this exemption so that it can permit certain employees to remain continuously on duty for period not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS–82–22, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before December 17, 1982, will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 7321A, Nassif Building 400 Seventh Street, SW., Washington, D.C. 20590.

(Sec. 5 of the Hours of Service Act of 1969 (45 U.S.C. 64a), 1.49d) of the regulations of the Office of the Secretary, 49 CFR 1.49 (d))

Issued in Washington, D.C. on October 21, 1982.

Joseph W. Walsh,

Chairman, Railroad Safety Board.

[FR Doc. 83–30092 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–06–M

[FRA Waiver Petition Docket HS–82–23]

Texas South-Eastern Railroad Co., Petition for Exemption From Hours of Service Act

In accordance with 49 CFR 211.41 and Section 211.9, notice is hereby given that the Texas South-Eastern Railroad (TSE) has petitioned the Federal Railroad Administration (FRA) for an exemption from the Hours of Service Act (83 Stat. 464, Pub. L. 91–169, 45 U.S.C. 64(e)). That petition requests that the TSE be granted authority to permit certain employees to continuously remain on duty for in excess of twelve hours.

The Hours of Service Act currently makes it unlawful for a railroad to require or permit specified employees to continuously remain on duty for a period in excess of twelve hours. However, the Hours of Service Act contains a provision that permits a railroad, which employs no more than fifteen employees who are subject to the

statute, to seek an exemption from this twelve hour limitation.

The TSE seeks this exemption so that it can permit certain employees to remain continuously on duty for periods not to exceed sixteen hours. The petitioner indicates that granting this exemption is in the public interest and will not adversely affect safety. Additionally, the petitioner asserts that it employs no more than fifteen employees and has demonstrated good cause for granting this exemption.

Interested persons are invited to participate in this proceeding by submitting written views or comments. FRA has not scheduled an opportunity for oral comment since the facts do not appear to warrant it. Communications concerning this proceeding should identify the Docket Number, Docket Number HS–82–23, and must be submitted in triplicate to the Docket Clerk, Office of the Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590. Communications received before December 17, 1982, will be considered as far as practicable. All comments received will be available for examination both before and after the closing date for comments, during regular business hours in Room 7321A, Nassif Building 400 Seventh Street, SW., Washington, D.C. 20590

(Sec. 5 of the Hours of Service Act of 1969 [45 U.S.C. 64a), 1.49(d) of the regulations of the Office of the Secretary, 49 CFR 1.49(d))

Issued in Washington, D.C. on October 21, 1982.

Joseph W. Walsh,

Chariman, Railroad Safety Board.

[FR Doc. 82–30093 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–06–M

Maritime Administration

Maritime Advisory Committee Meeting

AGENCY: Maritime Administration (MARAD), DOT.

ACTION: Notice.

SUMMARY: The Maritime Advisory Committee will hold its second meeting on November 17, 1982, at 10:30 a.m., in Room 4234, Department of Transportation, 400 7th Street, S.W., Washington, D.C. The matters to be considered will include the structure of the Committee and Government-industry relations. The meeting will be open to the public.

Dated: October 27, 1982.

By order of the Maritime Administrator.

Georgia P. Stamas,

Assistant Secretary.

[FR Doc. 82–30056 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–81–M

[S–724]

Aeron Marine Shipping Co., Aries Marine Shipping Co., Atlas Marine Co., Aquarius Marine Co., American Shipping, Inc., Pacific Shipping, Inc., and Worth Oil Transport Co.; Joint Application for Section 805(a) Permission Concerning Affiliation With Acadian Shipping Corporation

The subject companies—parties to long-term operating-differential subsidy contracts in the foreign bulk trade of the United States—are affiliates of Acadian Shipping Corporation (Acadian) which intends to purchase the RO/RO trailer and vehicle vessel *Atlantic Bear*. The subject companies request written permission under section 805(a) of the Merchant Marine Act, 1936, as amended (Act), to be affiliated with Acadian, the intended owner of the *Atlantic Bear*.

Acadian plus to operate the *Atlantic Bear* in common carriage of automobiles and other commodities along the U.S. Atlantic coast throughout the period of the Berger subsidized companies' operating-differential subsidy contracts. The permission requested covers all coastwise operations of the *Atlantic Bear* for the period of each subsidy contract.

The Berger subsidized companies have a request pending dated February 23, 1982 (Docket S–715) to be affiliated with any other operator which owns, operates or charters vessels in the coastwise or intercoastal trades. Clearly, the instant request is alo covered in Docket S–715. However, since the coastwise operations of the *Atlantic Bear* are scheduled to commence in the immediate future and Docket S–715 has been scheduled for a hearing, this request is separately submitted. The applicants aver that it in no way derogates from the full breadth of the permission requested in Docket S–715.

Any person, firm, or corporation having any interest in such application (within the meaning of section 805(a) of the Act) and desiring to submit comments concerning the application must file written comments in triplicate with the Secretary, Maritime Administration, Room 7300, Nassif Building, 400 Seventh Street, SW., Washington, D.C. 20590, by close of business on November 19, 1982, together with petition for leave to intervene. The petition shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief.

If no petitions for leave to intervene are received within the specified time or if it is determined that petitions filed do not demonstrate sufficient interest to warrant a hearing, the Maritime Administration will take such action as may be deemed appropriate.

In the event petitions regarding the relevant section 805(a) issues are received from parties with standing to be heard, a hearing will be held, the purpose of which will be to receive evidence under section 805(a) relative to whether the proposed operations (a) could result in unfair competition to any person, firm, or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudcial to the objects and policy of the Act relative to domestic trade operations.

(Catalog of Federal Domestic Assistance Program No. 20.804 Operating-Differential Subsidies (ODS))

By Order of the Maritime Administrator.

Dated: November 1, 1982.

Georgia P. Stamas,

Assistant Secretary.

[FR Doc. 82–30360 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–81–M

National Highway Traffic Safety Administration

Final Contract Briefing; Public Meeting

The National Highway Traffic Safety Administration will hold a public meeting on December 8, 1982 to present the findings of a contract research study entitled "Heavy Duty Truck Splash and Spray Reduction." The objectives of the study were to: (1) Develop a simplified laboratory test procedure for evaluating the basic spray suppressing performance of products intended to be installed on trucks; and (2) gather and report data relating to the in-service performance and life cycle costs of currently available spray suppressing systems.

In addition to the oral briefing, a demonstration of the testing apparatus and the procedures for its use will be conducted.

The meeting will be held at the offices of Systems Technology, Inc., 13766 South Hawthorne Boulevard, Hawthorne, California 90250, on December 8, 1982 at 9 a.m. Those planning to attend are asked to call Mr. Robert M. Clarke, Heavy Duty Vehicle Research Division, National Highway Traffic Safety Administration, at (202) 426–4558 on or before December 1, 1982

so that an appropriately sized meeting room can be scheduled.

Issued in Washington, D.C., on October 29, 1982.

Michael M. Finkelstein,

Associate Administrator for Research and Development.

[FR Doc. 82-30383 Filed 11-3-82; 8:45 am]

BILLING CODE 4910-59-M

Office of the Secretary

[Notice No. 82-8]

Frontier Airlines, Inc.; Renewal of Operations Specifications, Jackson Hole Airport, Wyoming

AGENCY: Office of the Secretary, DOT.

ACTION: Request for comments on renewal of operations specifications.

SUMMARY: The purpose of this Notice is to inform the public that the Department of Transportation (DOT) is considering a request by Frontier Airlines, Inc. (Frontier) for a renewal of its authority to serve Jackson Hole Airport, Wyoming, with regularly scheduled Boeing 737 jet operations, and to solicit comments on that proposal.

DATE: Deadline for receipt of comments is December 6, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph Canny, Deputy Director for Environment and Policy Review, Office of Economics, U.S. Department of Transportation, 400 Seventh Street SW., Washington, D.C. 20590, (202) 426-4361.

The Department of Transportation has received a request from Frontier Airlines, Inc., for renewal of its operations specifications to permit the continuation of regularly scheduled Boeing 737 jet aircraft service at Jackson Hole Airport, Wyoming. The Frontier request seeks to make permanent the existing authority to conduct such operations which is scheduled to expire on January 15, 1983. Frontier also requests elimination of a number of conditions imposed by the Department of Transportation at the time of the issuance of the existing approval in early 1981.

Background

During the 1970's, Frontier made a decision to remove from its operating fleet propeller driven Convair 580 airliners and to provide Boeing 737 jet aircraft service at certain airports previously served by the CV-580 aircraft. In 1978, Frontier requested that the Federal Aviation Administration (FAA), an operating administration of the DOT, amend its operating specifications to permit it to phase out its CV-580 service and to operate regularly scheduled B-737 service for the first time at Jackson Hole Airport, Wyoming. (Charter service by B-737 aircraft had been previously authorized.) Pursuant to FAA and DOT regulations, operations specifications that will not significantly change the character or nature of an airport facility or its operations are routinely granted without any environmental analysis. However, in light of the controversy surrounding Frontier's proposed introduction of regularly scheduled jet service at Jackson Hole Airport, which is located within Grand Teton National Park, a nationally significant recreation area and a major component of the national park system, the Secretary concluded that an environmental impact statement should be prepared to assess fully the potential impact of Frontier's proposal.

A draft environmental impact statement was prepared and circulated to interested public agencies and private individuals and organizations on July 30, 1979. Comments on the draft environmental impact statement identified a number of concerns about the proposal. The Town of Jackson, Teton County, and other local interests generally endorsed the proposal and maintained that the proposed jet service is essential to the economy of the region. Other commentors, including the Department of the Interior (DOI), the Environmental Protection Agency (EPA), and the Sierra Club objected, principally because of their concerns that the existing airport is incompatible with the environment of the National Park and concern about the potential for increased noise within the Park.

The Department of Transportation reviewed the various comments, performed additional studies concerning the noise impacts of the proposal, and published a final environmental impact statement on the proposal in late 1980. On December 24, 1980, the Secretary of Transportation signed a record of decision, in which he indicated his approval of the proposal. Subsequently, the Department of the Interior and the Environmental Protection Agency referred this matter to the Council on Environmental Quality (CEQ) pursuant to its procedures, contending that the proposed action was "environmentally unacceptable." Following extensive negotiations among CEQ, EPA, DOT, DOI and Frontier, a revised record of decision was issued on January 16, 1981. On the basis of the revised record of decision, the Department of the Interior and EPA removed their objections to the proposal.

The Secretary's revised record of decision contained thirteen conditions which the FAA was directed to impose on the proposed authority for Frontier to operate regularly scheduled 737 service at Jackson Hole. In particular, it provided that the approval would be for a two-year period only, and that during this period. FAA and local sponsors were to seek alternative sites to provide commercial air service to Jackson. The record of decision further indicated that the operating specifications would be renewed at the end of the two-year period only if solid progress has been made toward relocating the airport. Other conditions included provisions that commercial jet service would not be permitted between the hours of 9:30 p.m. and 6:00 a.m.; that each B-737 used at Jackson Hole would be fitted with quiet nacelles to reduce aircraft noise; that appropriate air traffic control and noise abatement measures would be instituted; that Frontier would consent to use any new jet aircraft it might acquire that would be quieter than the B-737s and would be feasible for operation at Jackson Hole; and that FAA and local officials would seek zoning of private land in the airport vicinity for purposes compatible with airport operations.

Frontier accepted the amendment to its operations specifications but noted that a number of conditions in the record of decision were beyond its control and that it could not assure the implementations of those conditions. Frontier initiated regularly scheduled B-737 jet service at Jackson Hole Airport on June 1, 1981.

In the spring of 1981, the Sierra Club initiated litigation against the Department of Transportation seeking to overturn the Secretary's decision to permit the B-737 operations at Jackson Hole. The United States Court of Appeals for the District of Columbia affirmed the Department's decision in a judgment filed March 3, 1982. *Sierra Club* v. *U.S. Department of Transportation*, 675 F. 2d 1340 (D.C. Cir. 1982), rehearing denied.

Current Conditions

Frontier has continued to operate B-737 jet service into Jackson Hole. During the summer of 1982, the airline scheduled four B-737 flights per day into and out of Jackson Hole. At present, two daily flights are scheduled. It is likely that two flights per day will be the maximum outside the summer tourist season, except for some possible increase in flights on peak weekends during the skiing season. While the environmental impact statement reflected a proposal to phase out CV-580 service over a period extending to

1985, Frontier has in fact terminated all CV–580 operations at Jackson Hole and is serving the airport with B–737s exclusively.

Certain conditions in the Department's 1981 decision have been implemented. These include the prohibition on commercial jet serice during nighttime hours, institution of air traffic procedures for noise abatement purposes, and use of B–737 aircraft equipped with quiet nacelles to reduce aircraft noise. The other conditions have not been met. The Department's final environmental impact statement incorporated by reference analysis of more than twenty alternative sites for the Jackson Hole Airport, none of which were considered to be both feasible and prudent. In addition, the FAA issued a technical feasibility study on January 7, 1981, of a site in the Webb Draw area. The FAA concluded that it was technically feasible to build an airport at the site but that the practical and political ramifications of establishing an airport at the site remained to be resolved. Since that study was completed, neither the Town of Jackson nor any other local interest has indicated any willingness to seek an alternate site for the airport and no further alternate sites have been identified or studied.

The proposal to construct and staff an air traffic control tower at Jackson Hole Airport, another of the conditions, has not been implemented due to lack of federal funds, the low volume of air traffic at Jackson Hole which is insufficient to justify establishment of a tower under FAA criteria, and the effectiveness of the Jackson Hole Airport noise abatement plan even in the absence of a tower.

Frontier's Request

Frontier has requested that the amendment to its operation specifications be renewed and be made permanent. Further, Frontier has indicated its intent to rely upon the provisions of 5 U.S.C. 558(c), under which Frontier's existing authority and license will be automatically continued in effect until a final determination has been made on the application for renewal. Frontier has also requested that the conditions attached to the prior approval be eliminated in favor of such environmental rules and regulations as may be imposed by the Jackson Hole Airport Board, acting as the airport operator. The Town of Jackson and a number of other public officials and organizations have endorsed Frontier's request for a continuation of the authority to operate B–737 service at Jackson Hole.

The Department of Transportation has undertaken an environmental assessment of Frontier's request. The assessment concludes that aircraft noise conditions at Jackson Hole as a result of Frontier's operations to date are virtually identical to those predicted in the environmental impact statement acted upon in 1980. (The time average difference between predicted and actual noise levels is approximately 1 db.) The environmental assessment also considers the impact of removing the various conditions from the operations specifications. A copy of the environmental assessment is available from: Federal Aviation Administration, Office of Environment and Energy, 800 Independence Avenue SW., Washington, D.C. 20591, (202) 426–4144

Proposed Decision

The Department of Transportation has taken under consideration the request of Frontier. The Department requests any comments that agencies, organizations or individuals may wish to submit concerning this matter.

Subject to the receipt and careful evaluations of such comments, it is the tentative intention of this Department to grant Frontier's request for permanent authority to operate regularly scheduled B–737 service at Jackson Hole. With respect to the conditions on the operations specifications, the Department believes on the basis of its environmental assessment that most of the conditions can be removed without any adverse environmental impact. However, the Department proposes to retain three of the conditions from the prior decision, specifically, the requirements that commercial jet service be restricted to the hours between 6:00 a.m. and 9:30 p.m.; the requirement that the B–737 aircraft used at Jackson Hole be fitted with quiet nacelles to reduce aircraft noise and meet the stage two noise limits set forth in FAR Part 36 (14 CFR Part 36); and the requirement that Frontier ensure the use, to the maximum extent feasible, of established procedures for the abatement of aircraft noise during landings and takeoffs as set forth in the environmental impact statement, including a power reduction at takeoff to achieve an 8.6 percent climb gradient. It is the Department's view that the elimination of any of those three conditions would result in a noisier environment than that depicted in the final environmental impact statement and that those three conditions are justified, feasible and safe. A fourth condition involving aircraft noise—that Frontier would use at Jackson Hole any quieter aircraft it might acquire—can be dropped since there are no quieter aircraft currently available, or likely to be available in the near future, which would be feasible for operation at Jackson Hole.

With respect to the other conditions, the Department believes that they can be removed without adverse impact on the environment of Jackson Hole. In particular, the Department takes cognizance of the views of state and local officials that an effort to relocate the airport is not feasible or desirable. Moreover, any actions of this type would have to be undertaken by appropriate local, state or federal officials and are outside the control of Frontier Airlines and thus not appropriate conditions on the airline's operations specifications. Efforts to assure compatible land use in the vicinity of the airport will continue, and the airport operator is committed to such efforts under the terms of its airport development assistance grants from FAA.

Any comments which any party may wish to propose concerning this matter should be submitted within 30 days of the date of this notice.

Issued in Washington, D.C. on October 29, 1982.

Drew Lewis,

Secretary of Transportation.

[FR Doc. 82–30199 Filed 11–3–82; 8:45 am]

BILLING CODE 4910–62–M

VETERANS ADMINISTRATION

Construct Warehouse, Veterans Administration Medical Center, Albuquerque, New Mex.; Finding of No Significant Impact

The Veterans Administration has assessed the potential environmental impacts that may occur as a result of the construction of a new warehouse at the Veterans Administration Medical Center (VAMC) at Albuquerque, New Mexico. The project consists of the design and construction of a new warehouse to be located in the southwest corner of the VAMC which will provide approximately 14,000 net square feet of space.

Development of the project will have impacts on the human and natural environment byi increasing surface runoff. Caliche clay soil will require special footing design. Temporary construction impacts are dust, noise, and engine fumes.

Mitigation of increased surface runoff has been addressed in the Land Use Master Plan for the VAMC. This long range plan calls for the creation of small ponds to catch the surface runoff and

allow controlled water seepage into the ground. This will reduce the volume of water running into the city stormwater system.

Temporary construction impacts will be mitigated by standard Veterans Administration Environmental Protection Specifications and conformance with Federal, State and Local Regulations.

The significance of the identified impacts has been evaluated relative to the considerations of both context and intensity, as defined by the Council on Environmental Quality (Title 40 CFR 1508.27).

This Environmental Assessment has been performed in accordance with the requirements of the National Environmental Policy Act Regulations, §§ 1501.3 and 1508.9. A "Finding of No Significant Impact" has been reached based on the information presented in this assessment.

The assessment is being placed for public examination at the Veterans Administration, Washington, D.C. Persons wishing to examine a copy of the document may do so at the following office: Mr. William F. Sullivan, P.E., Director, Environmental Affairs Staff (005B), Room 423, Veterans Administration, 811 Vermont Avenue, NW., Washington, D.C., (202-389-3316). Questions or requests for single copies of the Environmental Assessment may be addressed to: Director, Environmental Affairs Staff (005B), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420.

Dated: October 29, 1982.

By direction of the Administrator:

Everett Alvarez, Jr.,

Deputy Administrator.

[FR Doc. 82-30325 Filed 11-3-82; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 47, No. 214
Thursday, November 4, 1982

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

Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Wednesday, October 27, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Mr. Doyle L. Arnold, acting in the place and stead of Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Application of Chittenden Trust Company, Burlington, Vermont, for consent to purchase the assets of and assume the liability to pay deposits made in Rutland Savings Bank, Rutland, Vermont, and for consent to establish the five offices of Rutland Savings Bank as branches of the resultant bank.

The Board further determined, by the same majority vote, that no earlier notice of the change in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matter could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), and (c)(9)(A)(ii)).

Dated: October 28, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1594-82 Filed 11-2-82; 11:36 am]

BILLING CODE 6714-01-M

2

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 Monday, November 8, 1982, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), and (c)(9)(A)(ii) of Title 5, United States Code, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Discussion Agenda:

Recommendations, pursuant to section 10(b) of the Federal Deposit Insurance Act, that the Corporation make special examinations of certain national banks to determine the condition of such banks for insurance purposes.

Names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(8) and (c)(9)(A)(ii)).

Personal actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, NW., Washington, D.C.

Requests for further information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: November 1, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1592-82 Filed 11-2-82; 8:45 am]

BILLING CODE 6714-01-M

3

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 the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, November 8, 1982, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Application for Federal deposit insurance:

Ameribank, Welch, West Virginia, a proposed new bank to be located at the intersection of U.S. Highway 52 and Riverside Drive, Welch, West Virginia.

Application for consent to merge and establish three branches:

The Fidelity Bank of Indiana, Carmel, Indiana, an insured state nonmember bank, for consent to merge, under its charter and title, with Hamilton County Bank, Cicero, Indiana, and for consent to establish the three offices of Hamilton County Bank as branches of the resultant bank.

Recommendations regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,459-L—Franklin National Bank, New York, New York
Case No. 45,460-SR—The Peoples Bank of the Virgin Islands, Charlotte Amalie, U.S. Virgin Islands
Case No. 45,465-SR—Hohenwald Bank & Trust Company, Hohenwald, Tennessee
Case No. 45,473-L (Amended)—Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico

Recommendation with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Bronson, Bronson, & McKinnon, San Francisco, California, in connection with the receivership of United States National Bank, San Diego, California.

Reports of committees and officers:

Minutes of actions approved by the standing committees of the Corporation pursuant to authority delegated by the Board of Directors.
Reports of the Division of Bank Supervision with respect to applications or requests approved by the Director or Associate Director of the Division and the various Regional Directors pursuant to authority delegated by the Board of Directors.
Report of the Director, Division of Accounting and Corporate Services:
Memorandum re: Investment Management Report—September 30, 1982

Discussion Agenda:

No matters scheduled.

The meeting will be held in the Board Room on the sixth floor of the FDIC building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: November 1, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1593-82 Filed 11-2-82; 11:36 am]

BILLING CODE 6714-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION

Changes in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, November 1, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Recommendations, pursuant to section 10(b) of the Federal Deposit Insurance Act, that the Corporation make special examinations of two national banks to determine the condition of such banks for insurance purposes: Names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act (5 U.S.C. 552b (c)(8) and (c)(9)(A)(ii)).
Request for relief from adjustment for violations of Regulation Z: Name and location of bank authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(8) and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(8) and (c)(9)(A)(ii)).
Recommendation regarding an Assistance Agreement entered into between the Corporation and an insured bank, pursuant to section 13(e) of the Federal Deposit Insurance Act.
Discussion of the classification of foreign debt.

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), (c)(9)(A)(i), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), (c)(9)(A)(i) and (c)(9)(A)(ii)).

Dated: November 2, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1597-82 Filed 11-2-82; 3:05 pm]

BILLING CODE 6714-01-M

5

FEDERAL ELECTION COMMISSION

DATE AND TIME: Thursday, November 9, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Compliance, litigation, audits, personnel.

* * * * *

DATE AND TIME: Wednesday, November 10, 1982 at 11 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
Advisory opinion 1982-50—Jon L. Shebel, Florida Breakfast and Lunch Bunch
Proposed revision of 11 CFR 110.11—Disclaimer notice
Proposed regulations on joint fundraising and collecting agents (11 CFR 102.6 and 102.7)
Routine Administrative matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer; telephone: 202-523-4065.

Majorie W. Emmons,

Secretary of the Commission.

[S-1596-82 Filed 11-2-82; 3:10 pm]

BILLING CODE 6715-01-M

6

FEDERAL MARITIME COMMISSION

TIME AND DATE: 9 a.m., November 10, 1982.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Agreement No. 10051-6: Extension of the Mediterranean Force Majeure Agreement for an indefinite term and definition of the causes under which the agreement may be invoked.
2. Agreement No. 10050-4: Extension of the U.S.-Flag Far East Discussion Agreement and redefinition of the scope of the agreement.
3. Agreement No. 8260-22: Modification of the Mediterranean U.S.A. Great Lakes Westbound Freight Conference Agreement to extend and revise inland Europe authority.

Portion closed to the public:

1. Docket No. 81-62: Westinghouse Electric Corporation v. Delta Steamship Lines, Inc.—Consideration of the record.

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523-5725.

[S-1598-82 Filed 11-2-82; 3:45 pm]

BILLING CODE 6730-01-M

7

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 November 8, 1982, at 450 5th Street, NW., Washington, D.C.

An open meeting will be held on Tuesday, November 9, 1982, at 10:00 a.m. A closed meeting will be held on Wednesday, November 10, 1982, at 10:00 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 may be 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)(4), (8), (9)(i) and (10).

Commissioners Evans, Thomas and Treadway voted to consider the items listed for the closed meeting in closed session.

The subject matter of the open meeting scheduled for Tuesday, November 9, 1982, at 10:00 a.m., will be:

Consideration of whether to issue an order approving proposed rule changes of several self-regulatory organizations designed to imporve the ability of the securities industry to process institutional trades, particularly during periods of sustained high volume. For further information, contact Heidi Steinberg Coppola at (202) 272–2775.

The subject matter of the closed meeting scheduled for Wednesday, November 10, 1982, at 10:00 a.m., will be:

Access to investigative files by Federal, State, or Self-Regulatory authorities.
Settlement of administrative proceedings of an enforcement nature.
Formal orders of investigation.
Institution of administrative proceeding of an enforcement nature.
Proposal for self-regulation of investment companies.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272–2014.

November 1, 1982.

[S–1595–82 Filed 11–2–82; 11:46 am]

BILLING CODE 8010–01–M

federal register

Thursday
November 4, 1982

Part II

Department of the Interior

Minerals Management Service

Outer Continental Shelf Norton Basin; Proposed Oil and Gas Lease Sale No. 57

4310-MR

UNITED STATES
DEPARTMENT OF THE INTERIOR
MINERALS MANAGEMENT SERVICE

Outer Continental Shelf
Norton Basin

Proposed Oil and Gas Lease Sale No. 57

With regard to oil and gas leasing on the Outer Continental Shelf (OCS), the Secretary of the Interior, pursuant to Sec. 19 of the OCS Lands Act, as amended, provides the affected States the opportunity to review the proposed notice of sale. The following is a proposed notice of sale for Sale No. 57 in the offshore waters of the Norton Basin. This notice is hereby published as a matter of information to the public.

Director, Minerals Management Service
Harold Doley

Approved: OCT 29 1982

Donald Paul Hodel
Under Secretary of the Interior

Proposed Notice of Sale
Sale No. 57, Norton Basin

1. Authority: This notice is published pursuant to the Outer Continental Shelf Lands Act of 1953 (43 U.S.C. 1331-1343), as amended (92 Stat. 629), and the regulations issued thereunder (43 CFR Part 3300). A revision of 43 CFR 3300 appeared in the Federal Register of June 16, 1982, at 47 FR 26031 and 25967. The revised regulations became effective on July 16, 1982, and will therefore apply to this sale.

2. Filing of Bids: Sealed bids will be received by the Regional Manager, Alaska Outer Continental Shelf (OCS) Region, 620 East 10th Avenue, P.O. Box 1159, Anchorage, Alaska 99510. Bids may be delivered, either by mail or in person, to the above address until 4:30 p.m., March , 1983; or by personal delivery to the sale site in Anchorage, Alaska (to be announced) between the hours of 8:30 a.m., a.h.s.t., and 9:30 a.m., a.h.s.t., March , 1983. Bids received by the Regional Manager later than the times and dates specified above will be returned unopened to the bidders. Bids may not be modified or withdrawn unless written modification or withdrawal is received by the Regional Manager prior to 9:30 a.m., a.h.s.t., March , 1983. All bids must be submitted and will be considered in accordance with applicable regulations, including 43 CFR Part 3300. The list of restricted joint bidders which applies to this sale was published in the Federal Register on October 6, 1982.

3. Method of Bidding: A separate bid in a sealed envelope, labeled "Sealed Bid for Oil and Gas Lease (insert number of tract), not to be opened until 10 a.m., a.h.s.t., March , 1983," must be submitted for each tract. A suggested bid form appears in 43 CFR Part 3300, Appendix A. Bidders are advised that tract numbers are assigned solely for administrative purposes and are not the same as block numbers found on official protraction diagrams. All bids received shall be deemed submitted for a numbered tract. Bidders must submit with each bid one-fifth of the cash bonus in cash or by cashier's check, bank draft, or certified check payable to the order of the Minerals Management Service. No bid for less than a full tract as described in paragraph 12 will be considered. Bidders submitting joint bids must state on the bid form the proportionate interest of each participating bidder, in percent to no more than five decimal places after the decimal point, e.g., 50.12345 percent. The previous requirement for a joint bidder's statement has been rescinded by the latest revision of regulations at 43 CFR 3300 (see paragraph 1, above). Other documents may be required of bidders under 43 CFR 3316.4. Partnerships also need to submit a list of signatories authorized to bind the partnership in matters relating to OCS leasing, consistent with the partnership agreement. All documents must be executed in conformance with signatory authorizations on file. Bidders are warned against violation of 18 U.S.C. 1860, prohibiting unlawful combination or intimidation of bidders.

4. Bidding Systems: All leases awarded for this sale will provide for a yearly rental payment of $8 per hectare or fraction thereof, and a minimum royalty payment at an annual rate of $8 per hectare or fraction thereof. The following systems will be utilized.

(a) Bonus Bidding with a Fixed Sliding Scale Royalty. Bids on tracts 57-33, 57-34, 57-35, 57-36, 57-37, 57-38, 57-40, 57-41, 57-42, 57-43, 57-44, 57-45, 57-46, 57-47, 57-49, 57-50, 57-51, 57-52, 57-53, 57-54, 57-55, 57-56, 57-58, 57-59, 57-60, 57-61, 57-62, 57-63, 57-64, 57-65, 57-66, 57-67, 57-68, 57-69, 57-70, 57-71, 57-72, 57-73, 57-74, 57-75, 57-76, 57-77, 57-78, 57-79, 57-80, 57-81, 57-82, 57-83, 57-84, 57-85, 57-86, 57-87, 57-88, 57-89, 57-90, 57-91, 57-92, 57-93, 57-94, 57-95, 57-96, 57-97, 57-98, 57-99, 57-100,57-101, 57-102, 57-103, 57-104, 57-105, 57-106, 57-107, 57-108, 57-109, 57-110, 57-111, 57-112, 57-113, 57-114, 57-115, 57-116, 57-117, 57-118, 57-119, 57-120, 57-121, 57-122, 57-123, 57-124, 57-125, 57-126, 57-127, 57-128, 57-129, 57-130, 57-131, 57-132, 57-133, 57-134, 57-135, 57-136, 57-137, 57-138, 57-139, 57-140, 57-141, 57-142, 57-143, 57-144, 57-145, 57-146, 57-147, 57-148, 57-149, 57-150, 57-151, 57-152, 57-153, 57-154, 57-155, 57-156, 57-157, and 57-158 must be submitted on a cash bonus basis with the percent royalty due in amount or value of production fixed according to the sliding scale formula described below. This formula fixes the percent royalty at a level determined by the value of lease production during each calendar quarter. For purposes of determining the royalty percent due on production during a quarter, the value of production during the quarter will be adjusted for inflation as described below. The determination of the value of the production on which royalty is due will be made pursuant to 30 CFR 250.64.

The fixed sliding scale formula operates in the following way: when the quarterly value of production, adjusted for inflation, is less than or equal to $16.697566 million, a royalty of 12.50000 percent in amount or value of production will be due on the unadjusted value or amount of production. When the adjusted quarterly value of production is equal to or greater than $16.697567 million, but less than or equal to $11822.537759 million, the royalty percent due on the unadjusted value or amount of production is given by

$Rj = b[Ln (Vj/S)]$ where

Rj = the percent royalty that is due and payable on the unadjusted amount or value of all production in quarter j

b = 8.0

Ln = natural logarithm

Vj = the value of production in quarter j, adjusted for inflation, in millions of dollars

S = 3.50

When the adjusted quarterly value of production is equal to or greater than $11822.537760 million, a royalty of 65.00000 percent in amount or value of production will be due on the unadjusted quarterly value of production. Thus, in no instance will the quarterly royalty due exceed 65.00000 percent in amount or value of quarterly production.

In determining the quarterly percent royalty due, Rj, the calculation will be carried to five decimal places (for example, 18.56224 percent). This calculation will incorporate the adjusted quarterly value of production, Vj, in millions of dollars, rounded to the sixth digit, i.e., the nearest dollar (for example, 35.624831 millions of dollars).

Figure 1
Form of the Sliding Royalty Schedule

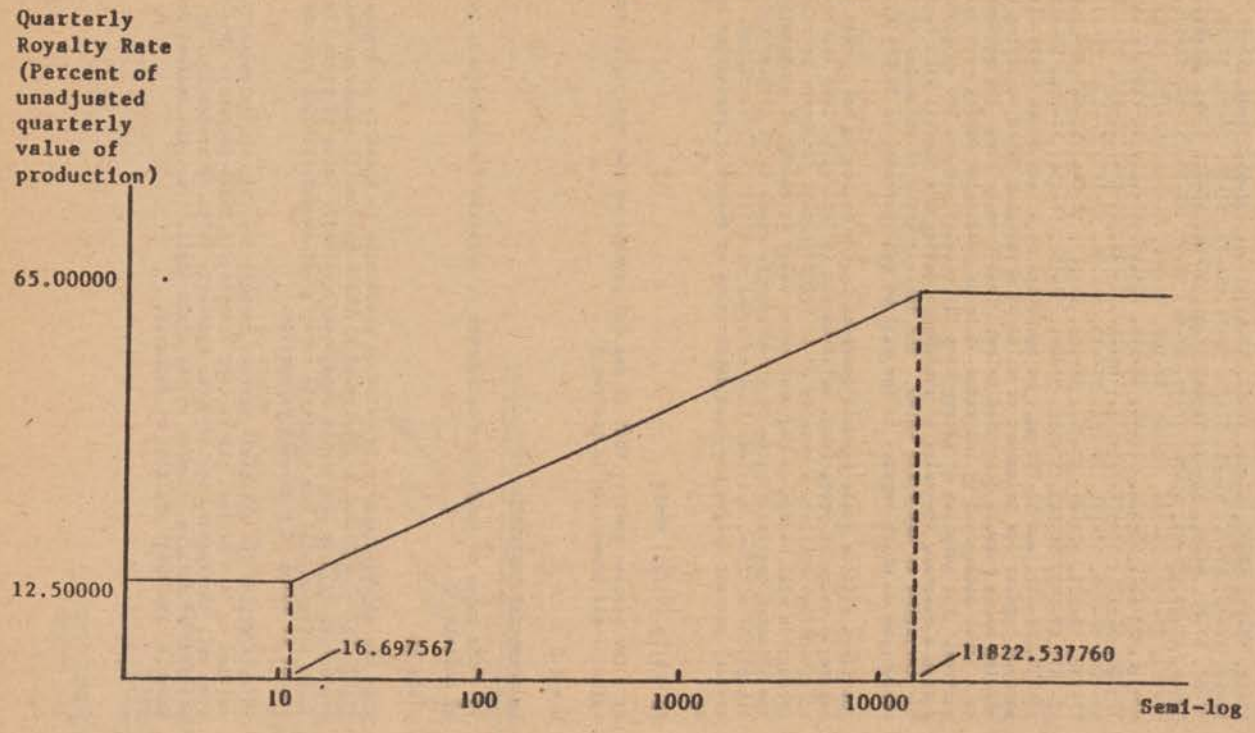


TABLE 1. HYPOTHETICAL QUARTERLY ROYALTY CALCULATIONS

(A) Actual Value of Quarterly Production (Millions of Dollars)	(B) GNP Fixed Weighted Price Index	(C) Inflation Factor[1]	(D) Adjusted Value of Quarterly Production[2] (Vj, Millions of $)	(E) Percent Royalty Rate (Rj)	(F) Royalty Payment[3] (Millions of Dollars)
10.000000	200.0	4/3	7.500000	12.50000	1.25000
30.000000	200.0	4/3	22.500000	14.88602	4.46581
90.000000	200.0	4/3	67.500000	23.67492	21.30743
270.000000	200.0	4/3	202.500000	32.46382	87.65231
810.000000	200.0	4/3	607.500000	41.25271	334.14695
10.000000	250.0	5/3	6.000000	12.50000	1.25000
30.000000	250.0	5/3	18.000000	13.10087	3.93026
90.000000	250.0	5/3	54.000000	21.88977	19.70079
270.000000	250.0	5/3	162.000000	30.67867	82.83241
810.000000	250.0	5/3	486.000000	39.46757	319.68732

1 Column (B) divided by 150.0 (assumed value of GNP fixed weighted price index at time leases are issued).

2 Column (A) divided by Inflation Factor.

3 Column (A) times Column (E) divided by 100. All values are rounded for display purposes only.

The form of the sliding scale royalty schedule is illustrated in Figure 1. Note that the effective quarterly royalty rate depends upon the inflation adjusted quarterly value of production. However, this rate is applied to the unadjusted quarterly value of production to determine the royalty payments due.

In adjusting the quarterly value of production for use in calculating the percent royalty due on production during the quarter, the actual value of production will be adjusted to account for the effects of inflation by dividing the actual value of production by the following inflation adjustment factor. The inflation adjustment factor used will be the ratio of the GNP fixed weighted price index for the calendar quarter preceding the quarter of production to the value of that index for the quarter preceding the issuance of the lease. The GNP fixed weighted price index is published monthly in the Survey of Current Business by the Bureau of Economic Analysis, U.S. Department of Commerce. The percent royalty will be due and payable on the actual amount or value of production as determined pursuant to 30 CFR 250.64. The timing of procedures for inflation adjustments and determinations of the royalty due will be specified at a later date. Table 1 provides hypothetical examples of quarterly royalty calculations using the sliding scale formula just described under two different values for the quarterly price index.

(b) Bonus Bidding with a 12-1/2 Percent Royalty. Bids on the remaining tracts to be offered at this sale must be submitted on a cash bonus basis with a fixed royalty of 12-1/2 percent.

5. Equal Opportunity: Each bidder must have submitted by 9:30 a.m., a.h.s.t., March , 1983, the certification required by 41 CFR 60-1.7(b) and Executive Order No. 11246 of September 24, 1965, as amended by Executive Order No. 11375 of October 13, 1967, on the Compliance Report Certification Form, Form 1140-8 (June 1982), and the Affirmative Action Representation Form, Form 1140-7 (June 1982). See item 14, "Information to Lessees."

6. Bid Opening: Bids will be opened on March , 1983, beginning at 10 a.m., a.h.s.t., at the second address stated in paragraph 2. The opening of the bids is for the sole purpose of publicly announcing bids received and no bids will be accepted or rejected at that time. If the Department is prohibited for any reason from opening any bid before midnight, March , 1983, that bid will be returned unopened to the bidder as soon thereafter as possible.

7. Deposit of Payment: Any cash, cashier's checks, certified checks, or bank drafts submitted with a bid may be deposited in a suspense account in the U.S. Treasury during the period the bids are being considered. Such a deposit does not constitute and shall not be construed as acceptance of any bid on behalf of the United States.

8. Withdrawal of Tracts: The United States reserves the right to withdraw any tract from this sale prior to issuance of a written acceptance of a bid for that tract.

9. Acceptance or Rejection of Bids: The United States reserves the right to reject any and all bids for any tract. In any case, no bid for any tract will be accepted and no lease for any tract will be awarded to any bidder unless:

a. The bidder has complied with all requirements of this notice and applicable regulations;

b. The bid is the highest valid cash bonus bid; and

c. The amount of the bid has been determined to be adequate by the Secretary of the Interior.

No bid will be considered for acceptance unless it provides for a cash bonus in the amount of $371 or more per hectare or fraction thereof.

10. Successful Bidders: Each person who has submitted a bid accepted by the Secretary of the Interior will be required to execute copies of the lease specified below, pay the balance of the cash bonus bid together with the first year's annual rental and satisfy the bonding requirements of 43 CFR Subpart 3318 within the time provided in 43 CFR Subpart 3316.5. A modification of the payments procedure for successful bidders appears in the latest revision of 43 CFR 3300 (see paragraph 1, above). These changes do not apply to the submission of the one-fifth bonus with bids, described in paragraph 3, above.

11. Protraction Diagrams: Tracts offered for lease may be located on the following official protraction diagrams which are available from the Regional Manager, Alaska Outer Continental Shelf Region, at the first address stated in paragraph 2, at a cost of $2 each.

a. Outer Continental Shelf Official Protraction Diagram NP 3-1, Norton Sound (approved December 13, 1976).

b. Outer Continental Shelf Official Protraction Diagram NP 3-2, St. Michael (approved December 13, 1976).

c. Outer Continental Shelf Official Protraction Diagram NQ 3-7, Nome (approved December 13, 1976).

d. Outer Continental Shelf Official Protraction Diagram NQ 3-8, Solomon (approved December 13, 1976).

12. Tract Descriptions: Note: There may be gaps in the numbers of the tracts listed. Some of the blocks identified in the final environmental impact statement may not be included in this notice.

The tracts offered for bid are as follows:

OCS OFFICIAL PROTRACTION DIAGRAM, NORTON SOUND NP 3-1
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-1	25	All	2304.00
57-2	26	All	2304.00
57-3	27	All	2304.00
57-4	28	All	2304.00
57-5	29	All	2304.00
57-6	30	All	2304.00
57-7	31	All	2304.00
57-8	32	All	2304.00
57-9	71	All	2304.00
57-10	72	All	2304.00
57-11	73	All	2304.00
57-12	74	All	2304.00
57-13	75	All	2304.00
57-14	76	All	2304.00
57-15	115	All	2304.00
57-16	116	All	2304.00
57-17	117	All	2304.00
57-18	118	All	2304.00
57-19	119	All	2304.00
57-20	120	All	2304.00
57-21	159	All	2304.00
57-22	160	All	2304.00
57-23	161	All	2304.00
57-24	162	All	2304.00
57-25	163	All	2304.00
57-26	164	All	2304.00
57-27	203	All	2304.00
57-28	204	All	2304.00
57-29	205	All	2304.00
57-30	206	All	2304.00
57-31	207	All	2304.00
57-32	208	All	2304.00
57-33	245	All	2304.00
57-34	247	All	2304.00
57-35	248	All	2304.00
57-36	249	All	2304.00
57-37	250	All	2304.00
57-38	251	All	2304.00
57-39	252	All	2304.00
57-40	288	All	2304.00
57-41	289	All	2304.00
57-42	290	All	2304.00
57-43	291	All	2304.00
57-44	292	All	2304.00
57-45	293	All	2304.00
57-46	294	All	2304.00
57-47	295	All	2304.00
57-48	296	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, NORTON SOUND NP 3-1
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-49	332	All	2304.00
57-50	333	All	2304.00
57-51	334	All	2304.00
57-52	335	All	2304.00
57-53	336	All	2304.00
57-54	337	All	2304.00
57-55	338	All	2304.00
57-56	339	All	2304.00
57-57	340	All	2304.00
57-58	375	All	2304.00
57-59	376	All	2304.00
57-60	377	All	2304.00
57-61	378	All	2304.00
57-62	379	All	2304.00
57-63	380	All	2304.00
57-64	381	All	2304.00
57-65	382	All	2304.00
57-66	383	All	2304.00
57-67	419	All	2304.00
57-68	420	All	2304.00
57-69	421	All	2304.00
57-70	422	All	2304.00
57-71	423	All	2304.00
57-72	424	All	2304.00
57-73	425	All	2304.00
57-74	426	All	2304.00
57-75	427	All	2304.00
57-76	464	All	2304.00
57-77	465	All	2304.00
57-78	466	All	2304.00
57-79	467	All	2304.00
57-80	468	All	2304.00
57-81	469	All	2304.00
57-82	470	All	2304.00
57-83	471	All	2304.00
57-84	499	All	2304.00
57-85	510	All	2304.00
57-86	511	All	2304.00
57-87	512	All	2304.00
57-88	513	All	2304.00
57-89	514	All	2304.00
57-90	515	All	2304.00
57-91	543	All	2304.00
57-92	544	All	2304.00
57-93	545	All	2304.00
57-94	554	All	2304.00
57-95	555	All	2304.00
57-96	556	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, NORTON SOUND NP 3-1
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-97	557	All	2304.00
57-98	558	All	2304.00
57-99	559	All	2304.00
57-100	587	All	2304.00
57-101	588	All	2304.00
57-102	589	All	2304.00
57-103	597	All	2304.00
57-104	598	All	2304.00
57-105	599	All	2304.00
57-106	600	All	2304.00
57-107	601	All	2304.00
57-108	602	All	2304.00
57-109	603	All	2304.00
57-110	604	All	2304.00
57-111	631	All	2304.00
57-112	632	All	2304.00
57-113	633	All	2304.00
57-114	634	All	2304.00
57-115	635	All	2304.00
57-116	636	All	2304.00
57-117	640	All	2304.00
57-118	641	All	2304.00
57-119	642	All	2304.00
57-120	643	All	2304.00
57-121	644	All	2304.00
57-122	645	All	2304.00
57-123	646	All	2304.00
57-124	647	All	2304.00
57-125	675	All	2304.00
57-126	676	All	2304.00
57-127	678	All	2304.00
57-128	679	All	2304.00
57-129	680	All	2304.00
57-130	681	All	2304.00
57-131	682	All	2304.00
57-132	684	All	2304.00
57-133	685	All	2304.00
57-134	686	All	2304.00
57-135	687	All	2304.00
57-136	688	All	2304.00
57-137	689	All	2304.00
57-138	690	All	2304.00
57-139	691	All	2304.00
57-140	722	All	2304.00
57-141	723	All	2304.00
57-142	724	All	2304.00
57-143	728	All	2304.00
57-144	729	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, NORTON SOUND NP 3-1
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-145	730	All	2304.00
57-146	731	All	2304.00
57-147	732	All	2304.00
57-148	733	All	2304.00
57-149	734	All	2304.00
57-150	735	All	2304.00
57-151	766	All	2304.00
57-152	767	All	2304.00
57-153	768	All	2304.00
57-154	772	All	2304.00
57-155	773	All	2304.00
57-156	774	All	2304.00
57-157	775	All	2304.00
57-158	776	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, ST. MICHAEL NP 3-2
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-159	1	All	2304.00
57-160	2	All	2304.00
57-161	3	All	2304.00
57-162	4	All	2304.00
57-163	5	All	2304.00
57-164	6	All	2304.00
57-165	7	All	2304.00
57-166	8	All	2304.00
57-167	9	All	2304.00
57-168	10	All	2304.00
57-169	11	All	2304.00
57-170	12	All	2304.00
57-171	13	All	2304.00
57-172	14	All	2304.00
57-173	15	All	2304.00
57-174	16	All	2304.00
57-175	17	All	2304.00
57-176	45	All	2304.00
57-177	46	All	2304.00
57-178	47	All	2304.00
57-179	48	All	2304.00
57-180	49	All	2304.00
57-181	50	All	2304.00
57-182	51	All	2304.00
57-183	52	All	2304.00
57-184	53	All	2304.00
57-185	54	All	2304.00
57-186	55	All	2304.00
57-187	56	All	2304.00
57-188	57	All	2304.00
57-189	58	All	2304.00
57-190	59	All	2304.00
57-191	60	All	2304.00
57-192	61	All	2304.00
57-193	62	All	2304.00
57-194	89	All	2304.00
57-195	90	All	2304.00
57-196	91	All	2304.00
57-197	92	All	2304.00
57-198	93	All	2304.00
57-199	94	All	2304.00
57-200	95	All	2304.00
57-201	96	All	2304.00
57-202	97	All	2304.00
57-203	98	All	2304.00
57-204	99	All	2304.00
57-205	100	All	2304.00
57-206	101	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, ST. MICHAEL NP 3-2
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-207	102	All	2304.00
57-208	103	All	2304.00
57-209	104	All	2304.00
57-210	105	All	2304.00
57-211	106	All	2304.00
57-212	133	All	2304.00
57-213	134	All	2304.00
57-214	135	All	2304.00
57-215	136	All	2304.00
57-216	137	All	2304.00
57-217	138	All	2304.00
57-218	139	All	2304.00
57-219	140	All	2304.00
57-220	141	All	2304.00
57-221	142	All	2304.00
57-222	143	All	2304.00
57-223	144	All	2304.00
57-224	145	All	2304.00
57-225	146	All	2304.00
57-226	147	All	2304.00
57-227	148	All	2304.00
57-228	149	All	2304.00
57-229	150	All	2304.00
57-230	177	All	2304.00
57-231	178	All	2304.00
57-232	179	All	2304.00
57-233	180	All	2304.00
57-234	181	All	2304.00
57-235	182	All	2304.00
57-236	183	All	2304.00
57-237	184	All	2304.00
57-238	185	All	2304.00
57-239	186	All	2304.00
57-240	187	All	2304.00
57-241	188	All	2304.00
57-242	189	All	2304.00
57-243	190	All	2304.00
57-244	191	All	2304.00
57-245	192	All	2304.00
57-246	193	All	2304.00
57-247	194	All	2304.00
57-248	221	All	2304.00
57-249	222	All	2304.00
57-250	223	All	2304.00
57-251	224	All	2304.00
57-252	225	All	2304.00
57-253	226	All	2304.00
57-254	227	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, ST. MICHAEL NP 3-2
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-255	228	All	2304.00
57-256	229	All	2304.00
57-257	230	All	2304.00
57-258	231	All	2304.00
57-259	232	All	2304.00
57-260	233	All	2304.00
57-261	234	All	2304.00
57-262	235	All	2304.00
57-263	236	All	2304.00
57-264	237	All	2304.00
57-265	238	All	2304.00
57-266	265	All	2304.00
57-267	266	All	2304.00
57-268	267	All	2304.00
57-269	268	All	2304.00
57-270	269	All	2304.00
57-271	270	All	2304.00
57-272	271	All	2304.00
57-273	272	All	2304.00
57-274	273	All	2304.00
57-275	274	All	2304.00
57-276	275	All	2304.00
57-277	276	All	2304.00
57-278	277	All	2304.00
57-279	278	All	2304.00
57-280	279	All	2304.00
57-281	280	All	2304.00
57-282	281	All	2304.00
57-283	309	All	2304.00
57-284	310	All	2304.00
57-285	311	All	2304.00
57-286	312	All	2304.00
57-287	313	All	2304.00
57-288	314	All	2304.00
57-289	315	All	2304.00
57-290	316	All	2304.00
57-291	317	All	2304.00
57-292	318	All	2304.00
57-293	319	All	2304.00
57-294	320	All	2304.00
57-295	321	All	2304.00
57-296	322	All	2304.00
57-297	323	All	2304.00
57-298	324	All	2304.00
57-299	325	All	2304.00
57-300	353	All	2304.00
57-301	354	All	2304.00
57-302	355	All	2304.00
57-303	356	All	2304.00
57-304	357	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, ST. MICHAEL NP 3-2
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-305	358	All	2304.00
57-306	359	All	2304.00
57-307	360	All	2304.00
57-308	361	All	2304.00
57-309	362	All	2304.00
57-310	363	All	2304.00
57-311	364	All	2304.00
57-312	365	All	2304.00
57-313	366	All	2304.00
57-314	367	All	2304.00
57-315	368	All	2304.00
57-316	369	All	2304.00
57-317	398	All	2304.00
57-318	399	All	2304.00
57-319	400	All	2304.00
57-320	401	All	2304.00
57-321	402	All	2304.00
57-322	403	All	2304.00
57-323	404	All	2304.00
57-324	405	All	2304.00
57-325	406	All	2304.00
57-326	407	All	2304.00
57-327	408	All	2304.00
57-328	409	All	2304.00
57-329	410	All	2304.00
57-330	411	All	2304.00
57-331	412	All	2304.00
57-332	413	All	2304.00
57-333	442	All	2304.00
57-334	443	All	2304.00
57-335	444	All	2304.00
57-336	445	All	2304.00
57-337	446	All	2304.00
57-338	447	All	2304.00
57-339	448	All	2304.00
57-340	449	All	2304.00
57-341	450	All	2304.00
57-342	451	All	2304.00
57-343	452	All	2304.00
57-344	453	All	2304.00
57-345	454	All	2304.00
57-346	455	All	2304.00
57-347	456	All	2304.00
57-348	486	All	2304.00
57-349	487	All	2304.00
57-350	489	All	2304.00
57-351	490	All	2304.00
57-352	491	All	2304.00
57-353	492	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, ST. MICHAEL NP 3-2
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-354	493	All	2304.00
57-355	494	All	2304.00
57-356	495	All	2304.00
57-357	496	All	2304.00
57-358	497	All	2304.00
57-359	498	All	2304.00
57-360	499	All	2304.00
57-361	500	All	2304.00
57-362	501	All	2304.00
57-363	530	All	2304.00
57-364	531	All	2304.00
57-365	533	All	2304.00
57-366	534	All	2304.00
57-367	535	All	2304.00
57-368	536	All	2304.00
57-369	537	All	2304.00
57-370	538	All	2304.00
57-371	539	All	2304.00
57-372	540	All	2304.00
57-373	541	All	2304.00
57-374	542	All	2304.00
57-375	543	All	2304.00
57-376	544	All	2304.00
57-377	545	All	2304.00
57-378	578	All	2304.00
57-379	579	All	2304.00
57-380	580	All	2304.00
57-381	581	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, NOME NQ 3-7
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-382	859	All	2304.00
57-383	860	All	2304.00
57-384	861	All	2304.00
57-385	948	All	2304.00
57-386	949	All	2304.00
57-387	951	All	2304.00
57-388	952	All	2304.00
57-389	953	All	2304.00
57-390	954	All	2304.00
57-391	992	All	2304.00
57-392	993	All	2304.00
57-393	994	All	2304.00
57-394	995	All	2304.00
57-395	996	All	2304.00
57-396	997	All	2304.00
57-397	998	All	2304.00
57-398	1036	All	2304.00
57-399	1037	All	2304.00
57-400	1038	All	2304.00
57-401	1039	All	2304.00
57-402	1040	All	2304.00
57-403	1041	All	2304.00
57-404	1042	All	2304.00

OCS OFFICIAL PROTRACTION DIAGRAM, SOLOMON NQ 3-8
(Approved December 13, 1976)

Tract	Block	Designation	Hectares
57-405	937	All	2304.00
57-406	938	All	2304.00
57-407	939	All	2304.00
57-408	940	All	2304.00
57-409	969	All	2304.00
57-410	970	All	2304.00
57-411	971	All	2304.00
57-412	972	All	2304.00
57-413	981	All	2304.00
57-414	982	All	2304.00
57-415	983	All	2304.00
57-416	984	All	2304.00
57-417	1013	All	2304.00
57-418	1014	All	2304.00
57-419	1015	All	2304.00
57-420	1016	All	2304.00
57-421	1020	All	2304.00
57-422	1021	All	2304.00
57-423	1022	All	2304.00
57-424	1023	All	2304.00
57-425	1024	All	2304.00
57-426	1025	All	2304.00
57-427	1026	All	2304.00
57-428	1027	All	2304.00
57-429	1028	All	2304.00

13. Lease Terms and Stipulations:

a. All leases issued as a result of this sale will be for an initial term of 10 years. Leases issued as a result of this sale will be on Form MMS-GP-2005 (August 1982), available from the Regional Manager, Alaska Outer Continental Shelf Region, at the first address stated in paragraph 2.

b. Except as otherwise noted, the following stipulations will be included in each lease resulting from this sale. In the following stipulations the term DMMOFO refers to the Regional Deputy Minerals Manager, Offshore Field Operations, Minerals Management Service, formerly Deputy Conservation Manager, Field Operations, U.S. Geological Survey.

c. For leases resulting from this sale for tracts offered on a cash bonus basis with fixed sliding scale royalty, listed in paragraph 4(a), Form MMS-GP-2005 will be amended as follows:

Sec. 6. Royalty on Production. The lessee agrees to pay the lessor a royalty of that percent in amount or value of production from the leased area as determined by the sliding scale royalty formula as follows. When the quarterly value of production, adjusted for inflation, is less than or equal to $16.697566 million, a royalty of 12.50000 percent in amount or value of production will be due on the unadjusted value or amount of production. When the adjusted quarterly value of production is equal to or greater than $16.697567 million, but less than or equal to $11822.537759 million, the royalty percent due on the unadjusted value or amount of production is given by

$$Rj = b[Ln (Vj/S)] \text{ where}$$

Rj = the percent royalty that is due and payable on the unadjusted amount or value of production in quarter j

$$b = \underline{8.0}$$

Ln = natural logarithm

Vj = the value of production in quarter j, adjusted for inflation, in millions of dollars

$$S = \underline{3.50}$$

When the adjusted quarterly value of production is equal to or greater than $11822.537760 million, a royalty of 65.00000 percent in amount or value of production will be due on the unadjusted quarterly value of production. Thus, in no instance will the quarterly royalty due exceed 65.00000 percent in amount or value of quarterly production.

In determining the quarterly percent royalty due, Rj, the calculation will be carried to five decimal places (for example, 18.56224 percent). This calculation will incorporate the adjusted quarterly value of production, Vj, in millions of dollars, rounded to the sixth digit, i.e., to the nearest dollar (for example, 35.624831 millions of dollars). Gas of all kinds (except helium) is subject to royalty. The lessor shall determine whether production royalty shall be paid in amount or value.

Stipulation No. 1: (To be included only in leases resulting from this sale for tracts 57-382 through 57-404.)

If the DMMOFO has reason to believe that a site, structure, or object of historical or archaeological significance (hereinafter referred to as a "cultural resource"), may exist in the lease area and gives the lessee written notice that the lessor is invoking the provisions of this stipulation, the lessee shall upon receipt of such notice comply with the following requirements:

Prior to any drilling activity or the construction or placement of any structure for exploration or development on the lease, including but not limited to, well drilling and pipeline platform placement (hereinafter in this stipulation referred to as "operation"), the lessee shall conduct remote sensing surveys to determine the potential existence of any cultural resource that may be affected by such operations. All data produced by such remote sensing surveys, as well as other pertinent natural and cultural environmental data, shall be examined by a qualified marine survey archaeologist to determine if indications are present suggesting the existence of a cultural resource that may be adversely affected by any lease operation. A report of this survey and assessment prepared by the marine survey archaeologist shall be submitted by the lessee to the DMMOFO, for review.

If such cultural resource indicators are present, the lessee shall (1) locate the site of such operation so as not to adversely affect the identified location; or (2) establish, to the satisfaction of the DMMOFO, on the basis of further archaeological investigation conducted by a qualified marine survey archaeologist or underwater archaeologist using such survey equipment and techniques as deemed necessary by the DMMOFO, either that such operation shall not adversely affect the location identified or that the potential cultural resource suggested by the occurrence of the indicators, does not exist.

A report of this investigation prepared by the marine survey archaeologist or underwater archaeologist shall be submitted to the DMMOFO for his review. Should the DMMOFO determine that the existence of a cultural resource which may be adversely affected by such operation is sufficiently established to warrant protection, the lessee shall take no action that may result in an adverse effect on such cultural resource until the DMMOFO has given directions as to its preservation.

The lessee agrees that if any site, structure, or object of historical or archaeological significance should be discovered during the conduct of any operations on the lease area, he shall report immediately such findings to the DMMOFO and make every reasonable effort to preserve and protect the cultural resource from damage until the DMMOFO has given directions as to its preservation.

Stipulation No. 2:

The lessee shall include in any exploration and development plans submitted under 30 CFR 250.34 a proposed environmental training program for all personnel involved in exploration or development activities (including personnel of the lessee's contractors and subcontractors) for review and approval by the DMMOFO. The program shall be designed to inform each person working on the project of specific types of environmental, social, and cultural concerns which relate to the individual's job. The program shall be formulated by qualified instructors experienced in each pertinent field of study, and shall employ effective methods to insure that personnel are informed of archaeological, geological, and biological resources including bird colonies and sea mammal haul-out areas, to insure avoidance and non-harassment of wildlife resources. The program shall also be designed to increase the sensitivity and understanding of personnel to community values, customs, and lifestyles in areas in which such personnel will be operating.

The lessee shall also submit for review and approval a continuing technical environmental briefing program for supervisory and managerial personnel of the lessee and its agents, contractors, and subcontractors.

Stipulation No. 3: (To be included only in the leases resulting from this sale for the fixed sliding scale royalty tracts identified in paragraph 4(a) of this notice.)

(a) The royalty rate on production from this lease is subject to consideration for reduction under the same authority that applies to all other oil and gas leases on the Outer Continental Shelf (30 CFR 250.21). The Director, Minerals Management Service, may grant a reduction for only one year at a time and reduction of royalty rates will not be approved unless production has been under way for one year or more.

(b) Although the royalty rate specified in section 6(a) of this lease or as subsequently modified in accordance with applicable regulations and stipulations is applicable to all production under this lease, not more than 16-2/3 percent of the production from the lease area may be taken as royalty in amount, except as provided in sec. 15(d); the royalty on any portion of the production from the lease in excess of 16-2/3 percent may only be taken in value of the production from the lease area.

14. Information to Lessees: Bidders are advised that during the conduct of all activities related to leases issued as a result of this lease sale, the lessee and its agents, contractors, and subcontractors will be subject to the provisions of the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, as amended, and International Treaties.

The lessee or its contractors should be aware that disturbance of wildlife could constitute harassment and could thereby be in violation of existing laws. Violations of these Acts and Treaties may be reported to the National Marine Fisheries Service or U.S. Fish and Wildlife Service, as appropriate.

Behavioral disturbance of most birds and mammals found in or near the Sale 57 area would be unlikely if ocean vessels and aircraft maintained at least a 1-mile distance from observed wildlife or known wildlife concentration areas such as bird colonies, marine mammal haul-out areas, and peregrine falcon nests. Therefore, in concurrence with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service, it is recommended that aircraft or vessels operated by lessees maintain at least a 1-mile distance from observed or known wildlife concentration areas. Human safety will take precedence at all times over these provisions. Maps locating major wildlife concentration areas are available for route planning through the DMMOFO and appropriate resource agencies.

Some of the tracts offered for lease may fall in areas which may be included in fairways, precautionary zones, or traffic separation schemes which may be established, among other reasons, to protect maritime commerce. Bidders are advised that the United States reserves the right to designate necessary fairways through leased tracts pursuant to the Port and Tanker Safety Act of 1972, as amended.

Bidders are advised that portions of the Iditarod Trail, from Kaltag to Nome, following along Norton Sound and crossing the ice between Shaktoolik and Bald Head and between Ungalik and Bald Head, are managed by the Bureau of Land Management, U.S. Department of Interior. The management and protection of the Historic Trail is subject to the following laws:

(a) the National Trails System Act, as amended (16 U.S.C. 1241 et seq.);

(b) the National Historic Preservation Act, as amended (16 U.S.C. 470 et seq.);

(c) the Historic Sites Act of 1935 (16 U.S.C. 461 et seq.);

(d) the Antiquities Act of 1906 (16 U.S.C. 431-433); and,

(e) other State and federal laws.

Lessees are advised that oil and gas exploration and production operations should be conducted so as to minimize interference with subsistence harvests.

In accordance with 30 CFR 250-34.1 the Minerals Management Service is required to review oilspill contingency plans for tracts 57-317 through 57-332, and 57-338 through 57-381. Lessees are advised that review of oilspill contingency plans for these tracts may result in the requirement of special measures to protect the biological resources and associated subsistence values of the Yukon Delta.

Lessees are advised that the DMMOFO has the authority to suspend exploratory, development and production operations on any lease in the lease sale area whenever bowhead whales are present in the migration corridor, sale area, or near enough to be subject to oilspill risk or disturbance from offshore oil and gas activities. This authority is very broad and will be exercised to the full extent necessary to protect the bowhead whale. The Department of the Interior has generally determined the timing and location of bowhead whales as they migrate through or adjacent to the Norton Basin lease sale area to be generally, but not limited to, April 15 through June 15 and November 1 through January 1. If the whales are present in Norton Basin, west of Norton Sound or between Norton Sound proper and St. Lawrence Island, the DMMOFO may order the cessation of drilling activities until it is determined that the whales are outside the zone of influence or no longer subject to potential disturbances or oilspills.

Lessees are also notified that adequate oilspill contingency plans are required under proposed Alaska OCS Operating Order No. 7, under 30 CFR 250.11 and 250.43, prior to approval of Exploration or Development and Production Plans. Approval of oilspill contingency plans will require demonstration of theoretical, experimental, and physical capability to detect, contain, clean-up, and dispose of spilled oil in broken ice conditions. Also, leads and polynyas close to St. Lawrence Island are areas of Special Biological Sensitivity under proposed Alaska OCS Operating Order No. 7, and will require protection in oilspill contingency plans. Such protection should not include dispersant usage unless such usage has been approved in advance.

The DMMOFO will not approve exploratory or developmental drilling deeper than a predetermined threshold depth (at a point above which major accumulations of hydrocarbons are not likely) during pack ice conditions unless and until the lessee demonstrates to the DMMOFO's satisfaction, the capability to clean up oil in broken and pack ice.

The Department of the Interior, on June 22, 1982, reinitiated consultation with the National Marine Fisheries Service (NMFS) on whether the Information to Lessees item, consisting of the three paragraphs immediately preceding this one, provides effective protection of the bowhead whale. Since this consultation only calls for a re-examination and update of an existing biological opinion, the Department of the Interior has requested a response from NMFS in a timely manner.

Bidders are advised that drilling or emplacement of bottom-founded structures will not be allowed on tract 57-387 unless or until the lessee has demonstrated to the DMMOFO's satisfaction that drilling or bottom-founded structures can be safely designed to control possible high-pressure, thermogenic gas at the proposed location or that the hazard is not present at the site.

Corps of Engineers permits are required for construction of any artificial islands, installations and other devices permanently or temporarily attached to the seabed located on the Outer Continental Shelf in accordance with section 4(e) of the Outer Continental Shelf Lands Act of 1953, as amended.

Bidders are advised that the Departments of the Interior and Transportation have entered into a Memorandum of Understanding, dated May 6, 1976, concerning the design, installation, operation and maintenance of offshore pipelines. Bidders should consult both Departments for regulations applicable to offshore pipelines.

Bidders are also advised that in accordance with Sec. 16 of each lease offered at this sale, the lessor may require a lessee to operate under a unit, pooling or drilling agreement, and that the lessor will give particular consideration to requiring unitization in instances where one or more reservoirs underlie two or more leases with either a different royalty rate or a royalty rate based on a sliding scale.

Revisions of Department of Labor regulations on Affirmative Action requirements for Government Contractors (including lessees) have been deferred, pending review of those regulations (see Federal Register of August 25, 1981, at 46 F.R. 42865 and 42968). Should those changes become effective at any time before the issuance of leases resulting from this sale, Section 18 of the lease form, Form MMS-GP-2005 (August 1982), would be deleted from leases resulting from this sale. In addition, existing stocks of the Affirmative

Action Forms described in Section 5 of this notice contain language that would be superseded by the revised regulations at 41 CFR 60-1.5(a)(1) and 60-1.7(a)(1). Pending the issuance of revised versions of Forms 1140-7 and 1140-8, submission of Form 1140-7 (June 1982) and Form 1140-8 (June 1982) will not invalidate an otherwise acceptable bid, and the revised regulations' requirements will be deemed to be part of the existing Affirmative Action Forms.

Easements for the use of sand and gravel on oil and gas leases may be granted by the Secretary. The appropriate vehicle for this is approval of exploration plans and development and production plans requiring these easements. These easements may extend across tract boundaries to any leasehold covered by a plan. Such plans may apply to more than one lease held by a lessee or by a group of lessees acting under a unitization, pooling, or drilling agreement.

Where sand and gravel sources exist on tracts not leased for oil and gas or not appropriately included in an exploration plan or development and production plan, the rights to use sand and gravel from these tracts can only be obtained through competitive leasing under Section 8(k) of the OCS Lands Act, as amended.

On tracts where the oil and gas lessee and the sand and gravel lessee are not the same, the correlative rights of the holder of an easement to use sand and gravel in connection with an oil and gas lease, and a lessee of the sand and gravel itself, have yet to be determined. Either the regulations concerning easements, or the Notice of Sale for a sand and gravel lease sale, or both, could define the rights of those parties.

Bidders are advised that pursuant to 30 CFR 250.34-1(a)(3), the lessee shall submit to Minerals Management Service either an exploration plan or a general statement of exploration intentions prior to the end of the ninth lease year.

15. OCS Orders: Operations on all leases resulting from this sale will be conducted in accordance with the provisions of all Arctic OCS Orders, as of their effective date, and any other applicable OCS Order as it becomes effective.

[FR Doc. 82-30270 Filed 11-3-82; 8:45 am]

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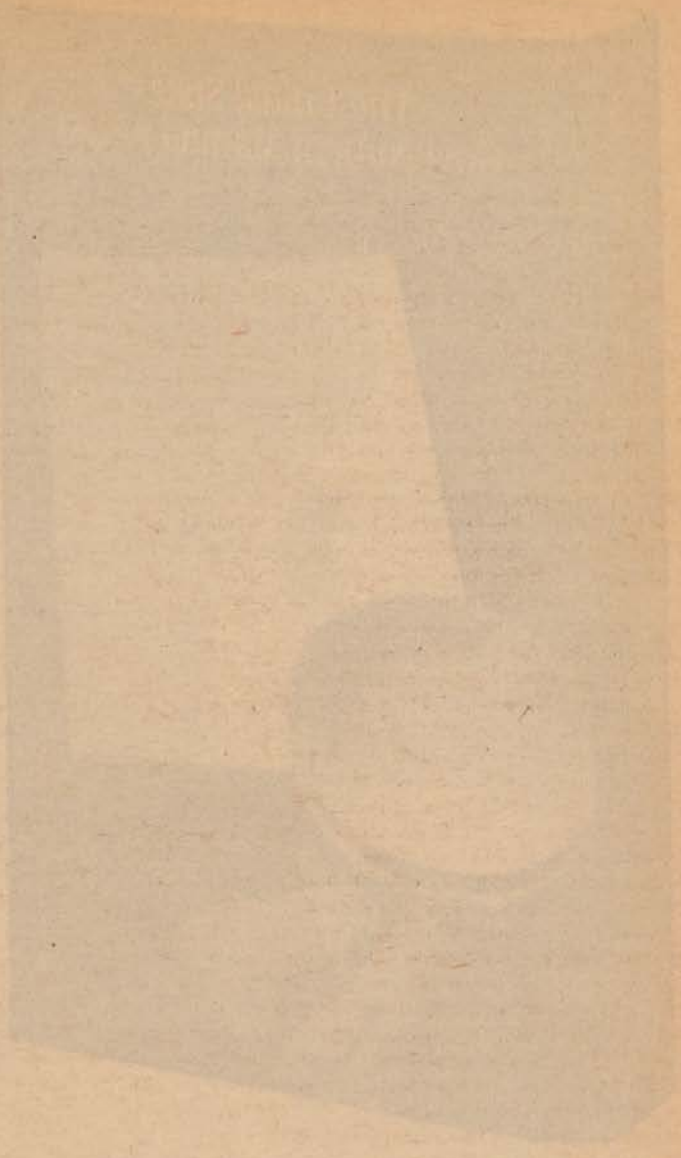
The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday. This is a voluntary program. (See OFR NOTICE 41 FR 32914, August 6, 1976.)

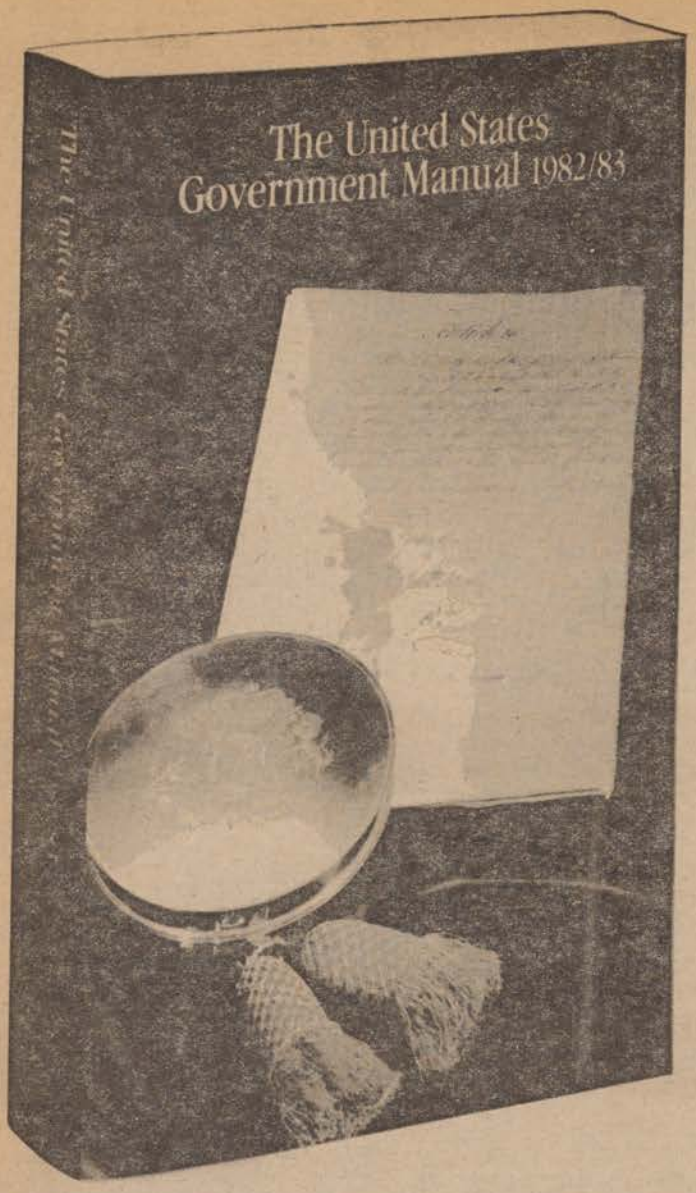
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List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

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