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

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.
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Questions and requests for specific information may be directed to the following numbers. General inquiries may be made by dialing 202-523-5240.

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(Passed over Presidential Veto Sept. 17, 1976; 90 Stat. 1260)
Title 3—The President

PROCLAMATION 4461

National School Lunch Week, 1976

By the President of the United States of America

A Proclamation

Productive people are our Nation's greatest natural resource. Americans are agreed on the importance of seeing that every child in our country gets a healthy start in life. Sound nutrition is a vital building block in our children's growth and development. Malnutrition must not be allowed to harm the development of any American child.

Thirty years ago, we demonstrated our concern for our children's well-being with the inauguration of the National School Lunch Program. Through it, millions of children have received the benefit of improved nutrition, and therefore a better opportunity for full, healthy development.

The National School Lunch Program exemplifies the cooperative spirit that underscores the efforts of food producers and distributors, dietitians, educators, parents, civic groups and public officials at all levels of Government to ensure the health and welfare of our Nation's youngsters.

In recognition of the Program's contribution to America's youth, the Congress, by a joint resolution of October 9, 1962 (76 Stat. 779; 36 U.S.C. 168), has designated the week beginning the second Sunday of October in each year as National School Lunch Week, and has requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, GERALD R. FORD, President of the United States of America, do hereby urge the people of the United States to observe the week of October 10, 1976, as National School Lunch Week and to give special recognition to the role of good nutrition in building a stronger America through its youth.

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

[FR Doc.76-27884 Filed 9-20-76 ;12:47 pm]
With respect to various types of procedures in which it might expedite its actions make a final decision or a decision on a petition for rulemaking (PS-71; Amendment No. 50)

PART 399—STATEMENTS OF GENERAL POLICY TARGET DATES IN HEARING CASES

September 17, 1976.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. Policy Statements, Docket 28761, Amendment No. 50 to Part 399.

Effective: October 22, 1976.

This rule adds a new section, 14 CFR § 399.62, Target dates in hearing cases, to Subpart E, Policies Relating to Hearing Matters, of 14 CFR Part 399, Statements of General Policy, to read as follows:

§ 399.62 Target dates in hearing cases.

(a) Applicability. This section applies to initial and recommended decisions of administrative law judges, final decisions, and decisions on petitions for review or reconsideration in cases in which the Board has ordered a trial-type hearing before an administrative law judge.

(b) Issuance of target dates. In cases to which this section applies, the Board or the administrative law judge, as the situation calls for, shall issue a notice of the target date for the completion of the initial or recommended decision, final decision, or decision on a petition for review within 20 days of the submission of closing briefs, or the conclusion of oral argument to the administrative law judge or the Board, as may be appropriate.

(c) Time for promulgating target dates.

(1) In the case of initial, recommended, or final decisions, notice of target dates shall be issued, served, and filed within 20 days of the submission of closing briefs, or the conclusion of oral argument to the administrative law judge or the Board, as the case may be, will promptly announce target dates for making their decisions in matters pending before them. A new section to that effect is added to Part 399.

Because this amendment relates solely to internal management and procedures, and creates no significant additional burden on any members of the public, it is found for good cause that notice and public procedure thereon are unnecessary.

Effective date: This amendment shall be effective with respect to cases submitted for decision on and after October 22, 1976.

In light of the foregoing, the following amendments are made to 14 CFR Part 399, Statements of General Policy:

1. The following is added to the table of contents:

   § 399.62 Target dates in hearing cases.

2. A new § 399.62, Target dates in hearing cases, is added to Subpart E, Policies Relating to Hearing Matters, of 14 CFR Part 399, Statements of General Policy, to read as follows:

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Subpart A—General

§ 916.1 Purpose.

These regulations prescribe policies and procedures to insure the fair, equitable, and uniform treatment of persons displaced by Federal and federally assisted programs. They implement the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, hereinafter referred to as the Act, and General Services Administration Guidelines, Federal Management Circular (FMC) 74-8, October 4, 1974. All references in these regulations to sections or subsections of the Act unless otherwise noted.

§ 916.2 Adjudication of claims.

Any claims made under these regulations and the Act shall be adjudicated on the basis of the regulations in effect when the claim was filed.

§ 916.3 Scope.

The regulations in this Part apply to the programs of all Offices of the National Oceanic and Atmospheric Administration (NOAA). The geographical coverage includes the fifty (50) States, the District of Columbia, the Commonwealth of Puerto Rico, the possessions of the United States, and the Trust Territory of the Pacific Islands, and any political subdivision thereof.

§ 916.4 Applicability.

The provisions of the Act and the regulations in this Part 916 apply to the acquisition of all real property for, and the relocation of all persons displaced by, NOAA programs and projects and programs and projects undertaken by State agencies which receive Federal financial assistance from NOAA for all or a part of the cost thereof. The Act and these regulations apply regardless of whether the real property is acquired by NOAA or a State agency or whether Federal funds actually contributed to the cost of the real property acquired for a federally assisted project.

§ 916.5 Definition of terms.

The terms used in this Part 916 shall have the meanings set forth in this section. Heads of Offices may expand these definitions to provide greater clarity and successful implementation of assigned programs. Any such expansion, however, shall not result in a deviation in concept from the definitions set forth herein.


(b) Business. Any lawful activity, except a farm operation, conducted primarily:

(1) For the purchase, sale, lease, and rental of personal and real property, and for the manufacture, processing, or marketing of products, commodities, or any other personal property;
(2) For the sale of services to the public;
(3) By a nonprofit organization; or
(4) For the purposes of section 202(a) of the Act (see Subpart E of this part) for assisting in the purchase, sale, resale, manufacture, processing, or marketing of products, commodities, personal property, or services by the erection and maintenance of an outdoor advertising display or displays whether or not such display or displays are located on the premises on which any of the above activities are conducted.
(c) Comparable replacement dwelling. For the purposes of rendering relocation assistance by making referrals for replacement housing and for computation of the replacement housing payment, a comparable replacement dwelling is one which is decent, safe, and sanitary and:
(1) Functionally equivalent and substantially the same as the acquired dwelling or having substantially the same as the acquired dwelling's structural and functional characteristics;
(2) Adequate in size to meet the needs of the displaced family or individual. However, at the option of the displaced person or family, for the purpose of avoiding an excessive cost in order to purchase an area similar to the neighborhood in which the displaced person will be required to pay, for a comparable dwelling in an area similar to the neighborhood in which the dwelling unit being acquired is located.
(3) Water. Has a continuing and adequate supply of potable safe water.
(4) Egress. Each building used for dwelling purposes shall have a safe means of egress leading to safe open space at ground level. Each dwelling unit in a multidwelling building must have access either directly or through a common corridor to a means of egress to open space at ground level. In multidwelling buildings of three stories or more, the common corridor on each story must have at least two means of egress.
(5) Occupancy standards. Occupancy standards may be set by the Office in order to ensure that the displaced family or individual is provided with a dwelling unit that meets local housing codes. Offices shall be governed by the following criteria in determining if a dwelling unit is decent, safe, and sanitary.
(i) Public and commercial facilities.
(ii) Adequate to meet the needs of the displaced person's place of employment or potential place of employment.
(iii) Within the financial means of the displaced family or individual, and
(iv) Available on the market to the displaced person.
Not to exceed his/her needs when the replacement dwelling has the same number of rooms or the equivalent square footage as the dwelling from which he/she was displaced.
(5) Open to all persons regardless of race, color, religion, national origin, sex, or marital status, consistent with the requirements of the Civil Rights Act of 1964 and title VIII of the Civil Rights Act of 1968 and other applicable laws.
(6) Equitable to all persons who, on or after the effective date of the Act, moves from real property, or moves his/her personal property from real property, as a result of the acquisition of such real property, in whole or in part, or as the result of the written order of the acquiring agency to vacate real property, for a program or project undertaken by any Office of the National Capital Region, or with Federal financial assistance; or with Federal financial assistance; and solely for the purposes of sections 202(a) and (b) and 205 of the Act, as a result of the acquisition of or as the result of the written order of the acquiring agency to vacate real property, on which such person conducts a business or farm operation, for such program or project.
(f) Displacing agency. An Office in the case of a direct Federal project, or a State agency, as defined in the Act, in the case of a project receiving Federal financial assistance.
(g) Dwelling. The place of permanent or customary and usual abode of a person. It includes a single family building; a one-family unit in a multifamily building; a unit forming part of an operating housing project; any other residential unit, including a mobile home which is either considered to be real property under State law, or cannot be removed without damage to the individual unreasonable cost. For the purpose of sections 203 and 204 of the Act the term "dwelling" shall mean the place of permanent abode of a person and does not include seasonal or part-time dwelling units, such as beach houses, mountain, or other vacation cabins.
(h) Economic rent. The amount of rent a displaced tenant would have had to pay for a comparable dwelling in an area similar to the neighborhood in which the dwelling unit being acquired is located.
(i) Family. Two or more individuals who are related by blood, adoption, marriage, legal guardianship, or operation of law who live together as a family unit. However, upon appropriate determination by the head of the Office, others who live together as a family unit may be treated as if they were a family for the purpose of determining benefits under title II of the Act.
(j) Farm operation. Any activity conducted solely or primarily for the production of one or more agricultural products or commodities, including timber for sale of some use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.
(k) Federal agency. Any department, agency, or instrumentality in the executive branch of the Government (except the National Capital Housing Authority), any wholly owned Government corporation (except the Columbia Redevelopment Land Agency), and the Architect of the Capitol, the Federal Reserve banks and branches thereof.
(l) Federal financial assistance. Any financial assistance available to a person, business, organization, or community for the purpose of determining "financial means" of families and individuals in accordance with section 202(a) (3) of the Act, a determination should be made as to the displaced person's ability to afford the replacement dwelling. In making this determination, the average monthly rental or housing cost (including mortgage payments, insurance for the dwelling unit, property taxes and other reasonable recurring related expenses) which the displaced person will be required to pay, in general, should not exceed 25 percent of the monthly gross income or the present ratio of housing payment to the income of the displaced family or individual, including supplemental payments made by public agencies. Offices must issue regulations providing for determinations that 25 percent of monthly gross income for housing costs or the present ratio of housing payment to the individual income is or is not excessive to the other needs of the displaced family or individuals, such as food, clothing, child care, medical expenses, etc. In these cases, the head of the Office shall establish criteria for determining the financial means of the displaced family or individuals.
(m) Initiation of negotiations. The date the Office makes the first personal contact with the owner of real property to be acquired (or his/her representative) and furnishes him/her with a written

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offer to purchase real property. Registered mail may be used in lieu of personal contact only where the head of the Office determines that such means is justified by geographic location and/or scale of negotiations.

(o) Mortgages. Such classes of liens as are commonly given to secure advances on, or other tangible property for the carrying on of the business, professional, or institutional activity on the premises.

(v) Offices. The various offices and divisions of the National Oceanic and Atmospheric Administration as defined in paragraph (d) of this section, which are available for immediate occupancy.

(w) Heads of offices. The head of each office referred to in paragraph (v) of this section or his/her designee.

§ 916.6 Notice of displacement.

National Oceanic and Atmospheric Administration officials responsible for the administration of programs affected by the Act must ensure that a written notice of displacement is given to each individual occupying property immediately adjacent to the real property acquired is caused substantial economic injury because of the acquisition, he/she may offer such person relocation advisory services pursuant to section 205(c) of the Act.

(b) When the head of the displacing agency determines that any person occupying property immediately adjacent to the real property acquired is caused substantial economic injury because of the acquisition.

§ 916.9 Relocation costs treated separately from purchase price of real property acquired under Federal law.

Contracts or options to purchase real property under Federal law shall not incorporate provisions for making payments for relocation costs and related items in title II of the Act.

(a) Appraisers shall not give consideration to or include in their real property appraisals for the benefits provided by title II and section 303 of the Act.

(b) In the event of condemnation with a declaration of taking, the estimated compensation shall be determined solely on the basis of the appraised value of the real property with no consideration being given to or reference contained therein to the payments to be made under title II of the Act.

§ 916.10 Filing applications for benefits.

All applications for benefits under the Act by displaced persons shall be submitted to the displacing agency and be supported by such documentation as is required by the regulations in this Part 916. Offices shall make every effort to pay promptly any displaced person who makes application for authorized payments and may authorize advance payments in hardship cases. In the case of a project or program undertaken with Federal financial assistance, all applications shall be submitted to the State agency and be supported by such documentation as may be required by the State.

§ 916.11 Time limitation for filing applications for benefits.

Applications for benefits shall be made within eighteen (18) months from the date on which the displaced person moves from the real property acquired or to be acquired or the date on which the displacing agency makes final payment of all costs of that real property, whichever is the later date. The head of the Office may extend this period upon a proper showing of good cause.

§ 916.12 Payments not to be considered income.

Payments to be made under title II of the Act shall be considered as income for the purposes of the Internal Revenue Code of 1954; or for the purposes of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

§ 916.13 Multiple occupancy.

Where two or more individuals, not families, living together in a single family dwelling are displaced from such dwelling, they shall be treated as one displaced person for purposes of entitlements for replacement housing benefits under sections 203 and 204 of the Act. However, each individual displaced may receive a payment for actual reasonable moving expenses as authorized under section 202(a) of the Act, and in the case of families, each family shall be considered separately.

§ 916.14 Effects upon property acquisition.

(a) Nothing in the regulations in this Part 916 shall be construed as creating in any condemnation proceeding brought under the power of eminent domain any element of value or of damage not in existence immediately prior to January 2, 1973.

(b) The provisions of section 301 of the Act create no rights or liabilities and shall not affect the validity of any property
§ 916.15 Withholding from relocation payments.

To insure equitable treatment, no displaced person is to have a relocation payment withheld or amounts deducted therefrom (including closings in escrow) to satisfy claims or obligations to others, including the acquiring agency. Moving costs and relocation payments are intended to lessen the impact of the forced relocation and to permit satisfactory relocation into decent, safe, and sanitary housing. Other legal remedies are available to the displacing Office to satisfy the displacee’s credit obligations rather than the withholding amounts from relocation payments.

§ 916.16 Office procedures.

The head of each Office shall issue such procedural instructions, not inconsistent with the provisions of this Part 916, as he deems necessary to assure proper formulation, administration and implementation of the Act and these regulations.

Subpart B—Uniform Real Property Acquisition Policy

§ 916.20 Applicability.

This subpart prescribes policies and procedures governing the acquisition of real property for Federal and federally assisted programs administered by the National Oceanic and Atmospheric Administration.

§ 916.21 Objectives.

The objectives of the policies and procedures set forth in this subpart are to:

(a) Encourage and expedite the acquisition of real property by agreements with owners;

(b) Avoid litigation and relieve congestion in the courts;

(c) Assure consistent treatment for owners in the many NOAA programs and federally assisted programs administered by NOAA; and

(d) Promote public confidence in land acquisition practices.

§ 916.22 Acquisition policy.

To achieve the objectives set out in §916.21, offices shall, to the greatest extent practicable:

(a) Make every reasonable effort to acquire real property expeditiously by negotiation;

(b) Appraise real property prior to the initiation of negotiations;

(c) Give the owner or his/her designated representative an opportunity to accompany the appraiser during his/her inspection of the property; and

(d) Establish, prior to initiation of negotiations, an amount which is believed to be just compensation for the real property and make a prompt offer to acquire the property for the full amount so established.

(1) In no case will the amount established as just compensation be less than the approved appraisal of the estimated fair market value of the property.

(2) Any decrease or increase in the fair market value of real property prior to the date of valuation caused by the public improvement or project for which the property is to be acquired, or by the likelihood that the property would be acquired for such improvement or project, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property.

§ 916.23 Statement of just compensation to owner.

Offices shall provide the owner of real property to be acquired with a written statement of, and a summary of the basis for, the amount established as just compensation. In the case of a partial taking, damages to the remaining real property, if any, shall be separately stated. The summary statement shall include the following:

(a) Identification of the real property and the estate or interest therein to be acquired;

(b) Identification of the buildings, structures, and other improvements considered to be part of the real property for which the offer of just compensation is made;

(c) A statement explaining the basis for the determination of just compensation and that such determination:

(1) Is based on the estimated fair market value of the estate or interest which is to be acquired on the property;

(2) Is not less than the approved appraisal of the estate or interest in the property;

(d) A statement that any decrease or increase in the fair market value of the real property prior to the date of valuation caused by the public improvement or project for which the property is to be acquired, or by the likelihood that the property would be acquired for such improvement or project, other than that due to physical deterioration within the reasonable control of the owner, has been disregarded by the Office in making its determination of just compensation for the property.

§ 916.24 Acquisition of improvements required to be removed from land acquired.

Whenever an Office acquires any interest in real property it shall acquire at least an equal interest in all buildings, structures, or other improvements located thereon and which it requires to be removed from the real property or which it determines will be adversely affected by the use to which the real property will be put.

(a) If any buildings, structures, or other improvements, required to be acquired in accordance with this Section 916.24, are the property of a tenant who has the right or obligation to remove them under the terms of his or her lease, the total just compensation for the real property, including the property of the tenant, shall be apportioned to the landlord and the tenant. The amount payable to the landlord for such improvements will be the greater of:

(1) The estimated fair market value of the property for offsite removal (salvage value), or

(2) The contributive value of the tenant’s improvements to the value of the entirety which shall not be less than the approved appraisal of the value of the improvements.

(b) A payment may be made under paragraph (a) of this section, only in those cases where:

(1) The landlord disclaims all interests in the tenant’s improvements, and

(2) The tenant, in consideration for such payment, assigns, transfers, and releases to the acquiring agency all his/her right, title, and interest in and to the improvements.

(c) A tenant may reject payment under paragraph (a) of this section and elect to obtain payment in accordance with other applicable laws.

(d) Payment under paragraph (a) of this section shall not duplicate any payment otherwise authorized by law.

§ 916.25 Appraisal.

As a general rule, only one appraisal will be obtained on each tract, unless the Office determines that circumstances require an additional appraisal or appraisals.

(a) Real property acquisition records shall show that the owner or his/her designated representative has been given an opportunity to accompany the appraiser during his/her inspection of the property.

(b) The head of each Office shall establish, for all NOAA programs and federally assisted programs administered by NOAA, standards or procedures established by the Director of the Office of Administrative Services, Department of Commerce, pursuant to section 501 of Department Administrative Order 217-13 (March 7, 1973) or any revisions thereof.

(c) Standards for appraisals used in NOAA programs and federally assisted programs administered by NOAA shall be consistent with the uniform appraisal standards and procedures adopted for Federal land acquisition published by the Interagency Land Acquisition Conference.

§ 916.26 Condemnation.

Condemnation proceedings, where required, will be instituted by the Office. Offices shall not intentionally, make it necessary for an owner to institute legal proceedings to prove the fact of the taking of his/her property.

(a) Offices in project planning shall take into consideration the possible liability for the payment of litigation expenses or condemnation paid under this section 304 of the Act.

(b) In no case will an Office, in order to compel an owner to agree to a price to be paid for his property:

(1) Advise the time of condemnation;

(2) Defer negotiations or condemnation or the deposit of funds in court for the use of the owner; or

(3) Take any other coercive actions to force a price agreement.
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§ 916.27 Uneconomical remnant. In any case where acquisition of only part of a property will leave the owner with an uneconomical remnant, the acquiring Office shall offer to acquire the entire property.

§ 916.28 Notice to move. No owner or tenant who will become a displaced person will be required to surrender possession of his property before payment is made to him or deposited in the registry of the court. In all cases the owner or tenant shall be given at least 90 days' written notice of the date by which he is required to move from the acquired property.

§ 916.29 Temporary occupancy of property after acquisition. If an owner or tenant is permitted to remain in possession of property for a short period after acquisition, the rental charged for such occupancy shall not be more than the fair rental value of the property to a short-term occupier.

§ 916.30 Expenses incidental to transfer of title. Offices shall take actions necessary to insure that owners are reimbursed for expenses incurred incidental to conveyance of real property by the earliest date practicable. Such expenses as penalties for prepayment of transfer taxes, and similar expenses incidental to conveying the real property;

(b) Penalty cost for prepayment of any preexisting recorded mortgage entered into in good faith; and

(c) The pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting title in the acquiring agency, or the effective date of possession of such real property by the acquiring agency, whichever is the earlier.

§ 916.31 Notice to occupants upon initiation of negotiations. The following information shall be furnished occupants of real property to be acquired, at the time of initiation of negotiations, either in a brochure or such other medium as may be directed by the head of the Office:

(a) Owner-occupants of 90 days or more, but less than 180 days, shall be furnished:

(1) An explanation of his/her eligibility to receive a replacement housing payment not to exceed $4,000 and the manner in which the exact amount to which he or she will be entitled will be computed, and

(2) An explanation of the option to receive a downpayment towards the purchase of replacement housing not to exceed $4,000, and incidental expenses to purchase replacement housing and the requirement therefor.

(b) Owner-occupants of 90 days or more, but less than 180 days, shall be furnished:

(1) An explanation of his/her eligibility to receive a replacement housing payment not to exceed $4,000 and the manner in which the exact amount to which he will be entitled will be computed, and

(2) An explanation of the option to receive a downpayment towards the purchase of replacement housing not to exceed $4,000, and incidental expenses to purchase replacement housing and the requirement therefor.

(c) Owner-occupants of 90 days or more, within 15 days after the initiation of negotiations for the purchase of real property, shall be personally contacted and furnished in writing:

(1) The date of initiation of negotiations for purchase of the real property;

(2) An explanation of his/her eligibility to receive a payment for moving expenses.

§ 916.32 State acting as agent for Federal program. In the event that real property is acquired by a State agency at the request of the Office for a NOAA program or project, such acquisition shall, for purposes of the Act, be deemed an acquisition by the Office administering such program or project.

§ 916.33 Federally assisted programs. The head of each Office administering federally assisted programs carried out by State agencies which will result in the acquisition of real property shall require that State agencies:

(a)若干 necessary expenses as specified in sections 303 and 304 of the Act, and

(b) Comply with the provisions of sections 301 and 302 of the Act if compliance is legally possible under State law.

Subpart C—Relocation Assistance Advisory Services

§ 916.40 Relocation assistance advisory program. Whenever the acquisition of real property for a program or project undertaken by an Office will result in the displacement of any person, the Office shall establish a relocation assistance advisory program for the displaced persons. If the head of the Office determines that any person occupying property immediately adjacent to the real property acquired is caused substantial economic impact or hardship by the acquisition he/she may offer such person relocation advisory services under this program. Where a federally assisted project is involved in the displacement, the State agency shall provide the advisory services. Each relocation assistance advisory program shall include such measures, facilities, or services as may be necessary or appropriate to:

(a) Determine the need, if any, of displaced persons, for relocation assistance;

(b) Provide current and continuing information on the availability, prices, and rentals, of comparable decent, safe, and sanitary sales and rental housing and of comparable commercial properties and locations for displaced businesses;

(c) Insure the availability of adequate replacement housing and the provision of comparable facility services under this program. Where a federally assisted program is involved in the displacement, the State agency shall provide such advisory services. Each relocation advisory program shall include such measures, facilities, or services as may be necessary or appropriate to:

(d) Assist a person displaced from his business or farm home in obtaining and becoming established in a suitable replacement location;

(e) Supply information concerning Federal and State housing programs, disaster loan programs, and other Federal or State programs offering assistance to displaced persons;

(f) Provide assistance to displaced persons in completing the application forms for benefits under the Act; and

(g) Provide other advisory services to displaced persons in order to minimize hardships to such persons in adjusting to relocation.

§ 916.41 Organizational requirements. The head of each Office engaged in programs which cause the displacement of persons shall be assigned responsibility for administration of relocation assistance programs is properly assigned in accordance with the following:

(a) Headquarters office. An official at the Office headquarters level shall be assigned responsibility for providing staff guidance and direction for administration of the Office's relocation programs.

(b) Regional or comparable office level. At least one official in each region, area, or State office where relocation occurs, shall be assigned the responsibility for providing relocation assistance. These officials may be established for one or more projects, within the region or other geographical area where practicable and appropriate.

(c) Local relocation office. A local relocation office, properly staffed, should be established when it is determined that the volume of work or the needs of the displaced persons justify such an office. The determination to establish such a relocation office may be made by the head of the Office on an individual project basis. Local relocation offices, when established, should be reasonably ac-
cessible to public transportation or within walking distance of the project and should be open during hours convenient to the persons being displaced.

§ 916.42 Relocation plan.

A relocation plan shall be developed for all areas or projects where land acquisition activities will cause displacement of persons from their dwellings, businesses, farms, and nonprofit organizations which are to be relocated.

(1) The availability of decent, safe, and sanitary replacement housing within the financial means of the individuals and families being displaced;

(2) The estimated total cost of payments to displaced persons for all benefits under the Act for replacement housing;

(3) The estimated cost of administering required relocation services to displaced persons.

(b) Each relocation plan shall be:

(1) Coordinated with other Federal, State, and local agencies and private concerns having relocation programs within the project area, to ensure that the real estate market from which replacement housing will be obtained is capable of supplying the demands of all users of housing. (See also §§ 916.43 and 916.44); and

(2) Updated periodically to reflect current real estate conditions. When funds have been appropriated for commencement of real property acquisitions, the relocation plan will be continuously updated and serve as a basis for accomplishing required relocation activities.

(3) Specific plans for relocating all eligible displaced persons in suitable replacement housing;

(4) The estimated cost of administering required relocation services to displaced persons.

(c) A more elaborate relocation plan may be required in instances where acquisition of real property for a program or project will result in the displacement of a substantial number of persons in a metropolitan area, particularly where low or moderate income persons are involved. In any such instances, Offices shall be guided by the relocation planning instructions promulgated by the Department of Housing and Urban Development in its Relocation Handbook 1371.1.

§ 916.43 Coordination of planned relocation activities.

Where two or more Offices of the National Oceanic and Atmospheric Administration, or other Federal, State, and local agencies and private concerns having relocation programs in a given community or project area, they shall coordinate such plans to insure the adequacy of available replacement housing that displaced persons receive the maximum assistance available to them. Similarly Offices shall coordinate with other Federal agencies, and State and local agencies, contemplating displacement activities in the community or area for the purpose of planning relocation activities and coordinating available housing resources. As a minimum, Offices causing displacement shall:

(a) Consult with the appropriate field office of the Department of Housing and Urban Development within the jurisdictional areas concerning the availability of housing;

(b) Provide the Housing and Urban Development field office with information regarding the projects which will cause displacement;

(c) Designate at least one representative who will meet periodically with representatives of other NOAA Offices and other Federal agencies causing displacement in the community to review the impact of their respective programs on the community or area.

§ 916.44 Local coordination.

To further insure maximum coordination of relocation activities in a given community or area, the displacing agency shall consult with official representatives of any proposed project in the community, consistent with the requirements promulgated by Office of Management and Budget Circular No. A-85 (Revised). The circular provides a central point of identifying local officials.

§ 916.45 Coordination with project work.

Offices shall coordinate relocation activities with project work, and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of relocation assistance programs.

§ 916.46 Public information.

The head of each Office shall insure that the public receives adequate knowledge of the Office's relocation programs and that persons to be displaced are fully informed, at the earliest possible time, of the relocation plans. In those areas where the number of persons to be displaced is such that it is not feasible to provide such information on a personal basis, the Office shall afford all concerned persons an opportunity to discuss the relocation program at public meetings. Brochures describing the relocation program will be distributed at these meetings and to all other individuals and organizations, as appropriate.

(a) Discussions at public meetings shall include, as a minimum, the following:

(1) The availability of relocation assistance and services, eligibility requirements, and payment procedures;

(2) The estimated number of individuals, families, businesses, farm operations and nonprofit organizations to be relocated;

(3) Specific plans for relocating all eligible displaced persons in suitable replacement housing;

(4) The right of administrative review by the head of the Office and of appeal to the Administrator of the National Oceanic and Atmospheric Administration, as provided in Subpart J of this part.

(b) Where appropriate, Offices will, within 15 days after initiation of negotiations on a project, provide public announcements concerning:

(1) The relocation services to be provided;

(2) The payments which can be made; and

(3) The location where the Office relocation brochures can be obtained.

(c) Public announcements may utilize any type of mass media which will provide full and adequate notice to the public.

§ 916.47 Contracting for relocation services.

Offices may enter into agreements with any Federal, State, or local agency, or contracts with private individuals or concerns for the purpose of carrying out relocation activities as provided in §§ 916.48 and 916.49. Each such agreement or contract shall require specific performance standards for the services to be provided. Any contract for such services must be executed and administered in conformance with NOAA Procurement Regulations.

§ 916.48 Agreements with central relocation agency.

When a central relocation agency is available in the community or project area, the displacing agency shall consider entering into an agreement with such agency in an effort to reduce costs, prevent duplication, and promote uniform and effective administration of relocation assistance programs for displaced persons. The appropriate Regional/Area Office of the Department of Housing and Urban Development will provide information and assistance concerning these services, upon request.

§ 916.49 Contracting with private concerns.

Offices may provide relocation services through contracts with private individuals or concerns only when the following conditions exist:

(a) A central relocation agency is not available in the community or project area, or a central agency is available but does not have the capacity to provide the necessary services within the time required by the Office's program, and

(b) The Office does not have the in-house capability to provide the services.

§ 916.50 Additional sources of advisory services.

The following additional sources of advisory services may be available in the project area and should be considered and utilized whenever practicable:

(a) Veterans Administration (VA). The Veterans Administration maintains a housing counseling service and a displaced persons priority program for providing VA owned housing to displaced persons. These services may be made available to persons displaced by NOAA programs and federally assisted programs administered by NOAA, and the local VA Loan Guarantee Office should be contacted.
§ 916.52 Displaced person declining to accept relocation services.

A displaced person is not required to accept relocation services provided for his/her own and still be eligible for payments under the Act. However, the displaced person must meet the occupancy requirements for decent, safe, and sanitary housing and make application within the prescribed time limits to be eligible for a replacement housing payment.

Subpart D—Assurance of Adequate Replacement Housing Prior to Displacement.

§ 916.60 Determination of availability of replacement housing.

An office shall not proceed with any phase of any project or authorize a State agency to proceed with any phase of a project which will cause the displacement of any person until it has determined, or received satisfactory assurance that, within a reasonable period of time prior to displacement, decent, safe, and sanitary housing is available as defined in § 916.5(d) will be available on a basis consistent with that defined in the Housing Act of 1968 (Pub. L. 90-284) and the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals being displaced. Such dwellings are to be equal in number to the number of, and available to, persons being displaced who require dwellings and reasonably accessible to their places of employment.

(a) Support. Determinations or assurances shall be based on a current survey and analysis of available replacement housing by the Office or displacing State agency and shall take into consideration the competing demands on that, within a reasonable period of time prior to displacement, decent, safe, and sanitary housing is available as defined in § 916.5(d) will be available on a basis consistent with that defined in the Housing Act of 1968 (Pub. L. 90-284) and the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals being displaced. Such dwellings are to be equal in number to the number of, and available to, persons being displaced who require dwellings and reasonably accessible to their places of employment.

(b) Determinations. The Office shall determine whether or not the project or area is feasible from the standpoint of assuring that suitable replacement housing can be made available to displaced persons and to support assurances that replacement dwellings are available to meet the criteria specified in this section, and the Office shall take into consideration the competing demands on that, within a reasonable period of time prior to displacement, decent, safe, and sanitary housing is available as defined in § 916.5(d) will be available on a basis consistent with that defined in the Housing Act of 1968 (Pub. L. 90-284) and the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals being displaced. Such dwellings are to be equal in number to the number of, and available to, persons being displaced who require dwellings and reasonably accessible to their places of employment.

The survey should:

(1) Be undertaken during the planning phase for each project.

(2) Be developed sufficiently to provide a means of determining whether or not the project or area is feasible from the standpoint of assuring that suitable replacement housing can be made available to displaced persons and to support assurances that replacement dwellings are available to meet the criteria specified in this section, and

(3) Include a listing of the current availability.

§ 916.61 Housing provided as last resort.

In any case where the survey and analysis of available replacement housing required by § 916.60 discloses that adequate replacement housing is not available and cannot otherwise be made available, the head of the Office may take action or approve action by a State agency to develop replacement housing as authorized by section 206(a) of the Act. Offices taking or approving such action for replacement housing will be guided by the criteria and procedures issued by the Secretary of Housing and Urban Development in 24 CFR Subtitle A, Part 43, Subpart A. A State agency taking such action should comply with the requirements and procedures of the Office which provides the Federal financial assistance.

Subpart E—Moving and Related Expenses

§ 916.65 Eligibility.

(a) Any displaced person, as defined in § 916.5(c), including one who conducts a business or farm operation, is eligible to receive a payment for moving and related expenses.

(b) A person who lives on his/her business or farm property may be eligible for both:

(1) Moving and related expenses as a dwelling occupant, and

(2) Moving and related expenses with respect to displacement from a business or farm operation.

(c) A displaced owner-occupant of a multifamily rental dwelling may be eligible for both:

(1) Moving and related expenses as a dwelling occupant, and

(2) Moving and related expenses with respect to displacement from a business or farm operation.

§ 916.66 Payment for moving expenses.

Whenver the acquisition of real property will result in the displacement of any person, business, or farm operation, the displacing agency shall make a payment to such displaced person upon proper application for the following, or the "in lieu" payments authorized in Subpart F of this part:

(a) The actual or reasonable expenses in moving himself/herself, his/her family, business, farm operation, or other personal property;
§ 916.67 Allowable moving expenses.

(a) Actual reasonable expenses incurred by the displaced person in moving may be allowed as follows:

(1) Transportation of individuals, families, and personal property from the acquired site to the replacement site, not to exceed a distance of 50 miles, except where the displacing agency determines that relocation beyond the 50-mile area is justified.

(2) Storing and unpacking, crating and uncrating of personal property.

(3) Advertising for packing, crating, and transportation when the displacing agency determines that it is necessary.

(4) Replacement of personal property for a period generally not to exceed 12 months when the displacing agency determines that storage in necessary in connection with locating a replacement dwelling.

(5) Insurance premiums covering loss and damage of personal property while in storage or transit.

(b) Extra costs for meals and lodging.

(c) Actual reasonable expenses incurred in searching for replacement business or farm.

(d) Removal, reinstallation, reestablishment of machinery, equipment, appliances, and other items, including modifications as deemed necessary by the Office and reconnection of utilities not acquired as real property.

(e) Loss of goodwill.

(f) Loss of trained employees.

(g) Loss of profits.

(h) Personal injury.

(i) Cost of preparing the application for moving and related expenses.

(j) Payment for search cost in connection with locating a replacement dwelling.

(k) Such other items as the Office determines should be excluded.

§ 916.69 Payment for expenses incurred in searching for replacement business or farm.

Actual reasonable expenses incurred by the displaced person in searching for a replacement business or farm may be allowed as follows:

(a) Actual travel costs.

(b) Extra costs for meals and lodging.

(c) Time spent in searching at the rate of $10 per hour.

(d) The costs of removal of the personal property reserved ownership, except as otherwise provided by law.

(e) Improvements to the replacement site, except when required by law.

§ 916.70 Limitation.

The total amount which a displaced person may be paid for searching expenses may not exceed $500, unless the Office determines that a greater amount is justified based on the circumstances involved.

§ 916.71 Actual direct losses by business or farm operation.

Whenever the acquisition of or notice to move from, real property used for a business or farm operation causes any person to move from such other real property, such person may receive payment for moving and related expenses as provided in § 916.68.

(a) When the displaced person does not move personal property he/she should be required to make a bona fide effort to sell it and should be reimbursed for the reasonable costs incurred.

(b) When the business or farm operation is discontinued, the displaced person is entitled to the difference between the fair market value of the personal property for continued use at its location prior to displacement and the proceeds from its sale, or the estimated costs of moving 50 miles, whichever is less.

(c) When the business or farm operation is abandoned, the displaced person is entitled to payment for the fair market value of the property for continued use at its location prior to displacement or the estimated cost of moving 50 miles, whichever is less.

(d) When personal property is sold and the business or farm operation is discontinued, the displaced person is entitled to payment provided in § 916.67.

(e) The costs of removal of the personal property shall not be considered as an offsetting charge against other payments to the displaced person.

Subpart F—Payments in Lieu of Moving and Related Expenses

§ 916.75 Eligibility.

Except as otherwise provided herein, a displaced person, including one who is displaced from a business or farm operation, who is eligible to receive payments for moving and related expenses under Subpart E of this part, may elect to receive payments in accordance with this Subpart 930-50.6 in lieu of payment for actual moving and related expenses.

§ 916.76 Displaced dwelling occupant.

A person displaced from a dwelling who elects to receive the payments authorized by this section in lieu of payment for actual moving expenses, may receive a moving expense allowance, determined in accordance with a schedule established by the Office, not to exceed $300, plus a dislocation allowance of $200.

(a) Only those persons who are displaced from a dwelling, as defined in § 916.51(e), may elect to receive the payment authorized under section 203(b) of the Act in lieu of payment for actual reasonable moving expenses.

(b) Where two or more individuals, not families, living together in a single family dwelling are displaced from such dwelling, they shall be treated as one displaced person for purposes of entitlements under this section.

§ 916.77 Moving allowance schedules.

Moving allowance schedules maintained by the respective State highway departments should be used as the basis for the Office schedules. These schedules should provide for adequacy of reimbursement in every locality.

(a) The Federal Highway Administration will make current schedules available to displacing agencies upon request.
(b) In areas where there are no high-
way department schedules, Offices under-
taking or providing Federal financial as-
sistance to a project causing displace-
ment in such areas shall cooperate with
other Oﬃces in the development of a single moving expense schedule for
the use of all such agencies.

§ 916.78 Displaced farm operation.
A person displaced from his/her farm
operation, as deﬁned in § 916.5(1), may
receive a ﬁxed payment of not less than $2,500 nor more than $10,000 in lieu of
actual moving expenses in accordance with
the same criteria established for a person displaced from a business
in § 916.80. Such a payment may be
made to the displaced operator of a farm
operation only if the acquiring Oﬃce de-
termines that the farm operator has dis-
continued his/her entire farm operation
at the present location or has relocated
the entire farm operation.

§ 916.79 Farms—Partial taking.
In the case of a partial taking, the op-
erator will be considered to have been
placed from a farm operation, if:
(a) Oﬃce determines that the deﬁnition
of a farm operation prior to the taking
and the part remaining does not; or
(b) The taking caused the operator to be
placed from the farm operation on the
remaining land; or
(c) The taking caused such a substan-
tial change in the nature of the existing
farm operation as to constitute a dis-
placement.

Note—If application of the above criteria
obviously creates an inequity in any given
case, the head of the Oﬃce may approve
the use of other criteria as determined
appropriate.

§ 916.80 Displaced business.
(a) A person displaced from his/her busi-
ness, as deﬁned in § 916.5(b)(1), (2),
and (3), may receive a ﬁxed payment of
not less than $2,500 nor more than $10,000 in lieu of actual moving and related
expenses, Provided, That the dis-
placement payment is not less than
$2,500 unless the Oﬃce determines,
during the two taxable years prior to displacement, or during such other period as
the head of the Oﬃce determines to
be more equitable, the business:
(1) Had average annual gross receipts
of at least $2,000 in value; or
(2) Had average annual net earnings
of at least $1,000 in value; or
(3) Contributed at least 33 1/3 percent
of the average gross annual income of the
owner(s) from all sources, including wel-
fare.

Note—If application of the above criteria
obviously creates an inequity in any given
case, the head of the Oﬃce may approve
the use of other criteria as determined
appropriate.

§ 916.81 Determination of loss of exist-
ing patronage to a business.
The determination of loss of existing
patronage to a business shall be made
by the displacing agency only after consid-
eration of all pertinent circumstances,
including but not limited to the follow-

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(a) The type of business conducted by
the displaced concern.
(b) The nature of the clientele of the
displaced concern.
(c) The relative importance of the
present and proposed location to the dis-
placed business and the availability of
a suitable replacement location for the dis-
placed person.

§ 916.82 Businesses not eligible to re-
ceive “in lieu” payment.
Those businesses described in § 916.5
(2) (A) and (B) are not eligible to receive a ﬁxed payment in lieu of payment for actual moving and related expenses.

§ 916.83 Displaced nonprofit organiza-
tions.
A displaced nonprofit organization may
receive a ﬁxed payment, in lieu of payment for actual moving and related expen-
ses, in an amount equal to the average annual net earnings of the nonprofit organization, except that such payment shall be not less than $2,500 nor
more than $10,000. However, no payment
shall be made pursuant to this para-
graph until after the Oﬃce determines
that:
(a) The nonprofit organization cannot
be relocated without a substantial loss of
its existing patronage. The term “exist-
ing patronage” as used in connection
with nonprofit organizations includes the
persons, community, or clientele served
or affected by the activities of the non-
profit organization.
(b) The nonprofit organization is not
part of a commercial enterprise having at
least one other establishment not being
acquired which is engaged in the same
or similar activity.

§ 916.84 Average annual net earnings.
The term “average annual net earn-
ings” as used in this subpart means the
average annual net earnings of the business or farm operation, provided Federal, State, and local income taxes, during the two taxable years immediately preceding the
taxable year in which such business or farm operation moves from the real prop-
erty acquired, or during such other period as the displacing agency determines to
be more equitable for establishing such
earnings, and includes any compensa-
tion paid by the business or farm opera-
tion to the owner, his/her spouse or his/
hers dependents during such period.

Subpart G—Replacement Housing
Payment for Homeowners

§ 916.87 Eligibility.
A displaced owner-occupant is eligible
for a replacement dwelling payment not
in excess of $15,000: Provided, That he/
her meets both of the following require-
ments:
(a) Actually owned and occupied the
dwelling from which displaced for not
less than 180 days immediately prior to
the initiation of negotiations (see § 916.5
(n) ) for the acquisition of the property;
and
(b) Purchases and occupies a replace-
mant dwelling which is decent, safe, and
sanitary not later than the end of the
1-year period beginning on the date on
which he/she receives from the displac-
ing agency ﬁnal payment of all costs of
the acquired dwelling, or on the date on
which he/she moves from the acquired
dwelling, whichever is the later date.

§ 916.88 Owner-occupant of less than
180 days.
A displaced owner-occupant of a dwelling who is determined to be ineligible for a replacement housing payment under this Subpart G may be eligible for a payment under Subpart H of this part.

§ 916.89 Elements included in replace-
mant housing payment.
The replacement housing payment au-
thorized by this subpart is in addition to
payments otherwise authorized by title
II of the Act. It includes the following
elements:
(a) The amount, if any, which when
added to the acquisition cost of the dwell-
ing acquired by the displacing agency
is necessary to purchase a comparable re-
placement dwelling as deﬁned in § 916.5
(c).
(b) The amount, if any, necessary to
compensate the displaced person for in-
creased interest costs, including points,
which he/she is required to pay for fi-
ancing the purchase of a comparable
replacement dwelling. This amount shall
be paid only if the acquired dwelling was
encumbered by a bona ﬁde mortgage. A
bona fide mortgage is one which was a
valid lien on the acquired dwelling for
not less than 180 days prior to initiation
of negotiations.
(c) Reasonable expenses incurred by
the displaced person for evidence of title,
recordation of the replacement housing
payment, increased interest costs, and
other closing costs in addition to the pur-
chase of the replacement dwelling, but not including prepaid expenses.

§ 916.90 Computation of replacement
housing payment.
Oﬃces shall determine the amounts
necessary to compensate a displaced per-
son for the replacement housing differ-
ential payment, increased interest costs,
and incidental expenses in accordance with
§ 916.81.

§ 916.91 Differential payment for re-
placement housing.
The replacement housing differential
payment may be determined by either
establishing a schedule or by using a
comparative method.
(a) Schedule method. A schedule
may be established reﬂecting reasonable ac-
quisition costs for comparable replace-
mant dwellings of the various types of
dwellings to be acquired and available on
the private market.
(i) The schedule shall be based on an
annual analysis of the market to deter-
mine an amount for each type of dwelling
required.
(ii) When more than one Oﬃce of the
National Oceanic and Atmospheric Ad-
mintistration is causing displacement in
a community or an area, they shall co-
ordinate the establishment of a single
schedule for replacement housing pay-
ments. Similarly, Oﬃces shall cooperate
with other Federal agencies causing dis-
placement.
### Development of Monthly Payment Figures

<table>
<thead>
<tr>
<th>Step</th>
<th>Formula</th>
</tr>
</thead>
<tbody>
<tr>
<td>Step 1</td>
<td>Subtract A from B:&lt;br&gt;Monthly payment based on rate for replacement dwelling (B) - Monthly payment based on rate for acquired dwelling (A) = Result (difference)</td>
</tr>
<tr>
<td>Step 2</td>
<td>Divide result (difference) of Step 1 by C (carry to 6 decimal places:&lt;br&gt;Result (quotient)</td>
</tr>
<tr>
<td>Step 3</td>
<td>Multiply outstanding balance of mortgage on acquired dwelling by result (quotient) of Step 2:&lt;br&gt;Outstanding Balance (from Line 3) × Result (quotient) of Step 2 = Result (product)</td>
</tr>
<tr>
<td>Step 4</td>
<td>Add any debt service costs on the loan on the replacement dwelling:&lt;br&gt;Result (product) of Step 3, first mortgage + Result (product) of Step 3, second mortgage + Sum of service costs, as applicable + Add debt service costs on loan on replacement dwelling (Line 10) = Amount of interest payment</td>
</tr>
</tbody>
</table>

1. If there is more than one outstanding mortgage on an acquired dwelling, the discounted value of each mortgage must be determined. To do this, a separate computation is made to each mortgage through Step 3. A consolidated Step 4 is then completed.

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**Exhibit 1**

**Format: Computation of Interest Payment**

**Required Information**

<table>
<thead>
<tr>
<th>Calculation of Interest Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Monthly payment required to amortize a loan of $_________ for ________ months at an annual interest rate of ________%&lt;br&gt;Result (product) ______________________________________</td>
</tr>
<tr>
<td>B. Monthly payment required to amortize a loan of $_________ for ________ months at an annual interest rate of ________%&lt;br&gt;Result (product) ______________________________________</td>
</tr>
<tr>
<td>C. Monthly payment required to amortize a loan of $_________ for ________ months at an annual interest rate of ________%&lt;br&gt;Result (product) ______________________________________</td>
</tr>
</tbody>
</table>

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**Rules and Regulations**

### Monthly Payment Figures

**Calculation of Interest Payment**

- **Step 1**: Subtract A from B:<br>Monthly payment based on rate for replacement dwelling (B) - Monthly payment based on rate for acquired dwelling (A) = Result (difference) .
- **Step 2**: Divide result (difference) of Step 1 by C (carry to 6 decimal places:<br>Result (quotient) .
- **Step 3**: Multiply outstanding balance of mortgage on acquired dwelling by result (quotient) of Step 2:<br>Outstanding Balance (from Line 3) × Result (quotient) of Step 2 = Result (product) .
- **Step 4**: Add any debt service costs on the loan on the replacement dwelling:<br>Result (product) of Step 3, first mortgage + Result (product) of Step 3, second mortgage + Sum of service costs, as applicable + Add debt service costs on loan on replacement dwelling (Line 10) = Amount of interest payment .

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**Notes:**

- If there is more than one outstanding mortgage on an acquired dwelling, the discounted value of each mortgage must be determined. To do this, a separate computation is made to each mortgage through Step 3. A consolidated Step 4 is then completed.
§ 916.93 Incidental expenses. (a) The payment for incidental expenses, i.e., the amount necessary to re-

burse a displaced person, for reasonable costs incurred by him/her incident to purchase of a replacement dwelling, shall be determined in consideration of such costs as—

(1) Legal, closing, and related costs including title search, preparing conveyance instruments, notary fees, surveys, preparing plats, and charges incident to recordation.

(2) Lenders, Federal Housing Administration, or Veterans Administration appraisal fees.

(3) Federal Housing Administration application fee.

(4) Certification of structural soundness when required by lender, Federal Housing Administration, or Veterans Administration.

(5) Credit report.

(6) Title policies or abstracts of title.

(7) Escrow agent's fee.

(8) State revenue stamps, or sale or transfer taxes.

(b) No cost, charge, or expense is reimbursable which is determined to be a part of the finance charge under the Truth in Lending Act, title I, Public Law 90-321, and Regulation "Z" (12 CFR Part 226) issued pursuant thereto by the Board of Governors of the Federal Reserve System.

§ 916.94 Statement of eligibility pending purchase of replacement dwell-

ing. Upon request of a displaced owner-occupant who has not yet purchased a replacement dwelling, but who is otherwise eligible, for a replacement housing payment under this subpart, offices shall furnish a written statement to any interested person, financial institution, or lending agency as to the displaced person's eligibility for a payment and the requirements which must be satisfied before such payment can be made.

§ 916.95 Advance payment in condemn-

ation cases. In a condemnation proceeding involving a declaration of taking, an advance replacement housing payment may be made to a homeowner if determination of the acquisition price of the acquired dwelling will be delayed pending the outcome of condemnation proceedings. Inasmuch as the exact amount of the replacement housing payment cannot be ascertained until final adjudication of the condemnation suit, a provisional replacement housing payment may be determined based on the displacing agency's offer for the property acquired. No such payment may be made, however, unless the homeowner agrees, in writing, that:

(a) Upon final determination of the condemnation proceeding, the replacement housing payment will be recom-
pounded per the basis of the acquisition price determined by the court;

(b) If the acquisition price as determined by the court is greater than the displacing agency's offer upon which the provisional replacement housing payment was based, the difference up to the extent of the replacement housing payment advanced shall be refunded (in- cluding interest computed at the same rate as that paid by the agency on that portion of the acquisition price above the agency's offer) to the displacing agency; and

(c) If the acquisition price as determined by the court is less than the dis- plac- ing agency's offer upon which the provisional replacement housing payment was based, the difference shall be paid to the homeowner.

Subpart H—Replacement Housing Payment for Tenants and Certain Others

§ 916.98 Eligibility requirements. (a) Displaced tenant or owner-occupant of less than 180 days who meets the eligibility requirements of § 916.98(a) is eligible for either:

(a) The differential payment neces- sary to enable him/her to lease or rent for a period not to exceed 4 years, a decent, safe, and sanitary dwelling of standards adequate to accommodate such person and meets the definition of comparable replacement dwelling. The amount of rent actually paid shall be used in determining whether the differential payment is fea-

sible, the Office shall develop criteria for computing the rental differential payment.

(b) If he/she purchases and occupies replacement housing within one year from displacement, the amount necessary to enable him/her to make a downpay-

ment, including incidental expenses, on the purchase of a decent, safe, and sanitary dwelling of standards adequate to accommodate such person and meets the definition of comparable replacement dwelling. The amount in excess of $2,000, if any, shall be equal to the difference between the rent paid by such person and the rent for comparable replacement dwellings of the type and quality available in the private market. The pay-

ment shall be computed by determining the amount necessary to rent a comparable replacement dwelling for 4 years (within the $4,000 limitation of the schedule) and subtracting from such amount 48 times the average monthly rent paid by the displaced person in the past 3 months prior to initiation of negoti-

ations, if such rent was reasonable, or 48 times the monthly economic rent for the dwelling unit, as established by the Office, if the actual rent paid was unreason-

able.

(1) The schedule should be based on a current analysis of the market to determine an amount for each type of dwelling required.

(2) When more than one Office of the National Oceanic and Atmospheric Ad-

...
(f) The amount initially established and approved as the rental replacement housing payment shall not be adjusted to compensate for subsequent increases or decreases, if any, in the amount of rent actually paid by the displacemen.

§916.102 Computation of replacement housing payment—purchasers.

(a) The amount of the downpayment shall be the lesser of:

(1) The amount that would be required for a downpayment for financing a conventional loan on a comparable dwelling; or

(2) The amount required as a downpayment for financing a conventional loan on the replacement dwelling actually purchased.

(b) To the amount determined pursuant to paragraph (a) (1) or (a) (2) of this section will be added the amount required to be paid by the purchaser as points and/or origination or loan servicing fees if such fees are normal to real estate transactions in the area, on the comparable dwelling or the replacement dwelling whichever is the lesser.

§916.103 Disbursement of rental replacement housing differential payment.

The amount of the rental replacement housing payment, determined in accordance with §916.101, shall be paid in a lump sum, except that it shall be paid in installments when this method of payment is requested by the displaced person.

Subpart I—Federally Assisted Programs

§916.106 Acceptance of real property furnished by a State incident to a NOAA program or project, the Office administering the program or contract may not accept such real property unless the State agency has made all payments and provided all assistance and assurances as required by a state agency by section 301 and 302 of the Act. The State agency shall pay the cost of such requirements in the same manner and to the same extent as the cost of the real property acquired for such project.

§916.107 Assurances—Section 210.

(a) A survey and analysis of the available replacement housing has been made in accordance with §916.60 and that the section 310 and 302 of the Act, prior to displacement, decent, safe, and sanitary replacement dwellings will be available to displaced persons in accordance with Subpart D of this part, and

(b) The amount required as a downpayment for financing a conventional loan on a comparable dwelling; or

(c) The affected persons will be adequately informed of the benefits available under title II of the Act, and the policies and procedures relating to the payment of such benefits.

§916.108 Assurances—Section 305.

Officers shall not approve any program or project or any grant to contract, or agreement with a State agency under which Federal financial assistance will be available to pay all or part of the cost of any program or project which will result in the acquisition of real property or after the effective date of the Act, unless satisfactory assurances are received from the State agency that:

(a) In acquiring real property, the State agency will be guided, to the greatest extent practicable under State law, by the land acquisition policies set forth in Subpart B of this part.

(b) Property owners will be paid or reimbursed for necessary expenses as described in sections 303 and 304 of the Act, and

(c) The affected persons will be adequately informed of the benefits available under title III of the Act and the policies and procedures relating to the payment of such benefits.

§916.109 Compliance with section 210.

In all cases, State agencies must comply fully with the assurances required by section 210 of the Act.

§916.110 Compliance with sections 301 and 302.

A State agency's assurances under section 305 of the Act shall be accompanied by a statement indicating the extent to which it can comply with the provisions of sections 301 and 302 of the Act. In the event a State agency maintains that it is unable to comply fully with any of the prescribed policies, its statement shall be supported by an opinion of the chief legal officer of the State agency. State agencies shall comply with sections 301 and 302 of the Act if compliance is legally possible under State law.

§916.111 Inability to provide assurances under section 305.

If a State agency's assurances are accompanied by a statement that it is unable to comply fully with the provisions of section 305 of the Act, the head of the Office administering the federally assisted project involved may prescribe procedures for meeting forth the conditions under which the project will be approved.

§916.112 Assurances not required.

If the federally assisted program or project will not result in either the acquisition of real property or the displacement of persons, a grant, contract, or agreement may be executed with the State agency without regard to such State agency's ability or inability to provide the assurances required by sections 210 and 305 of the Act.

§916.113 Monitoring assurances.

Offices shall monitor the assurances provided by State agencies on a continuing basis to insure that federally assisted programs and projects are carried out in conformance with such assurances.

§916.114 Federal share of costs.

The cost to a State agency of providing the payments and assistance required by the regulations in this Part 916 shall be included as part of the cost of a program or project for which Federal financial assistance is available to the State agency.

(a) The State agency shall be eligible for Federal financial assistance with respect to such payments and assistance in the same manner and to the same extent as other project or program costs.

(b) No payment or assistance under section 210 or 305 of the Act shall be required or included as a program or project cost under this section if the displaced person receives a payment required by State law of eminent domain which is determined by the Office to have substantially the same purposes and effect as would a payment under this paragraph, and to be part of the cost of the program or project for which Federal financial assistance is available to the State agency.

(c) Offices may advance to a State agency the Federal share of the cost of any payments or assistance by the State agency pursuant to sections 206, 210, 215, or 305 of the Act when they determine that such action is necessary for the expeditious completion of a program or project.

§916.115 Relocation assistance programs.

State agencies receiving Federal financial assistance on a project which results in the displacement of persons, shall provide relocation assistance advisory services to the displaced persons in accordance with the provisions of Subpart C of this part.

§916.116 Waiving of benefits.

(a) Whenever NOAA, or in the case of a federally assisted project, a State agency, provides that the owner of a single-family residence may, at his/her option, elect to retain a right of use and occupancy for not less than six months from the date of acquisition of such residence and such owner elects to retain such a right of use and occupancy, the project is deemed to have waived any benefits under sections 203, 204, 205, and 206 of the Act, and for the purposes of these sections the project shall not be considered a displaced person as defined in section 101(6) of the Act.

(b) Retention of a residence under a use and occupancy agreement must be available with or as intended use of the project site. Moreover, the appraisal should properly reflect the effect such a retention of use has upon the property's fair market value.
Subpart L—Annual Report

§ 916.125 General. Each Office having responsibilities for Federal or federally assisted programs that come within the purview of Public Law 91-646 shall prepare and submit an annual report to the Administrator. The report should include information on programs and policies established or authorized by the Act. This report, which is required by section 214 of the Act, shall consist of both a narrative and statistical report.

§ 916.126 Narrative report.

The narrative portion of the report should be consolidated for the Office and submitted, in duplicate, in the form of an attachment to a transmittal memorandum. It shall refer to each of the items set out in the following subparasgraphs in the items pertinent to the respective Office. Narrative comments should be furnished for all items. If an item is not applicable to an Office, or if a negative response pertains to a particular item, the report should so indicate:

(a) Assurance of required replacement housing.

(1) Each Office should comment on the effectiveness of the provisions of the Act relative to the availability of comparable decent, safe, and sanitary replacement housing for displaced homeowners and tenants.

(2) Describe the actions taken by the Office to assure compliance with the requirements of sections 205(c)(3), 206(b), and 210(3) of the Act.

(3) Provide information on all court decisions affecting the Office which concern the adequacy of replacement housing.

(b) Office actions to achieve objectives of the Act.

(1) Describe the actions taken by the Office to achieve the objectives of the policies of the Congress to provide uniform and equal treatment, to the greatest extent practicable, for all persons displaced or having real property taken for Federal or federally assisted programs.

(2) Describe the provisions adopted by the Office for coordination with other Federal, State and local displacing agencies.

(c) Progress in achieving objectives of the Act. Report the progress of the Office in the various programs conducted or administered, indicating:

(1) The success in coordinating Office relocation activities with other Federal, State, and local agencies. Any waivers reported, submitted in duplicate to the Administrator, NOAA, by not later than September 1 of each year.

[FPR Doc.78-27649 Filed 9-21-78; 8:48 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[19 CFR 131.14] PART 113—CUSTOMS BONDS

Landing Bond for Alcoholic Beverages

Section 113.14 of the Customs Regulations (19 CFR 113.14), which lists the types of bonds subject, after execution and approval by a district director of Customs, includes in the Act (19 CFR 113.14(r)) the landing bond for alcoholic beverages. Section 113.14(r) of the Customs Regulations describes the bond in question as “Landing Bond, Customs
Term 7593, or landing bond in the form prescribed in T.D. 47886.

It has come to the attention of the United States Customs Service that the wording of § 113.14(r) of the Customs Regulations, suggests that Customs Form 7593 is a different document from the landing bond prescribed in Treasury Decision 47886. Actually, Treasury Decision 47886 provides for the form prescribed therein to be "to be designated Customs Form 7593." However, Customs Form 7593 has never been printed by the Government Printing Office or otherwise been made available by the Customs Service. Instead, persons needing to file a landing bond for alcoholic beverages have been referred to Treasury Decision 47886, which requires that a bond be filed in substantially the form prescribed in T.D. 47886.

Accordingly, in order to eliminate any continued confusion in this matter, paragraph (r) of §113.14 of the Customs Regulations, particularly the portion of §113.14(r) is amended to read as follows:

§113.14 Bonds approved by the district director.

(r) Landing bond for alcoholic beverages. Landing bond, in the form prescribed in T.D. 47886, to land spirits, wines, or other alcoholic liquors in foreign ports, in an amount equal to double the estimated duty.

Because this amendment merely clarifies present requirements and requires a public initiative, notice and public procedure thereon is found to be unnecessary and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date: This amendment shall become effective September 22, 1976.

Leonard Lehman,
Acting Commissioner of Customs.
Approved: September 10, 1976.

David R. Macdonald,
Assistant Secretary of the Treasury.

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. 75–P–0790]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting from Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

Components of Paper and Paperboard in Contact With Aqueous and Fatty Foods: Resinous and Polymeric Coatings for Polyolefin Films

The Food and Drug Administration is amending the food additive regulations to provide for the use of a 2-sulfoethyl methacrylate, sodium salt as a component of coatings for use in contact with food, and to provide for the use of N,N' diphenyl-p-phenylene diamine as a polymerization inhibitor for a sulfoethyl methacrylate, sodium salt, effective September 22, 1976; objections by October 22, 1976.

Notice was given by publication in the Federal Register of October 29, 1975 (40 FR 52526) that a petition (FAF 653112) had been filed by the Morton Chemical Co., 110 North Wacker Drive, Chicago, IL 60606, proposing that §§ 121–2526 and 121.2569 (21 CFR 121.2526 and 121.2569) be amended to provide for the use of 2-sulfoethyl methacrylate, sodium salt as a component of coatings in contact with food.

§121.2526 Components of paper and paperboard in contact with aqueous and fatty foods.

(a) 

(b) 

List of substances 

N,N'-Diphenyl-p-phenylene diamine.

For use only as polymerization inhibitor in 2-sulfoethyl methacrylate, sodium salt.

2-Sulfoethyl methacrylate, sodium salt.

For use only as polymerization inhibitor in 2-sulfoethyl methacrylate, sodium salt.

Limitations

2. Section 121.2569 is amended in paragraph (b) (3) by alphabetically adding 2 new items as follows:

§121.2569 Resinous and polymeric coatings for polyolefin films.

(b) 

List of substances 

N,N'-Diphenyl-p-phenylene diamine.

2-Sulfoethyl methacrylate, sodium salt.

Limitations

For use only as polymerization inhibitor in 2-sulfoethyl methacrylate, sodium salt.

For use only in copolymer coatings under conditions of use E, F, and G described in paragraph (a) of this section, table 2, and limited to use at a level not to exceed 1.0 percent by weight of the dry copolymer coating.

Any person who will be adversely affected by the foregoing regulation may at any time on or before October 22, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, and particularly the provisions of the regulation deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date: This regulation shall become effective September 22, 1976.

The Commissioner of Food and Drugs, having evaluated data in the petition and other relevant material, concludes that §§ 121.2526 and 121.2569 should be amended as set forth below to provide for the use of the petitioned additive and to provide for the use of N,N'-diphenyl-p-phenylene diamine, currently regulated in other food additive regulations, as a polymerization inhibitor for the additive. Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (1), 72 Stat. 1786 (21 U.S.C. 348(c) (1)) and under authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the Federal Register of June 15, 1976 (41 FR 24323)), Part 121 is amended in Subpart F as follows:

1. Section 121.2526 is amended in paragraph (b) (2) by alphabetically adding 2 new items as follows:

2-Sulfoethyl methacrylate, sodium salt.

For use only as polymerization inhibitor in 2-sulfoethyl methacrylate, sodium salt.

Limitations

For use only in copolymer coatings under conditions of use E, F, and G described in paragraph (a) of this section, table 2, and limited to use at a level not to exceed 1.0 percent by weight of the dry copolymer coating.

Any person who will be adversely affected by the foregoing regulation may at any time on or before October 22, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, and particularly the provisions of the regulation deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this regulation. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date: This regulation shall become effective September 22, 1976.
Any person who will be adversely affected by the regulation may file, at any time on or before October 22, 1976, a petition to delete the request for the safe use of the subject additive as a component of adhesives and pressure-sensitive adhesive coverage.

Effective date: This regulation shall become effective September 22, 1976.

Dated: September 15, 1976.

WILLIAM F. RANDOLPH, Acting Associate Commissioner for Compliance.

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

Adhesives; Styrene Block Polymers

The Food and Drug Administration is amending the food additive regulations to provide for the use of styrene block polymers with 1,3-butadiene as a component of food-packaging adhesives; effective September 22, 1976; objections to the amendment were received.

Notice was given by publication in the Federal Register of November 20, 1975 (40 FR 50422), that a petition (PAP 619.13) had been filed by the Minnesota Mining and Manufacturing Company, 3M Center, St. Paul, MN 55101, proposing to allow the use of styrene block polymers that contain 1,3-butadiene. The petition was subsequently amended to provide a safe use of the subject additive as a component of adhesives and pressure-sensitive adhesive materials.

The Commissioner, having evaluated the data in the petition and other relevant material, concludes that §§ 121.2520, 121.2622, and 121.2577 (21 CFR 121.2520, 121.2622, and 121.2577) be amended to provide for the use of styrene block polymers with 1,3-butadiene as a component of food-packaging adhesives; effective September 22, 1976; objections to the amendment were received.

The Commissioner advises that practical experience with the rabbit test as it has been used since its initial introduction in 1954, subsequent to the nineteenth revision, U.S.P. XIX, is more specific on test procedures, number of test animals to be used, and interpretation of results. The proposed regulation thus provides a method of testing for pyrogenic substances that is comparable to the method used for testing all other drugs for human use.

The U.S.P. XIX prescribes a test dose (volume of 10 milliliters per kilogram of body weight of the rabbit) for pyrogenicity tests. The test dose volume prescribed in the U.S.P. XIX is inconsistent with the test dosage level in existing § 610.13(b) (1). (On July 1, 1975, subsequent to the proposal and comment period for this regulation, the nineteenth revision, U.S.P. XIX, became official. Discussion in this preamble will reference the requirements of this current official edition.)

Although the proposal did not contain an amendment to § 610.13(b) (1), the Commissioner will, however, respond to the comments.

The U.S.P. XIX prescribes a test dose volume of 10 milliliters per kilogram of body weight of the rabbit; the current § 610.13(b) (1) provides for testing all other drugs for human use.

The Commissioner advises that practical experience with the rabbit test as it has been used since its initial introduction in 1954, subsequent to the nineteenth revision, U.S.P. XIX, is more specific on test procedures, number of test animals to be used, and interpretation of results. The proposed regulation thus provides a method of testing for pyrogenic substances that is comparable to the method used for testing all other drugs for human use.

The Commissioner advises that practical experience with the rabbit test as it has been used since its initial introduction in 1954, subsequent to the nineteenth revision, U.S.P. XIX, is more specific on test procedures, number of test animals to be used, and interpretation of results. The proposed regulation thus provides a method of testing for pyrogenic substances that is comparable to the method used for testing all other drugs for human use.

The Commissioner advises that practical experience with the rabbit test as it has been used since its initial introduction in 1954, subsequent to the nineteenth revision, U.S.P. XIX, is more specific on test procedures, number of test animals to be used, and interpretation of results. The proposed regulation thus provides a method of testing for pyrogenic substances that is comparable to the method used for testing all other drugs for human use.

The Commissioner advises that practical experience with the rabbit test as it has been used since its initial introduction in 1954, subsequent to the nineteenth revision, U.S.P. XIX, is more specific on test procedures, number of test animals to be used, and interpretation of results. The proposed regulation thus provides a method of testing for pyrogenic substances that is comparable to the method used for testing all other drugs for human use.
RULES AND REGULATIONS

and also requires that the test dose volume be equivalent proportionately, on a body weight basis, to those volumes specified for human use. The Commissioner did not intend to revise the test dose volumes specified in §610.13(b)(1) to make them consistent with the test dose volumes prescribed in §610.13(b)(2). The revised volumes prescribed in §610.13(b)(1) have been established experimentally over the years to be the maximum volume that can be safely tolerated by rabbits and still detect the presence of pyrogenic substances in biological products. However, there should be no inconsistency in practice between the U.S.P. and the biologics regulations since for biologicals the temperature requirements of §610.13(b) have been established experimentally over the years to be the maximum temperature that can be safely tolerated by rabbits and still detect the presence of pyrogenic substances in biological products. Moreover, there should be no inconsistency in practice between the U.S.P. and the biologics regulations since for biologicals the testing procedures and appropriate precautions required to assure validity of the test. Accordingly, no change is made in the final regulation.

4. One comment concerning proposed §610.13(b)(2) asked for clarification of the phrase "overtly healthy." The Commissioner has used the phrase as a general term to prevent the use of obviously sick or diseased rabbits, even when the temperature of the rabbit falls within the phrase "overtly healthy." The Commissioner did not prescribe a minimum weight requirement so that dwarf breeds of rabbits that may weigh less than 1,500 grams at maturity could be used. However, this should be economically advantageous to use because they require less space for housing. The 1,500-gram minimum weight requirement prescribed by U.S.P. XIX is intended to provide enough biological substance for a sufficient number of tests on each rabbit. In this respect, the first sentence of §610.13(b)(2) prescribes the use of mature rabbits, which is consistent with the intent of the U.S.P. XIX requirements. Accordingly, no change is made in the regulation.

5. Two comments suggested that proposed §610.13(b)(2) include a requirement that rabbits weigh not less than 1,500 grams, to be consistent with the U.S.P. XIX requirement.

The Commissioner did not prescribe a minimum weight requirement so that dwarf breeds of rabbits that may weigh less than 1,500 grams at maturity could be used. However, this should be economically advantageous to use because they require less space for housing. The 1,500-gram minimum weight requirement prescribed by U.S.P. XIX is intended to provide enough biological substance for a sufficient number of tests on each rabbit. In this respect, the first sentence of §610.13(b)(2) prescribes the use of mature rabbits, which is consistent with the intent of the U.S.P. XIX requirements. Accordingly, no change is made in the regulation.

6. Two comments concerning proposed §610.13(b)(2) questioned the advisability of permitting re-use of animals for pyrogen testing. The Commissioner recognizes that re-use of rabbits within 2 weeks following a pyrogenic reaction is not desirable because the rabbits may become refractive and fail to react on subsequent exposure to pyrogenic substances. The prescribed rest of 2 weeks for rabbits given a test sample that was adjudged pyrogenic is intended to allow sufficient time to avoid the period during which the rabbit can be refractive.

On the other hand, manufacturers of blood derivatives have avoided the re-use of rabbits. This is because pharmacies are more familiar with similar proteins for fear of obtaining spurious results. The question concerning re-use of rabbits for pyrogen testing has been the subject of extensive discussion at the hearings. On this basis of data available at the present time, there is no reason to prohibit re-use of rabbits for pyrogen testing. Nevertheless, the Commissioner encourages interested persons to submit data from controlled studies for further consideration, and if the data demonstrate that re-use of rabbits is contraindicated, the regulation will be amended to prohibit their re-use.

7. One comment concerning proposed §610.13(b)(2) objected to requiring a "sham test" on a rabbit previously used in a pyrogen test.

The sham test is a procedure used to condition rabbits before pyrogen testing. Those rabbits that are not preconditioned may become excited during testing and produce irregular temperature responses, causing a false-negative reading. The Commissioner agrees that a rabbit conditioned for the initial pyrogen test may remain adequately docile for all further pyrogen tests, and that the requirement to condition all re-use rabbits in a sham test would then be unnecessary. Accordingly, paragraph (b)(2) is revised to require that only rabbits being used in a pyrogen test first be conditioned by a sham test.

8. Two comments concerning proposed §610.13(b)(2) objected to requiring that food be withheld from rabbits on the day of the test until completion of the test. The Commissioner intended that food be withheld from rabbits only during the test, and the final regulation is amended accordingly.

The Commissioner intended that food be withheld from rabbits only during the test, and the final regulation is amended accordingly.

9. One comment on proposed §610.13(b)(2) concerned the requirement that the control temperature-measuring device be kept in a refrigerator sufficient time for the temperature-measuring device to reach a maximum temperature before taking the reading. The comment stated that the requirement is inconsistent with the U.S.P. XIX requirement that an accurate clinical thermometer, for which the time necessary to reach the maximum reading is known, be used.

On the other hand, manufacturers of biologicals have avoided the re-use of rabbits. This is because pharmacies are more familiar with similar proteins for fear of obtaining spurious results. The question concerning re-use of rabbits for pyrogen testing has been the subject of extensive discussion at the hearings. On this basis of data available at the present time, there is no reason to prohibit re-use of rabbits for pyrogen testing. Nevertheless, the Commissioner encourages interested persons to submit data from controlled studies for further consideration, and if the data demonstrate that re-use of rabbits is contraindicated, the regulation will be amended to prohibit their re-use.

The Commissioner proposes that the test dose be injected at the rate of not less than 1 milliliter per minute rather than injection of the test dose within 10 minutes, as prescribed in the U.S.P. XIX. One comment requested an explanation for selecting 1 milliliter per minute rather than injection of the test dose within 10 minutes.

The Commissioner proposes that the test dose be injected at the rate of not less than 1 milliliter per minute when the then current U.S.P. XVIII required that test dose be injected within 40 minutes. The volume of test dose required for many biological products is approximately 1 to 3 milliliters and the injection of small volumes over 40 minutes would not provide sufficient rigor to the test animal to produce a meaningful test. On July 1, 1975, the U.S.P. XIX became official, and the rate of injection was changed to require injection of the test dose within 10 minutes after start of administration. The Commissioner is of the opinion that the rate recommended in U.S.P. XIX is compatible with the small volumes required for many biological products; and therefore, paragraph (b)(2) of §610.13 is changed in the final regulation to agree with the U.S.P. XIX procedure. The comment that the U.S.P. XIX requirement be within 40 minutes was apparently a misstatement.

Two comments concerning proposed §610.13(b)(2) and (3) suggested that the interpretation of test results be expressed in positive terms, i.e., passing the test rather than in negative terms, i.e., failing the test.
The Commissioner agrees with these suggestions. The general safety test (21 CFR 610.11) and sterility test (21 CFR 610.12) prescribed in the general standards for most biological products, as many tests as may be required, and the additional standards for specific biological products, express interpretation of test results in terms of passing the test rather than failing the test. The proposed paragraph (b) (3) for passing the test are inconsistent with the U.S.P. XIX requirements that to pass the initial test the product fails both the initial pyrogen test as well as the retest. The current regulations permit an unlimited number of retests. Data available to the Commissioner resulting from such additional retesting reflect that only in a few isolated instances did a lot fail the initial and retest requirements, and pass subsequent retesting. The Commissioner believes that the additional pyrogen test procedure should include the use of a uniform number of rabbits to determine the presence of pyrogenic substances in each lot in product being tested. Furthermore, there is no provision in the U.S.P. XIX that permits use of more than a total of eight rabbits. The Commissioner is of the opinion that the management of the U.S.P. should be sufficiently consistent so that each lot will pass applicable tests within a prescribed number of retests or replicate tests. The suggestion that more than one pyrogen test be performed at a time and no change is made in the final regulation.

The Commissioner has reviewed the potential environmental impact of the proposed rules and finds no basis for retesting in proposed § 610.13(b) (3). One of the comments further indicated that the restriction periodically on only one test is inconsistent with the U.S.P. XIX requirements.

The Commissioner finds no basis for permitting false positive pyrogen test results, that the product fails both the initial pyrogen test as well as the retest. The current regulations permit an unlimited number of retests. Data available to the Commissioner resulting from such additional retesting reflect that only in a few isolated instances did a lot fail the initial and retest requirements, and pass subsequent retesting. The Commissioner believes that the additional pyrogen test procedure should include the use of a uniform number of rabbits to determine the presence of pyrogenic substances in each lot in product being tested. Furthermore, there is no provision in the U.S.P. XIX that permits use of more than a total of eight rabbits. The Commissioner is of the opinion that the management of the U.S.P. should be sufficiently consistent so that each lot will pass applicable tests within a prescribed number of retests or replicate tests. The suggestion that more than one pyrogen test be performed at a time and no change is made in the final regulation.

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Title 22—Foreign Relations
CHAPTER V—U.S. INFORMATION AGENCY
PART 505—PRIVACY ACT POLICIES AND PROCEDURES
Exemptions of Systems of Records

On July 21, 1976, the United States Information Agency published in the Federal Register (41 FR 30029), proposed amendments to 22 CFR Part 505, adding § 505.15 concerning exemptions of systems of records under the Privacy Act. One comment received questioned the justification for the application of the exemption concerning classified material, 5 U.S.C. 552a(k)(1), to the systems of records “USIA-20—Legal Files—IGC.” The Agency sustains the exemption because that system of records may contain records or portions of records that are properly classified and required to be kept secret in the interest of national defense and foreign policy. The Agency adopts the amendments with the following corrections and revisions, which are the result of other comments received.

The phrase “and in order for the Agency’s security staff to properly perform its functions” in § 505.15(a)(1) is deleted because it is superfluous to the language of the exemption.

Section 505.15(a)(3) concerning exemptions under 5 U.S.C. 552a(k)(4) is deleted. After additional review of this proposal, the Agency has concluded that there is no statutory basis for the proposed exemptions of statistical records in the systems of records mentioned.

The language of § 505.15 as corrected and revised reads as follows:

§ 505.15 Exemptions of systems of records.

Portions of the following systems of records may be exempted from 5 U.S.C. 552a(c)(3), (d), (e) (1), (e) (4), (G), (H), and (I), and (f).

(a) Exempt under 5 U.S.C. 552a(k) (1).

(1) That it is necessary for this exemption to protect material required to be kept secret in the interest of national defense and foreign policy.

USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IO8

(b) Exempt under 5 U.S.C. 552a(k) (2).

The reasons for invoking this exemption are to prevent individuals who are subjects of an investigation from frustrating the investigatory process; to insure the integrity of law enforcement activities; to prevent the disclosure of investigative techniques; and to protect the confidentiality of sources of information.

USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IO8

(c) Exempt under 5 U.S.C. 552a(k) (5).

The reasons for invoking this exemption are to assure the proper functioning of the investigatory process, to assure effective determination of suitability, eligibility and qualifications for employment, and to protect the confidentiality of sources of information:

USIA-18—Employee Relations File—IPT
USIA-19—Equal Employment Opportunity Complaint File—EEO
USIA-17—Equal Employment Opportunity General File—IPT
USIA-20—Legal Files—IGC
USIA-25—Personnel Security and Integrity Records—IO8
USIA-91—Recruitment Records—IPT

(d) Exempt under 5 U.S.C. 552a(k) (6).

The reasons for invoking this exemption are to prevent the compromise of testing or evaluation material used solely to determine individual qualifications for employment or promotion, and to avoid giving unfair advantage to individuals by virtue of their having access to such material:

USIA-18—Employee Relations File—IPT
USIA-14—Employee Training File—IPT
USIA-22—Master Employee Records—IPT
USIA-31—Recruitment Records—IPT

Effective date: This amendment is effective September 16, 1976.

EUGENE P. KOPP, Deputy Director.

[FR Doc.76-27780 Filed 9-21-76;8:45 am]

Title 38—Pensions, Bonuses, and Veterans’ Relief
CHAPTER I—VETERANS ADMINISTRATION
PART 1—GENERAL PROVISIONS
Release of Information From Other Than Claimant Records; Schedule of Fees

On page 32247 of the Federal Register of August 2, 1976 a notice was published that the Veterans Administration was considering amending Part 1, Title 38 of the Code of Federal Regulations to change the schedule of fees issued on February 8, 1974. The proposed amendment was issued to eliminate the minimum search charge for the release of information from other than claimant records and to provide that there will be no charge for the first hour or fraction thereof.

Interested persons were given 30 days in which to submit comments, suggestions, or objections regarding the proposed amendment. No comments were received. The proposed amendment to § 1.555(h) (2) pertaining to charges for document search. The proposed amendment was issued to eliminate the minimum search charge for the release of information from other than claimant records and to provide that there will be no charge for the first hour or fraction thereof.

Effective date: This amendment is effective September 16, 1976.

Approved: September 16, 1976.

By direction of the Administrator.

A. J. SCHULTZ, Jr., Associate Deputy Administrator.

In § 1.555, paragraph (h) (2) is revised to read as follows:

§ 1.555 Fees.

(h) Schedule of fees: * * *

(2) Searching, per hour: $3.50

(No charge for the first hour or fraction thereof.)

[FR Doc. 76-27780 Filed 9-21-76;8:45 am]

Title 50—Wildlife
CHAPTER I—U.S. FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR
PART 32—HUNTING

Crab Orchard National Wildlife Refuge, Ill.

The following special regulation is issued and is effective September 23, 1976.

§ 32.12 Special regulations; migratory game birds for individual wildlife refuge areas.

ILLINOIS

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of ducks, coots, and geese on the Crab Orchard National Wildlife Refuge, Illinois is permitted in accordance with the seasons and limits established by the Illinois Department of Conservation. The area open to hunting is designated by green public hunting signs. This open area is delineated on a map available at refuge headquarters, Carterville, Illinois 62918 and from the Regional Director, U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111. Hunting will be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Blinds—the building of permanent blinds of any kind or other structural works on the refuge public hunting area is prohibited. All blinds must be made of portable material or constructed with dead vegetation located at the blind site and must be removed or dismantled at the end of the day’s hunt. Blinds may not be constructed beyond the shoreline on refuge waters.

(2) A blind shall be defined as the artificial shelter, or natural materials arranged so as to conceal the hunter.

(3) All blinds located on the following islands will be filled by public drawing prior to each day’s hunt. Grassay Island, Turkey Island, Sawmill Island and Orchard Island. This drawing will be conducted at 6:00 a.m. each day of goose season. No blinds may be constructed on these islands. Only the blinds furnished and located by the refuge staff may be used.

(4) No goose pits may be built on the refuge public hunting area.

(5) It is unlawful for any person to establish or use any blind for the taking of migratory waterfowl within 100 yards of any other blind on the refuge public hunting area.

(6) All persons hunting geese on the refuge public hunting area must register before entering the area and upon leaving the area and must register any goose taken on the area at the locations designated by the Project Manager.

(7) Hunting will not be permitted at the Carterville Beach area as posted by the Project Manager.

(8) All goose hunting at the Grassy Point and Carterville public area shall be subject to the following special conditions:

a. All blinds will be allotted by a daily drawing conducted at the Carterville hunting area.

b. Hunting will be allowed only from the existing blinds as established by the Project Manager.

c. Drawing will take place at 5:30 a.m. daily.

d. All applicants must be present for drawing.

e. Each hunter is permitted a maximum of 20 shells.

f. Shooting hours will be from Sunrise to 12 Noon daily.

g. Two hunters per blind will be allowed.

h. For the use of established blinds and decoys there will be a $2 charge per hunter.

i. No alcoholic beverages are permitted in the hunting area.

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
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PART 32—HUNTING

Trempealeau National Wildlife Refuge, Trempealeau, Wis.

The following special regulation for deer hunting is proposed. Interested persons may submit written comments regarding the proposed regulations to the Regional Director, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111 by October 8.

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

Wisconsin

Trempealeau National Wildlife Refuge Sub-unit, Upper Mississippi River Wildlife and Fish Refuge

The public hunting of deer on the Trempealeau National Wildlife Refuge sub-unit of the Upper Mississippi River Wildlife and Fish Refuge is permitted on 680 acres. Maps of the area are available at the District headquarters at Trempealeau National Wildlife Refuge, Trempealeau, Wisconsin 54661.

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

(1) The season shall extend from November 20, 1976 through November 28, 1976.

(2) Only holders of special permits will be allowed to hunt deer and only for those days indicated on the permit. Twenty-four (24) permits by public drawing. Applications for permits are available from Trempealeau National Wildlife Refuge, Trempealeau, Wisconsin. One-half (12) of the permits are issued for Saturday, November 20, and twelve (12) for November 21, 1976. Any hunter not successful on those days will be allowed to hunt the remainder of the season.

(3) No shooting may be done within a safety zone (posted) around the headquarters area or within 100 feet of any traveled road.

(4) Vehicles are restricted to designated roads.

(5) All hunters must check into the headquarters prior to hunting and check out each day after hunting.

(6) Only antlerless deer may be taken the first two days of the season.

(7) Permitted weapons are shotguns with rifled slugs only.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 28, 1976.

George G. P. Bekeris,
Acting Regional Director.

[FR Doc.76-27708 Filed 9-21-76:8:45 am]
DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1062, 1007, 1011, 1030, 1032, 1046, 1049, 1050, 1063, 1064, 1065, 1068, 1070, 1071, 1073, 1076, 1078, 1079, 1090, 1094, 1096, 1097, 1098, 1099, 1101, 1102, 1104, 1106, 1108, 1120, 1126, 1131, 1132, 1138 ]

MILK IN THE ST. LOUIS- OZARKS AND CERTAIN OTHER MARKETING AREAS

Decision on Proposed Amendments; Order Terminating Proceeding

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A public hearing was held upon proposed amendments to the marketing agreements and the orders regulating the handling of milk in the St. Louis-Ozarks and certain other marketing areas. The hearing was held, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1927, as amended (7 U.S.C. 601 et. seq.), and the applicable rules of practice (7 CFR Part 609), at Clayton, Missouri, pursuant to notice thereof issued on May 10, 1976 (41 FR 19580). Upon the basis of the evidence introduced at the hearing and the record thereof, the Administrator, on August 3, 1976, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto (41 FR 33276).

The material issue, findings and conclusions, rules and general findings of the recommended decision are hereby approved and adopted and are set forth in full herein, subject to the following modifications:

1. Three paragraphs are added after paragraph 28.
2. Three paragraphs are added after paragraph 42.
3. Three paragraphs are added after paragraph 44.
4. Three paragraphs are added after paragraph 44.

The material issue on the record relates to whether the procedure for announcing the Class II price should be changed in the orders affected by this proceeding.

BACKGROUND

In 1970, interested parties asked the Department to conduct a rulemaking hearing on proposals to provide uniform classification provisions which ultimately included 39 milk orders. The Milk Industry Foundation, representing regulated handlers, proposed, among other things, that advance pricing be provided for Class II and Class III milk.

The hearings on these proposals were conducted in 1970 and 1971. In August 1974 the orders were changed to provide for 3 classes in place of the previous 2-class system. The proposal for advance pricing, however, was denied. MIF had requested that if there were to be three classes the Secretary should announce the Class II and Class III price on the 5th of the month for which the price was applicable. That is, on June 5th the Secretary would announce the Class II and Class III price for the month of June. Historically, the orders have provided that the price for producer milk going into manufactured products be announced on the 5th of the month following the month to which it was applicable.

In exceptions filed to the revised recommended decision, there was a general consensus among both handler (including MIF) and producer groups that the present method of announcing surplus prices should continue with respect to Class III milk. These groups generally urged, however, that the Class II price for the month be announced by the fifth day of the month and be based on the Minnesota-Wisconsin price for the preceding month.

In the decisions issued on the matters at issue the Assistant Secretary concluded that:

1. The number later was reduced to 32 through the merger of various orders in Texas and in the northeastern Midwest. The Appalachian and Knoxville orders are included in this proceeding (bringing the total to 34) because the merger proceeding with the Chattanooga market which originally was included in the uniform classification proceeding.

** the prices paid by regulated handlers for Class III milk should correspond very closely with the price for manufacturing grade milk in the region in which the producer made the milk if used in the sale of the principal surplus products.

The same considerations are involved in the case of an advance announcement of prices for milk used in the proposed Class II products. The influence of the manufacturing relationship of producer milk for Class II use is similar to that for producer milk used in the proposed Class III products. Therefore the price for Class II milk should be announced on the same basis as the price for Class III milk.

It was intended that these conclusions would be weighed in the context of earlier findings in the decision dealing with the appropriate level and procedure for pricing surplus milk which clearly established the problem which can result when Class II and Class III prices get out of alignment with each other or with manufacturing grade milk values.

Previously in the decision in discussing the appropriate method of pricing surplus milk the Assistant Secretary stated:

** as adopted herein the new Class II price under each order would be the Minnesota-Wisconsin price plus 4 cents. Should Class II price drop significantly below the price for producer milk used in Class II, there would be an incentive for processors of such Class II products as ice cream and cottage cheese to displace producer milk with nonfat dry milk and butter made from milk priced at the lower Class III price. The net effect of this practice would be an economic lowering of total returns to producers.

The Assistant Secretary stated further in the decision:

Although cooperatives proposed Class II price differentials of 10, 15, 20 and 25 cents, the Class II differential for each market should be the same. The distribution of the adopted Class II products from a single plant often extends over a broad region encompassing several Federal order marketing areas. Numerous examples were cited on the record concerning the widespread sale of yogurt, cream items, frozen desserts, and cottage cheese in particular. Because of the intermarket competition, a uniform Class II price differential should be provided in these orders to complement the uniform classification provision. A price differential of 10 cents reasonably reflects the added value which handlers are able to pay for producer milk in such uses as compared to processing milk supplies or finished products from other sources.

Following the decision, and order, 57 handlers regulated by 26 marketing orders filed a petition pursuant to section (15) (A) of the Act. The petition alleged that the Secretary erred in denying the MIF proposal for advance pricing.

* * *
on Class II milk. The arguments were made by petitioners that the method of pricing the raw milk, which was the subject of the order in the case, was a denial of due process, that the Secretary lacked statutory authority for such pricing and that the hearing record failed to substantiate substantial notice supporting the Secretary's decision for denying the proposal.

On April 29, 1976, the Judicial Officer issued a decision and order in which he found that the Secretary could not make the orders not to be in accordance with law. In reaching this conclusion he found the findings of the Assistant Secretary in the decision to deny advance pricing for Class II milk to be "totally inadequate." The Judicial Officer also found that he could not, on the basis of the evidence in record, agree with the petitioners' proposed findings that their proposed method of pricing would effectuate the purposes of the Act. He also denied petitioners' contention that the Secretary lacked statutory authority for the present procedures and that such pricing was a denial of due process. In summary, the Judicial Officer's decision supported the Secretary in all aspects, with the exception of the inadequate findings on which the decision followed the rulingmaking proceedings.

The Judicial Officer referred the matter to the Secretary in order that the Department could take whatever corrective action it deemed necessary. The Judicial Officer retained jurisdiction of the proceeding for purposes of allowing the petitioners to come before the Judicial Officer if they were not satisfied with the corrective action taken by the Department. The Department concluded that a hearing should be convened to consider further the issue of advance pricing for Class II milk.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

Class II pricing. The orders should not continue to change the procedure for announcing the Class II milk price.

The orders presently provide that the Class II milk price shall be the basic formula price for the month (the Minnesota—Wisconsin price) plus 10 cents. The orders provide further that the market administrator shall announce publicly on or before the 5th day of each month the Class II price for the preceding month.

A number of the handlers regulated by the orders covered by this proceeding were represented at the hearing by the Milk Industry Foundation and the International Association of Milk Cooperatives. The Milk Industry Foundation is a trade association representing fluid milk processors regulated by each of the orders to manufacture and market products to their customers, and often compete in a given area regulated by a Federal order subject to the hearing.

The producer associations represented by the Federation, and most other producer associations who appeared at the hearing, testified that advance Class II pricing should not be adopted on the basis of this proceeding. They pointed out that studies were underway in an effort to determine a means whereby the desires of handlers for more prompt surplus plus price class price announcements might be accommodated in conjunction with a modification of the Class I pricing procedure. They argued that any effort to modify the Class II pricing procedure on the basis of this record could only create problems which would have serious disruptive and disorderly effects on marketing under the respective orders.

Handlers testified that they do not know the Class II milk price until the 5th day after the close of the month. They pointed out that they have bought the raw milk, manufactured various Class II products, generally sold such products at wholesale prices and have made collections for such sales without knowing the cost of the most important single cost element involved in the price of such products. They allege that the present advance pricing for the actual Class II price with sufficient accuracy or consistency to serve as a reasonable basis for costing and thus are placed in an intolerable and unwar­ranted competitive position.

The announcement of Class prices, other than Class I, after the end of the month has been traditional under Federal milk orders and has never previously been challenged. The argument for the present challenge is that the time involved in effectuating resale price changes has been significantly extended in recent years. Currently, a large segment of Class II milk is sold to retail food chains which are highly concentrated organizations. Usually, cottage cheese, yogurt, ice cream, and similar products which are supplied to such stores are bought centrally. Frequently, prices for Class II products sold through the individual stores of the chain are negotiated for a year or even two years in advance of the month to set the Class II price effective on the 20th of the month, or on the first Monday following the 20th of each month to accommodate the current policy of the many retailers to make price changes on Mondays.

A new procedure has been offered which would provide about 15 days advance notice by revising the method of computing the basic formula price of the respective orders and the announcement date of the price.

While the evidence in record, agreement with the petitioners' proposed findings on which the decision following the rulingmaking proceedings was based, the findings were made on a limited basis and the Department concluded that a hearing should be convened to consider further the issue of advance pricing for Class II milk.

In describing the foregoing situation, handlers stressed that the food industry is characterized by vigorous competition. Each package size of each item the manufacturer or retailer handles is a factor in his ultimate gross margin. In the case of staple products, such as dairy products, a change in the retail price may weigh heavily in forming a consumer's view of the store's general price level. Thus, according to proponents, retail price changes are always considered carefully. An increase in the retail price of dairy products will result in reduced overall sales and a re­duction in gross margin dollars rather than an increase.

The general procedure involved in implementing a price change was represented as follows: (1) Pre-notification of the customer that a price change is
PROPOSED RULES

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imminent; (2) Transmission of a new price list and negotiation with the customer; (3) Management decision on the part of the retail food chain regarding new prices; (4) Preparation of a new price list by the retail food chain for distribution to each store; (5) Distribution of the price list by the retail food chain to the consumer; (6) Effectuation of the new price list.

Proponents urged that Class II prices be announced on the same date that Class I prices are announced. Under present procedures this would require that the Minnesota-Wisconsin price for the preceding month, which is announced on the 5th day of the month, be the applicable price for milk purchased that month. Proponents and dealers suggested the possibility of making the price list available to the public on the first Monday following the 20th of the month.

Proponents testified at length that handlers would not be disadvantaged under advance pricing for Class II milk. Presumably, this point was stressed to recognize is that the basic concern of the Department relates to the marketing problems which would result from price disparities between regulated handlers who use producer milk in the manufacture of Class II products, and dealers using nonfederally regulated supplies. Because regulated handlers can readily adjust their operations to remove the competitive disadvantages, it is producers who in the past have suffered the adverse consequences of the price disparities.

The evidence in this proceeding establishes that because regulated handlers have the ability to adjust their operations, they would not be disadvantaged under advance Class II pricing in competing with unregulated handlers. Under normal circumstances if the Class II price were 10 cents lower than the Class III price, regulated handlers could reduce producer milk and buy cheaper ingredients made from Class III milk for making Class II products. This would insure that they continue to be competitive with unregulated handlers. On the other hand, if the Class II price were lower than the Class III price, regulated handlers would have a price incentive for the use of lower-priced products and dealers would be depreciated in the competitive balance. Under such circumstances they would actually have an advantage in competition with unregulated handlers.

Producer witnesses testified, almost unanimously, that the present Class II pricing provisions should not be changed on the basis of this proceeding. They contended that the data presented for advanced announcement of the Class II price under existing circumstances would set the stage for disorderly marketing conditions which could only result in reduced returns to producers generally. The record evidence indicates that cottage cheese and frozen desserts represent an important outlet for reserve milk supplies in regulated markets. For 1975, about 11 percent of the producer milk prices under the order for Class II milk were used in the production of Class II products, and over 75 percent of such Class II utilization was represented by cottage cheese and frozen desserts.

Cottage cheese and frozen dessert plants, for the most part, are located in heavily populated areas and are most often operated in conjunction with the primary orders for Class II milk. Producers seemingly prefer fresh producer milk in the production of Class II products, particularly cottage cheese. Accordingly, they look to producers and their cooperatives to establish Class II prices that are competitive in the market for their milk every day of the year.

Cooperative associations generally perform the essential role of handling producer milk, and of providing an assured market for their producer milk. This is an important consideration in evaluating whether disorderly marketing conditions could result from adopting advance Class II pricing.

An analysis of data introduced into evidence shows that if advance pricing of Class II milk, based on the basic formula price of the second preceding month, had been in effect for the 32-month period of July 1972 through April 1976, there would have been 30 months (nearly 60 percent of the time) when the Class II price would have been lower than the Class III price. Of these 10 months (20 percent of the time) the Class II price would have exceeded the Class III price by more than 10 cents.

The prevalence of Class II prices that are lower than Class III prices could not promote continuing orderly marketing conditions. Several tables of a handler exhibit introduced into evidence computed the values of butterfat and nonfat dry milk solids using the current, previous and second preceding month's Minnesota-Wisconsin price. The computed values were compared with the value of butterfat and nonfat milk solids computed on the basis of the current month's butterfat and nonfat prices. The data purport to demonstrate that advance pricing would not result in sufficient price differences to influence handler decisions to use producer milk for Class II products.

The market prices of butterfat and nonfat milk solids of course reflect the processing costs of converting whole milk into butter and powder. No comparable costs were included in the calculations for converting the values of Minnesota-Wisconsin prices into the value of butterfat and nonfat milk solids; i.e., separation and other related processing. Thus, the data might indicate that handlers would have no significant incentive to purchase manufactured products for use in the processing of Class II items rather than using producer milk. Additionally, the data did not reflect the 10 cent Class II differential which would add about 1 cent per pound to the cost of nonfat solids in producer milk.

The evidence presented by proponents indicates that the value per pound of fat does not alter appreciably whether the current, preceding, or second preceding month's Minnesota-Wisconsin price is used to establish the Class II price. There are two reasons why the proposed advance pricing has but a minor effect on the butterfat value. First and most importantly, the butterfat differential used in computing the value of butterfat is based on the current month's butter quotations. This is prescribed by the order. Secondly, since the announced price is for milk containing 3.5 percent butterfat, the resultant price change in the Minnesota-Wisconsin series necessarily is allocated to the skim value. Thus, considering butterfat values under the orders in this preceding test, there would be no price change in butterfat value when the 10 cent price change for milk of 3.5 percent test. In only 2 of the 51 months (January 1972–March 1976) would the Minnesota-Wisconsin price of the second preceding month have been higher in 16 months, and lower in 41 months than skim milk values computed from the Minnesota-Wisconsin price for the current month. When it is considered that the Class II price is 10 cents over the Class III price, the resulting situation on the basis of the Class II price would have been less than Class III skim values in 29 months, or more than one-half the time.

The largest proportion of Class II skim milk use is in the production of cottage cheese. During 14 of the 51 months (about one-fourth of the time) use of the second preceding month's Minnesota-Wisconsin price would have resulted in a skim milk value more than 4 cents less than that which would have resulted from use of the current month's Minnesota-Wisconsin price. Since it is commonly accepted that 100 pounds of whole milk will yield about 10 pounds of cottage cheese curd, a 44 cent per 100 pounds lower price would be equivalent of 3 cents per pound on cottage cheese. Had values of the Class II price who make cottage cheese thus would have had at least a 3-cent per pound advantage over other cottage cheese manufacturers about one-fourth of the time. This data, focused on the weight of any adverse consequences since the record indicates that cottage cheese sales are very competitive in the retail market and hence resale prices tend to reflect current adjustments in ingredient costs.

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Other cottage cheese manufacturers competing for sales with regulated handlers under these orders would almost necessarily lose sales to handlers subject to the advance notice. In either case, a secondary result would be the shifting of supplies away from cottage cheese into other higher-valued surplus uses. Such higher-valued uses under such circumstances likely would be butter-powder or hard cheese. The increased quantities of milk going into butter, nonfat dry milk, and hard cheese reasonably could be expected to have a depressing effect on manufacturing milk values and hence on the residual milk products reasonably could be expected to be further eroded. The increased production of dry milk products relatively would effect a lower basic formula price which in turn would lower the pool value of milk in all classes under the respective orders. Such effect would not be reflective of any change in the basic formula price relative to demand. Advance pricing under such circumstances could not be concluded to be in furtherance of the expressed purposes of the Act.

The evidence on the record indicates that the increased quantities of milk going into butter, nonfat dry milk, and hard cheese reasonably could be expected to depress manufacturing milk values including the Minnesota-Wisconsin price. In exceptor's view, only a limited volume of unregulated milk would be shifted to the above residual products if the Class II price of milk used in cottage cheese were less than the Class III price. According to exceptor, such limited volume could not have an adverse effect on manufacturing milk values.

The impact on manufacturing milk values is not restricted to the shifting of unregulated milk supplies into the residual products. Producers supplying regulated handlers would find it advantageous to move milk to Class II to increase their returns. It would be advantageous to shift supplies to Class III outlets. Exceptor, and several other cooperative association representative testified that if the Class II price were lower that the Class III price it would be more advantageous to shift milk from Class II to Class III use. Otherwise, in their view, the economic interest of their producer members would not be served.

The shifting of regulated supplies into butter, nonfat dry milk, and hard cheese would increase the pool value of manufacturing grade milk including the Minnesota-Wisconsin price.

The foregoing illustrates precisely the type of problem which could be created by advance Class II pricing under existing circumstances. Over the past several years advanced pricing would have resulted in Class II prices as high as $1.52 per hundredweight. The advance Class II price under the 10-cent Class II differential was actually $1.03 per hundredweight below the Class III price. Such price variances would have been in effect in the form of disorderly marketing conditions readily could be created in any circumstance where Class II prices are lower than the residual manufacturing milk values (Class III price).

The evidence on the record indicates that the increased quantities of milk going into butter, nonfat dry milk, and hard cheese reasonably could be expected to have a depressing effect on manufacturing milk values including the Minnesota-Wisconsin price. In exceptor's view, only a limited volume of unregulated milk would be shifted to the above residual products if the Class II price of milk used in cottage cheese were less than the Class III price. According to exceptor, such limited volume could not have an adverse effect on manufacturing milk values.

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recognizes the fact that fresh producer milk has some additional value to handlers beyond that in Class II as well as the fact that producers incur additional costs in the marketing of milk for Class II use. The differential was limited to 10 cents on the basis of evidence indicating that any greater amount would be likely to generate economic forces that will tend to jeopardize an adequate supply of milk for the respective markets. Any provision that would undermine those relationships must, of necessity, be closely aligned with manufacturing grade-and milk regulations under Federal milk orders which would dictate milk values and that the Class II price differential should be no more than 10 cents over the Class III price.

It is concluded that because of the volatility of manufacturing milk values, advance Class II pricing under existing circumstances could result in an unintended but effective reduction in the Class II price level which prospectively could only have an adverse impact on manufacturing milk prices and hence on the level of Class I and Class III prices. The effect of the differential when milk values were affected, producer returns for both manufacturing grade and milk regulated under Federal milk orders would be adversely affected.

A handler objected to the above paragraph. It interpreted it to mean that Federal orders have as an objective the maintenance of the highest possible level of manufacturing milk values. It is the view of the primary objective of Federal order pricing should be to yield blend prices which attract an adequate supply of milk for a market, and not the enhancement of manufacturing milk values.

The paragraph objected to by the handler is a conclusion derived from previous findings in the decision. Previously, it has been stressed that milk in excess of handlers' fluid needs should be disposed of where it can return the greatest value and yet clear the market. It is essential that milk prices be low enough to clear the market, yet, high enough to discourage handlers from seeking additional milk supplies for manufacturing use. This does not mean that orders seek the enhancement of manufacturing milk values. To the contrary, orders price reserve milk to reflect the appropriate value of manufacturing milk as established in the Minnesota and Wisconsin manufacturing milk areas.

With respect to the impact on producers whenever Class II prices are lower than Class III prices, the decision describes the adverse effects this situation could have on both manufacturing grade milk and Federal order producer milk. Such impact would not be solely a minimal reduction in blend prices, as claimed by the exception. Nor are the regulatory schemes concerned, serious disorderly marketing conditions could be expected, and such conditions are specified herein.

It has previously been determined by the Department for the orders in this proceeding that the Class I and Class II price differentials must be at the stated levels relative to the basic formula price (also to the extent that producers receive farmers of sufficient revenue to generate adequate supplies of milk for the respective markets. Any provision that would undermine those relationships must, of necessity, be closely aligned with manufacturing grade-and milk regulations under Federal milk orders which would dictate milk values and that the Class II price differential should be no more than 10 cents over the Class III price.

The proposals for advance Class II pricing, therefore, must be and hereby are denied.

The Milk Industry Foundation and the International Association of Ice Cream Manufacturers filed a general exception to the overall findings and conclusions of this decision. The exception asked that the recommended decision be reversed to provide for advance announcement of Class II prices. For the reasons set forth in this decision, that exception is denied.

A handler operating 30 plants regulated by orders subject to the proceeding objected to the recommended decision on the ground that it did not deal definitively with handlers' testimony concerning the range of time needed to make price changes to consumers.

This handler's exception must be denied primarily because the other considerations of overriding importance from the standpoint of the regulatory scheme, the Department is charged with the responsibility of developing order provisions that will promote the orderly marketing of milk and be in the public interest. As set forth in the decision, advance pricing of Class II milk would not achieve these objectives. Regardless of the range of time needed to make price changes to consumers, the record does not support the advance announcement of Class II prices. Accordingly, further evaluation of the proposal is not necessary.

RULING ON PROPOSED FINDINGS AND CONCLUSIONS

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. The extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

RULING ON EXCEPTIONS

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received consideration. This consideration was in conjunction with the record evidence. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Determination

The findings and conclusions of this decision do not require any change in the regulatory provisions of the orders regulating the handling of milk in the aforesaid markets.

Termination Order

In view of the foregoing, it is hereby determined that the proceeding with respect to proposed amendments to the aforesaid tentative marketing agreements and to the orders should be and is hereby terminated.

Signed at Washington, D.C., on September 17, 1976.

RICHARD L. FEITNER, Assistant Secretary.
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broker to buy (or sell) for his account a specific security, or securities (other than investment company securities) in specific amounts (calculated in security units or dollars), at specific time intervals. The monthly statement would be required to include any such information as would be provided in an immediate confirmation.

As noted earlier, the Commission previously revised Rule 105c-1 to provide that quarterly statements could be used for certain purchases of shares of open-end investment companies and unit investment trusts under certain conditions. Those revisions, currently embodied in paragraph (b) of Rule 105c-4, are carried forward in substance into proposed Rule 10b-10 but have been re-drafted to conform to the structure of the proposed rule.

Rule 105c-1(4(b) currently permits the use of a quarterly statement, in lieu of an immediate confirmation, for purchases of investment company shares pursuant to tax qualified, individual retirement investment company purchase plans, and group purchase plans without regard to tax status. Various other conditions under paragraph (b) of Rule 105c-4 must also be met before the quarterly statement may be used. The proposed rule would, however, extend the availability of the quarterly statement procedure to certain other types of purchase plans for investment company shares, as defined in paragraph (d)(2)(ii) of the rule.

The proposed rule contemplates the use of monthly statements in connection with employer-sponsored stock purchase plans under which specific amounts are deducted from an employee's paycheck at regular intervals to purchase a particular security, including the requirements of dividends. With respect to investment company shares, it also contemplates the use of quarterly statements with respect to appropriately structured contractual or systematic accumulation plans not intended to require the delivery of monthly or quarterly statements to participants. In a plan where a trustee for the plan is the shareholder of record of the securities being purchased or sold. Paragraph (a) of the rule would require only the delivery of a confirmation to the plan trustee.

The Commission has received indications, however, that the current procedures for use of quarterly statements with respect to transactions in certain investment company securities are not being widely used. The Commission believes that proposed Rule 10b-10, as published, would allow appropriate circumstances for re-

laxing the confirmation delivery requirements in connection with periodic plans, and would welcome the views of interested persons as to any other adjustments, particularly in confirmation provisions applicable to investment company securities, that would be consistent with the protection of investors. It would be helpful, in that regard, if economic and statistical data were provided to illustrate the extent of any cost savings that might be expected as a result of any such further adjustment of current or proposed requirements.

Finally, the Commission would consider the requirements of Section 11(d)(2) to be met by a written authorization under a "periodic plan" which will disclose that a broker-dealer will act as an agent in effecting transactions under the plan. In an "investment company plan" in re-presenting only for the capacity of the investment trust to be used, in harmony with the protection of investors.

4. Dealer disclosures. Rule 15c1-4 and Section 11(d)(2) of the Act do not require a broker-dealer acting in the capacity of a dealer to disclose on the confirmation any particular facts other than the capacity in which it has acted. It may be appropriate, particularly in view of current uncertainties as to the future structure of securities markets, to provide a better regulatory balance, between those who act as principals and those who act as agents, in requiring disclosures to their customers.

In the case of principal transactions, paragraph (a)(3)(ii) of proposed Rule 10b-10 would require certain disclosures. Clause (A) of that paragraph would require a dealer to disclose to a customer the source and amount of any remuneration paid to him for acting as a principal in the transaction. Those reported compliance difficulties, including in some cases substantial reprogramming of computer systems for restructuring of order handling procedures, are said to arise in connection with agency crosses in the over-the-counter market where the broker acts as agent for both the buyer and seller.

Brokers have often represented both parties to a transaction but such dual representation presents a potential for abuse since there is a prima facie problem in representing the interests of parties having conflicting interests, particularly if the broker is given substantial discretion. Equally important, it may be difficult, long after the fact, to trace financial protections for different brokers acting in the same transaction. Those reported compliance difficulties, including in some cases substantial reprogramming of computer systems for restructuring of order handling procedures, are said to arise in connection with agency crosses in the over-the-counter market where the broker acts as agent for both the buyer and seller.

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that fact to his customer, and, if he is not a market maker and, with knowledge of the customer's order, has purchased the security from the customer for immediate resale to a market maker, clause (C) would require disclosure of mark-up or mark-down to such customer. The Commission recognizes that proposed Rule 10b–10, as drafted, would not require all dealers effecting "riskless principal" transactions to disclose their remuneration; consequently, the Commission requests the views of interested persons as to whether the disclosure requirements embodied in paragraph (a) (3) (ii) of the proposed rule should be extended to other circumstances under which dealers may effect "riskless principal" transactions.

The Commission understands that, from time to time, persons exercising Investment discretion with respect to several securities may make a mark-up or mark-down in order to purchase or sell a particular security for one or more of such accounts. Because a substantial block may be involved, the purchase or sale of the security for all such accounts may be effected in several transactions over a reasonable period of time and, therefore, at varying prices. Questions have arisen as to whether the person exercising discretion should seek some basis for allocating particular purchases and sales to particular accounts, even though the investment decision for all such accounts may be made simultaneously, or whether all such accounts would be more appropriately treated pari passu by attributing to each account an average price paid or realized for the series of transactions required to effect the overall purchase or sale. It has been suggested that, under the circumstances, disclosed, it would not be inappropriate for a broker or dealer to prepare and send confirmations, which reflect the average price while making appropriate disclosures as to the overall series of transactions. Similar questions may arise in connection with purchases of dividend reinvestment plans, or other similar arrangements where one person undertakes to make purchases for a large number of participants. In the context of such transactions, however, disclosure to plan participants of other transactions that might present greater problems. The Commission welcomes the views of interested persons as to when the general disclosure requirements might be modified to provide for particular circumstances.

(B) Date and time of transaction. Rule 15c1–4 currently provides that information with respect to the date and time of the transaction need not be included on the confirmations, such information is required to be disclosed on request in the case of agency transactions. Proposed Rule 10b–10 would require that information to be disclosed of the date of the transaction by all brokers, dealers, and municipal securities dealers. Time could, however, continue to be omitted routinely and disclosed only on request. The Municipal Securities Rulemaking Board has filed with the Commission a proposed confirmation rule which would not require disclosure, either on a confirmation or on request, of the time of execution of the transaction in such securities. In view of that proposal, the Commission welcomes additional data, views and arguments concerning the importance of having such time disclosures, particularly in the context of transactions in debt securities.

(C) Disclosures by municipal securities dealers acting as agents. Currently Rule 15c1–4 requires that a municipal securities dealer disclose only the capacity in which it acts in effecting a transaction. The rule does not require, for example, a municipal securities dealer, acting as agent, to disclose appropriate information as to the overall series of transactions. The Commission recognizes that the disclosures required to be made by municipal securities dealers, particularly in view of the proposed confirmation rule of the Municipal Securities Rulemaking Board. That proposed rule would require municipal securities dealers, acting as agents, to disclose appropriate disclosures. U.S. Savings Bonds. Proposed Rule 10b–10 would delete archaic references to "U.S. Tax Savings Notes and U.S. Defense Saving Stamps."

The text of proposed § 240.10b–10 is as follows:

§ 240.10b–10 Confirmation of transactions.

(a) It shall be unlawful for any broker, dealer, or municipal securities dealer to effect for or with the account of a customer any transaction in, or to induce the purchase or sale by such customer of, any security (other than U.S. Savings Bonds) for such broker, dealer, or municipal securities dealer, at or before completion of such transaction, gives or sends to such customer written notification disclosing that

(1) Whether he is acting as agent for such customer, as agent for both such customer and some other person, or as principal for his account; and

(2) The date and time of the transaction for the fact that the time of the transaction will be furnished within five business days upon request of the customer and the title, price and number of shares or units (or principal amount) of such security purchased or sold to or for such customer; and

(b) The source and amount of any remuneration received or to be received by him in connection with the transaction (unless remuneration paid by such customer is determined, pursuant to a written agreement with such customer, otherwise than on a transaction basis, and remuneration is not received from any other source in connection with such security); and

(c) The name of the person from whom the security was purchased, or to whom it was sold, for such customer or the fact that such security will be furnished within five business days upon request of such customer.

(1) As principal in a transaction:

(A) The amount and source of any special remuneration paid or to be paid by him in connection with such transaction;

(B) Whether he is a market maker in that security; and

(C) If he is not a market maker and, with knowledge of such customer's order, purchased the security from a market maker for resale to such customer, or purchased the security from such customer for resale to a market maker, the mark-up, mark-down, or other remuneration thereby received.

(b) A broker may effect transactions for the account of a customer without giving or sending to such customer the written notification described in paragraph (a) of this section if:

(1) Such transactions are effected pursuant to a periodic plan; and

(2) Such broker gives or sends to such customer within five business days after the end of each monthly period a written statement disclosing each purchase or sale, effected for or with, and all dividend or distribution credited to, such account (whether or not such customer was a beneficiary of the distribution) for the period; the date of each such transaction; the title, number and price of each security purchased or sold by such customer in each such transaction; the total number of shares of such securities in such customer's account; and remuneration received or to be received by the broker in connection therewith; and
that any other information required by paragraph (a) of this section will be furnished within five business days upon request.

(2) Payments for the purchase of securities by such customer (or by such customer's designated agent, or labor union or employer) by means of a payroll deduction are made directly to, or made payable to, the registered investment company, or the principal underwriter, custodian, trustee, or other registered agent of the registered investment company.

(3) Such broker or dealer or his agent gives or sends to such customer

(a) At or before the completion of each transaction a prospectus which complies with Section 10 of the Securities Act of 1933; and

(b) Within five business days after the end of each quarterly period a written statement disclosing the information described in paragraph (b)(2) of this section: Provided, however, That

(i) The quarterly written statement and prospectus may be delivered to some other person, designated by the customer, for distribution to the customer, and

(ii) The broker or dealer shall not be required to give or send such quarterly written statement to such customer if such customer has not purchased securities pursuant to the plan for two consecutive quarterly periods, other than through the automatic reinvestment of dividends or capital gain distributions and the broker or dealer, or an agent of the broker or dealer, gives or sends a written notification to such customer that such customer will not receive such written statements after the expiration of two consecutive quarterly periods; and

(4) The intention to give or send to the customer the written statement referred to in paragraph (c)(3) of this section in lieu of the written notification required by paragraph (a)(3) of this section is disclosed in the prospectus given to such customer pursuant to Section 8 of the Securities Act of 1933.

(5) For the purposes of this rule,

(a) "Compliance with paragraph (b) of this section" shall have the meanings provided in Rule 15c1-1 under the Act;

(b) "Periodic plan" means any written authorization for a broker to purchase or sell for a customer a specific security or securities (other than securities issued by an investment company), in specific amounts (calculated in securities or dollars), at specific time intervals and setting forth the commissions or charges to be paid by the customer in connection therewith (for the manner of calculating them); and

(3) "Investment company plan" means any plan under which securities are purchased by an open-end investment company or unit investment trust registered under the Investment Company Act of 1940 which are purchased or sold by a customer pursuant to an investment company plan.

(ii) A contractual or systematic purchase agreement under which the customer purchases at the applicable public offering price, such securities in specified amounts (calculated in securities or dollars) at specific time intervals and setting forth the commissions or charges to be paid by such customer in connection therewith (or the manner of calculating them); or

(iii) Any other arrangement involving a group of two or more purchasers and contemplating periodic purchases of such securities by each member of the group through a person designated by the group:

(A) To collect payments for such securities, and

(B) To remit such payments to the registered investment company or its agent as soon as practicable but not later than 35 days after each payments have been collected.

(C) To receive from the registered investment company or its agent a written notification of the receipt of the amount paid at or before the completion of the transaction for the purchase of such securities.

All interested persons are invited to submit three copies of written views, data and arguments on proposed Rule 10b-10 to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549, not later than November 15, 1976. Reference should be made to file No. S7-654. All submissions will be made available for public inspection at the Commission's Public Reference Room, Room 6101, 1100 L Street, N.W., Washington, D.C.

By the Commission.

GEORGE A. FITZSIMMONS, Secretary.

SEPTEMBER 16, 1976.

[FR Doc.76-27683 Filed 9-21-76; 8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121 ]

(Docket No. 765-0363)

FOOD ADDITIVES

Deletion of a Tolerance for a Modified Starch Used in the Manufacture of Paper and Paperboard

The Food and Drug Administration (FDA) is proposing to amend the food additive regulations by deleting a provision for use of a modified industrial starch; comments by November 23, 1976.

Specifically, FDA is proposing to amend § 121.2506 Industrial starch-modified (21 CFR 121.2506) in paragraph (a) (2) (ii) to delete a limitation permitting the use of a starch irradiated to produce free radicals for subsequent graft polymerization with vinyl monomers (1 to 2 = methacryloyloxy)ethyl trimethylammonium methyl sulfate in the manufacture of paper and paperboard intended to contact only dry food at a level not to exceed 0.40 percent by weight of the finished dry paper and paperboard fibers.

An amendment to § 121.2506 was published in the Federal Register of November 22, 1974 (39 FR 40945). It provided for the above-referenced food additive as a retention aid and dry strength agent employed before the sheet-forming stage. Consequently, the manufacturer of paper and paperboard intended to contact only dry food and used at a level not to exceed 0.25 percent by weight of the finished dry paper and paperboard fibers.

Another amendment to the section was published in the Federal Register of April 19, 1976 (41 FR 16458). It provided for the subject food additive’s use as a retention aid and dry strength agent employed before the sheet-forming stages in the manufacture of paper and paperboard intended to contact all foods and used at a level not to exceed 0.25 percent by weight of the finished dry paper and paperboard fibers.

The Commissioner of Food and Drugs has been informed by the petitioner responsible for the amendments of the regulation that the additive had been found to be effective at the 0.25-percent use level, but no data supporting increased effectiveness at the 0.40-percent use level were available. Consequently, the Commissioner, lacking data to justify retention of this higher level for use with dry foods, proposes to delete the 0.40-percent limitation from the regulation.

The Commission has reviewed the potential environmental effects of the proposed regulation and, because the proposed action would not significantly affect the quality of the human environment, has concluded that the proposed environmental impact statement is not required. The Commissioner has also considered the inflation impact of the proposed regulation and, has found that the proposed action would not cause a major inflation impact as defined in OMB Circular A-07 and the Guidelines issued by the Department of Health, Education, and Welfare. Copies of the FDA environmental and inflation impact assessments are on file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5800 Fishers Lane, Rockville, MD 20853.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301(d), 72 Stat. 1787 (21 U.S.C. 348(d)) and authority delegated to the Commissioner (21 CFR 5.1) (recodification published in the Federal Register of June 15, 1976 (41 FR 14929), (ii) by revising the "Limitations" column to read as follows:

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 27, 1976
PROPOSED RULES

Interested persons may submit to the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate and identified with the Hearing Clerk docket number found in Federal Register data in the heading of this document) regarding this proposal. Received comments may be seen in the above office during working hours, Monday through Friday.

This action is taken under the Federal Food, Drug, and Cosmetic Act (secs. 402 (a) (3) and (4), 701(a), 52 Stat. 1046, 1055 (21 U.S.C. 342(a) (3) and (4), 371 (a)) and under authority delegated to the Commissioner (21 CFR 5.1) (reconciliation published in the Federal Register of June 15, 1976 (41 FR 24262)).


JOSEPH P. HILE, Acting Associate Commissioner for Compliance.

[FR Doc. 76-27972 Filed 9-21-76; 10:48 am]

PICKLED, FERMENTED, AND ACIDIFIED FOODS

Good Manufacturing Practice Regulations; Extension of Comment Period

The Food and Drug Administration is extending to November 20, 1976 the period for comments on the proposed good manufacturing practice regulations for pickled, fermented, and acidified foods. In the Federal Register of July 23, 1976 (41 FR 30447), the Commissioner of Food and Drugs issued a proposal to establish good manufacturing practice regulations for pickled, fermented, and acidified foods. Comments were to be filed on or before September 21, 1976.

The Commissioner has received requests for an extension of the comment period from the Pickle Packers International, the National Canners Association, the Spanish Ministry of Trade, and the National Bakery Suppliers Association. All requests were based on the need for more time to sufficiently study the document and to allow the submission of more meaningful comments.

The Commissioner hereby extends the period for filing comments on the subject proposal to close of business, November 20, 1976.

This action is taken under the Federal Food, Drug, and Cosmetic Act (secs. 402 (a) (3) and (4), 701(a), 52 Stat. 1046, 1055 (21 U.S.C. 342(a) (3) and (4), 371 (a)) and under authority delegated to the Commissioner (21 CFR 5.1) (reconciliation published in the Federal Register of June 15, 1976 (41 FR 24262)).


JOSEPH P. HILE, Acting Associate Commissioner for Compliance.

[FR Doc. 76-27973 Filed 9-21-76; 10:48 am]
Social and Rehabilitation Service

[45 CFR Part 233]

HOUSING PAYMENTS OF PUBLIC ASSISTANCE RECIPIENTS

Need and Amount of Assistance

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary, Health, Education, and Welfare. The purpose of the amendments to the regulation is to revoke § 233.20(a)(2)(vii), except as it applies to the disregard of Experimental Housing Allowance Program (EHAP) payments made under contracts entered into prior to January 1, 1975, under section 23 of the U.S. Housing Act of 1937.

The Office of the General Counsel of the Department of Housing and Urban Development has determined that existing EHAP projects entered into prior to January 1, 1975, continue to be subject to the same rules as were applicable at the time the contracts were executed. Therefore, the Department of Health, Education, and Welfare has concluded that the disregard provision for EHAP payments under such projects remains in effect as long as the annual contribution of funds for the projects is not increased.

Prior to the adoption of the proposed regulation, consideration will be given to any comments, suggestions, or objections thereto which are received in writing by the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, P.O. Box 2372, Washington, D.C. 20013, on or before November 8, 1976. Comments received will be available for public inspection in Room 5225 of the Department's offices at 330 C Street, SW., Washington, D.C. on Monday through Friday of each week from 8:30 a.m. to 5:00 p.m. (area code 202-245-0950).

Answers to specific questions may be obtained by calling Miss Alice Stewart, 202-245-0954.

Dated: September 2, 1976.

ROBERT FULTON, Administrator, Social and Rehabilitation Service.

Approved: September 16, 1976.

DAVID MATHIEWS, Secretary.

Part 233, Chapter II, Title 45 of the Code of Federal Regulations is amended by revoking paragraph (a)(2)(vii) and by adding a new paragraph (a)(4)(ii) to read as set forth below:

§ 233.20 Need and amount of assistance.

(a) Requirements for State Plans. A State Plan for OAA, AFDC, AB, APTD or AABD must, as specified below:

(4) Disregard of income common to OAA, AFDC, AB, APTD, or AABD.

(i) * * *

(4) Disregard of income common to OAA, AFDC, AB, APTD, or AABD.

(i) * * *

(4) Disregard of income common to OAA, AFDC, AB, APTD, or AABD.

(i) * * *

(4) Disregard of income common to OAA, AFDC, AB, APTD, or AABD.

(i) * * *

(ii) Provide that, in determining need and the amount of the assistance payment, the following will be disregarded as income and resources:

(i) * * *

(ii) Provide that, in determining need and the amount of the assistance payment, the following will be disregarded as income and resources:

(i) * * *

(ii) Provide that, in determining need and the amount of the assistance payment, the following will be disregarded as income and resources:

(i) * * *

(ii) Provide that, in determining need and the amount of the assistance payment, the following will be disregarded as income and resources:

(i) * * *

[FR Doc.76-27766 Filed 9-21-76; 8:45 am]
The Assistant Secretary (Capital Markets and Debt Management) shall be responsible for maintaining records of the meetings of these committees and for providing annual reports setting forth a summary of their activities and such other matters as may be informative to the public consistent with the provisions of 5 U.S.C. 552(b)(4).

Date: September 16, 1976.

EDWIN H. YEO, III,
Under Secretary for Monetary Affairs.

[FR Doc. 76-27662 Filed 9-21-76; 3:45 am]

PUBLIC DEBT SERIES No. 24-76: Dated and bearing interest from Oct. 12, 1976, to Nov. 15, 1981

TREASURY NOTES OF SERIES G–1981

Invitation for Tenders

September 17, 1976.

The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for $2,500,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series G–1981 (CUSIP No. 912327 GA 4). The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Daylight Saving time, Tuesday, September 27, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof.

I. DESCRIPTION OF NOTES

1. The notes will be dated October 12, 1976, and will bear interest from that date, payable on a semiannual basis on May 15 and November 15, 1977, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature November 15, 1981, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation thereon.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000 or a multiple thereof, $10,000, $100,000 and $1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

II. TENDERS AND ALLOTMENTS

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Daylight Saving time, Tuesday, September 27, 1976. Each tender must consist of a statement expressing the amount of the notes bid for, which must be $1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed $500,000.

Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public boards and retirement and other public funds, and international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York, and depositories of the Federal Reserve System.
5 percent of the face amount of notes applied for.
3. Immediately after the closing hour tenders will be opened, following which a public announcement will be made by the Department of the Treasury for which the tender is submitted, or the Fifth Federal Reserve District in the case of the Treasury, at which tenders will be opened, following which tenders at the highest accepted yield of interest will be determined at a
These submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest stated yield will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After a determination is made as to which tenders are accepted, a coupon rate will be determined at a 1/2 of one percent increment that translates into an average accepted price close to 100.00 and a lowest accepted price above 98.75. That rate of interest will be paid on all of the notes. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price corresponding to the yield bid. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept in full or in part, including the right to accept tenders for more or less than the $500,000,000 of notes offered, and his action in any such respect shall be final. Subject to these reservation, noncompetitive tenders for $500,000 or less without stated yield from any one bidder will be accepted in full at the average price (in three decimals) of accepted competitive tenders.
4. If the interest rate determined in accordance with this circular is identical to the rate on an outstanding issue of United States notes and the terms and conditions thereof are otherwise identical to terms and conditions of the securities offered herein, this invitation shall be deemed to be an invitation for an additional amount of the outstanding issue, and this circular will be amended accordingly. Payment for the securities in that event will be calculated on the basis of the auction price determined in accordance with this circular plus accrued interest from the last preceding interest payment date on the outstanding securities.

III. PAYMENT
1. Settlement for accepted tenders in accordance with the bids must be made or completed on or before October 12, 1976, at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20228. Payment must be in cash, in other funds immediately available to the Treasury by October 12, 1976, or 12 days after the date of the order of the Federal Reserve Bank on which the tender is submitted, or the United States Treasury if the tender is submitted.

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For further information contact the Scientific Advisory Board Secretariat at 202-697-8845.

FRANKIE S. ESTEP, Director of Administration.

Office of the Secretary

BOARD OF VISITORS OF DEFENSE SYSTEMS MANAGEMENT COLLEGE

Meeting

A meeting of the Board of Visitors of the Defense Systems Management College will be held in Building 202, Fort Belvoir, VA, on Wednesday, October 27, 1976, from 8:30 a.m. until 5:00 p.m. The agenda will include a review of the Executive Management Courses and discussion of DSMC operations, educational policies, and plans. The meeting is open to the public; however, because of limitations on space available, allocation of seating will be made on a first-come, first-served basis. Persons desiring to attend should call the DSMC Secretary (703-664-1314) to reserve a seat as far in advance as possible.

MAURICE W. ROCHE, Director, Correspondence and Directives OASD (Comptroller).

SEPTEMBER 17, 1976.

DEPARTMENT OF DEFENSE WAGE COMMITTEE

Closed Meetings

Pursuant to the provisions of section 10 of Public Law 92-483, the Federal Advisory Committee Act, effective January 5, 1973, notice is hereby given that a meeting of the Department of Defense Wage Committee will be held on Tuesday, November 2, 1976; Tuesday, November 9, 1976; Tuesday, November 16, 1976; Tuesday, November 23, 1976; and Tuesday, November 30, 1976 at 9:45 a.m. in Room 12050, the Pentagon, Washington, D.C.

The Committee's primary responsibility is to consider and submit recommendations to the Assistant Secretary of Defense (Manpower and Reserve Affairs) concerning all matters involved in the development and authorization of wage schedules for Federal prevailing rate employees pursuant to Public Law 92-392. At this meeting, the Committee will consider wage survey specifications, wage survey data, local wage survey committee reports and recommendations, and wage schedules derived therefrom.

Under the provisions of section 10(d) of Public Law 82-463, the Federal Advisory Committee Act, meetings may be closed to the public when they are “concerned with matters listed in section 552(b) of Title 5, United States Code.” Two of the matters so listed are those related solely to the internal personnel rules and practices of an agency, (5 USC 552(b) (21), and those involving trade secrets and commercial or financial in-
NOTICES

Sec. 11, N1/4, N1/4; Sec. 12, N1/4,NW1/4.
T. 8 S., R. 22 E.,
Sec. 7, N1/4 Tr. 62, N1/4 Tr. 63;
Sec. 6, N1/4 Tr. 63.
This pipeline will carry crude oil across
approximately 88,604 feet of national re-
source lands in Riverside County, Cal-
ifornia. The proposed pipeline will be used
in conjunction with an existing pipeline.
The purpose of this notice is to in-
form the public that the Bureau will be pro-
ceeding with consideration of whether
the application should be approved, and,
if so, under what terms and conditions.
Interested persons desiring to express
their views should promptly send their
name and address to the State Office, Bu-
reau of Land Management, Room E-
2841, 2800 Cottage Way, Sacramento,
California 95825.

JOAN B. RUSSELL,
Acting Chief, Branch of Lands
and Minerals Operations.

[FR Doc.76-27706 Filed 9-21-76;8:45 am]

DEPARTMENT OF THE INTERIOR
Bureau of Land Management
[CA 3242]
CALIFORNIA
Application

September 10, 1976.
Notice is hereby given that, pursuant
to section 28 of the Mineral Leasing Act
of 1920 (30 U.S.C. 185), as amended by
876), the Sohio Transportation Company
has applied for a 42-inch crude oil pipe-
line right-of-way across the following
described public lands:

SAN BENEDICTO BASE AND MERIDIAN
CALIFORNIA
T. 6 S., R. 16 E.,
Sec. 23, SW1/4SE1/4;
Sec. 26, NE1/4NE1/4.
T. 6 S., R. 19 E.,
Sec. 29, SW1/4SW1/4;
Sec. 30, N1/4 Lot 1 & 2 of SW1/4 NW1/4 SE1/4;
Sec. 32, N1/2, NW1/4, SE1/4, NW1/4 SE1/4;
Sec. 33, SW1/4NE1/4, SE1/4 NW1/4;
Sec. 34, NW1/4SW1/4, SE1/4SW1/4, NW1/4SE1/4;
Sec. 35, E1/4SE1/4.
T. 7 S., R. 19 E.,
Sec. 1, Lot 2 of NW1/4;
Sec. 2, SE1/4NE1/4, NE1/4NW1/4.
T. 7 S., R. 20 E.,
Sec. 1, S1/4 N1/4;
Sec. 2, S1/4 N1/4;
Sec. 3, S1/4 N1/4;
Sec. 4, S1/4 N1/4;
Sec. 5, W1/4 NW1/4;
Sec. 6, S1/4 NW1/4, N1/4 NW1/4.
T. 7 S., R. 21 E.,
Sec. 3, S1/4 SE1/4;
Sec. 4, S1/4 SE1/4;
Sec. 5, S1/4 SE1/4;
Sec. 6, S1/4 SE1/4.
Sec. 10, NE1/4NE1/4.

DEPARTMENT OF THE INTERIOR
Bureau of Land Management
[CA 3242]
CALIFORNIA
Application

September 9, 1976.
Notice is hereby given that pursuant
to Section 23 of the Mineral Leasing Act
of 1920, as amended (30 U.S.C. 185), the
Kansas-Nebraska Natural Gas Company,
Inc. of Hastings, Nebraska filed an ap-
lication for a right-of-way to construct a
4 inch pipeline for the purpose of trans-
porting natural gas across the follow-
ing described National Resource Lands:

SIXTH PRINCIPAL MERIDIAN
WYOMING

MONTANA
Order Providing for Opening of Public
Lands

September 10, 1976.
In an exchange made under the pro-
visions of Section 9 of the Act of June 28,
1934, as amended, 43 U.S.C. 315g, the
following-described lands have been re-
conveyed to the United States:

PRINCIPAL MERIDIAN, MONTANA
T. 37 N., R. 20 E.
Sec. 32, NW1/4NE1/4, SE1/4NE1/4, E1/2SE1/4
Sec. 33, S1/2 N1/2, S1/2.
The area described contains 640 acres
in Blaine County, Montana.
They are located about 38 air miles
south of Chinkook. Topography varies
from nearly level to hilly. Soils are li-
mus clays and vary from shallow on the
slopes to a fair depth on the level areas;
vegetation consists mainly of sage-
brush—grassland vegetative types with
some areas of conifers along the heads
of deeply cut drainages.
Surface water is limited to two small
reservoirs containing water suitable for
livestock or wildlife.
The land, which is considered high-
value crucial habitat for pronghorn an-
telope and mule deer, forms part of the
border of a large block of national re-
source lands. It will be managed for mul-
tiple resource use with these adjoining
lands.
At 10 a.m., October 20, 1976, subject to
valid existing rights, the provisions of
existing withdrawals, and the require-
ments of applicable law, the lands will be
open to the operation of the public land
laws.
The mineral rights in the lands were
not exchanged; therefore, the mineral
status of the lands is not affected by this
order.
Inquiries concerning the land should be
addressed to the Chief, Branch of
Lands and Minerals Operations, Bureau
of Land Management, P.O. Box 30157,
Billings, Montana 59107.

ROLAND P. LEE,
Chief, Branch of Lands and
Minerals Operations.

[FR Doc.76-27705 Filed 9-21-76;8:45 am]

Bureau of Mines
LEAD AND ZINC PRODUCTION AND CONSUMPTION
Informal Open Meeting

The Department of the Interior will
chair an informal meeting to discuss the
outlook for U.S. lead and zinc produc-
tion and consumption for use at the twentieth
session of the International Lead and
Zinc Study Group to be held this No-
vember. The meeting, to be attended by
representatives of the lead and zinc pro-
ducing industries, will be held on October
19, 1976, at 10 a.m., in Room 1425 of the
Columbia Plaza office Building, 2401 E
Street, NW, Washington, D.C. 20241. The
meeting will be open to public observa-
tion. A limited number of seats will be
available to the public.

Further information concerning this
meeting may be obtained from Mr. J.

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
Fish and Wildlife Service

ENDANGERED SPECIES PERMIT

Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).


DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)

   □ IMPORT OR EXPORT LICENSE
   □ PERMIT

2. BREif DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.

   Importation (from Canada) of the contents of three whooping crane (endangered species) eggs that failed to hatch in Wood Buffalo National Park. Egg contents will be analyzed for organochlorine pollutants.

3. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:

   S. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED

   Shipment from Ottawa, Ontario, Canada to Baltimore, Maryland.
   Washington, D.C.

4. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:

   W. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED

   Shipment from Ottawa, Ontario, Canada to Baltimore, Maryland or Washington, D.C.

5. IF "APPLICANT" IS A CORPORATION, INDIcate IN WHICH STATE IT IS INCORPORATED

   N/A

6. CERTIFIED CHECK OR MONEY ORDER (if applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF N/A

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT

   □ YES □ NO

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE?

   □ YES □ NO

9. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE?

   □ YES □ NO

10. DESIRED EFFECTIVE DATE

    As soon as possible

11. DURATION NEEDED

    60 days

12. CERTIFICATION

    I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 17, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN WILDLIFE, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

    Signature (indicated)

    Lucille F. Stickel

    Date

PATUXENT WILDLIFE RESEARCH CENTER—ENDANGERED SPECIES PERMIT APPLICATION

ATTACHMENT

Additional information, per Part 17.32:

1a. Common and scientific names of the species sought to be covered: Whooping crane (Grus americana).

1b. Number, age, and sex: Contents of three unhatched eggs (already removed from the shell by Canadian Wildlife Service personnel).

1c. Activity sought to be authorized: Import from Canada and analyze for organochlorine pollutants.

2. Eggs that failed to hatch in Wood Buffalo National Park were collected in 1976. Egg contents were removed from the shell and have been tested by the Canadian Wildlife Service (Dr. Laurent Choquette, Pa...
### Department of the Interior
#### U.S. Fish and Wildlife Service

#### Federal Fish and Wildlife License/Permit Application

<table>
<thead>
<tr>
<th>1. Application for (Indicate only one)</th>
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<tr>
<td>X Permit</td>
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#### Description of Activity for Which Permits are Needed

Purchase 1 male, 2 female zoo bred subspecies cross leopards for zoo exhibit and breeding in a municipal zoo.

### Endangered Species Permit

#### Notice of Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: City of St. Paul, St. Paul’s Como Zoo, MN 55103.

#### Certification

I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable laws or regulations. I certify that the information submitted in this application for a license/permit is complete and accurate to the best of my knowledge and belief. I understand that I am subject to the criminal penalties of 18 U.S.C. 1001.

John A. Fletcher, Director, Como Zoo, MN 55103.

#### Endangered Species

St. Paul’s Como Zoo, MN 55103.

Attachment to Application Form, U.S. Fish and Wildlife Service, Permit Application Form, 3-200, Comm. 507-76.

Title 50, Chap. I, Subch. B, Part 17, Par. 17:22; permits for scientific purposes or for the enhancement of propagation or survival.

#### Endangered Species

The three leopards were born and raised in captivity (see information above) and are presently on breeding loan to Como Zoo. Latin name *Panthera ursus*.

#### Endangered Species

Endangered species permit is based upon a telephone call from Dr. J. A. Keith, Director, Wildlife Management Branch, Canadian Wildlife Service, Ottawa, Ontario K1A 0H3 to Dr. Ohlendorf, Assistant Director, Patuxent Center. Dr. Keith requested that we apply for the necessary United States permits and that we perform chemical analyses.

8. The U.S. Fish and Wildlife Service and the Canadian Wildlife Service are continuing cooperative efforts to enhance the status of the whooping crane. The agreement includes behavioral, nutritional, and physiological research as well as captive propagation at the Patuxent Center. In addition, eggs that fail to hatch in the field are analyzed for environmental pollutants. Other details of how the activities will be carried out are included in other items above.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service’s office in Suite 600, 1612 K Street, NW., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LER), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. This application has been assigned File Number PRT 2-364-07; please refer to the Service's office in Suite 600, 1612 K Street, NW., Washington, D.C.

This application has been assigned File Number PRT 2-364-07; please refer to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036.

All relevant comments received on or before October 22, 1976, will be considered.

Dated: September 17, 1976.

C. R. Bavin,
Chief, Division of Law Enforcement
U.S. Fish and Wildlife Service.

[PR Doc 76-77667 Filed 8-21-76; 6:45 am]
the wild. On the contrary, the husbandry of endangered species in captivity has been amply proven to be the major promise of endangered species preservation and propagation. (4) The three leopards were born and raised in captivity, and are presently in captivity in Como Zoo. (5) St. Paul's Como Zoo is an urban municipal zoo serving the core cities areas of Minneapolis and St. Paul, supported wholly by tax revenues levied upon St. Paul citizens. It is open year around, and has approximately 1,000,000 visitors yearly. It has an active volunteer program, and an exhibit program supported wholly by public subscription. The zoo consists of 10 fenced acres, with one major building and 4 supporting structures. The zoo staff has 2 professional and 11 technical permanent members. In addition the staff supervises the training of 10 formally trained CETA trainees. The animal collection consists of 350 specimens of 85 species of mammals, birds and reptiles. Como Zoo has been an early participant in cooperative breeding arrangements for endangered species, and presently has animals on loan to Omaha, Oklahoma City, St. Louis, Brookfield and Los Angeles. In addition we have received the loan of a female orangutan from the Brookfield, Chicago, Zoological Society, and the female produced off-spring, with the cooperation of the male owned by St. Paul. Como Zoo is under the supervision of the Humane Commission from which it has USDA Permit No. 41-10-22. The address of Como Zoo is Como Park, Saint Paul, Minn. 55118. 

(1) Attached description and photos of breeding and display areas for leopards at Como Zoo. 

(2) The present zoo director, John Fletcher, is a graduate biologist (University of Washington, 1946) who has been associated with Como Zoo since 1947. He has been director of Como Zoo since 1957. Veterinary care of Como Zoo's animals, as well as technical advice on husbandry has been furnished by the University of Minnesota, College of Veterinary Medicine and the Veterinary Hospital Staff associated with this teaching facility. Dr. Ralph Farnsworth, a member of the faculty, furnishes clinical services on a routine basis. 

(3) Attached statement of the City of St. Paul's willingness to participate in a cooperative breeding program and to maintain a studbook record. 

INFORMATION ATTACHMENT, APPLICATION FORM, COMO ZOO, ST. PAUL Part 17.22, Division (6) 

(4) The leopards are on breeding loan to Como Zoo from the Tennessee Game Farm, and are presently at Como Zoo. No temporary or permanent moves are contemplated. Como Zoo uses the standards published by the International Air Transport Association for cage construction and animal shipping. 

(5) Attached records of death in genus Pantheridae at Como Zoo since June 1971. Also attached report of successful rearings of Pantheridae in same period. 

(6) Attached copies of the conditional sales invoice from Tennessee Game Farm. 

(7) (1) The activity contemplated is the usual and traditional use of exotic animals in a manner suitable for a living, breathing, breeding and eating species illustrating shape, form and relationships thru evolution and genetics, as well as inherited and acquired behavior patterns. As an example the zoo hopes to acquaint the urban public with animal life when teaching children and adults conservation and wildlife studies. Further recognized accomplishments of zoos in the propagation of species are indicated and demonstrated. (2) This activity will be carried out by zoo animal husbandry in the facilities of Como Zoo by the trained zoo staff. (3) The contemplated intentions of the Endangered Species Act is the protection and propagation of endangered species by whatever method proves effective. Zoo husbandry of endangered species is a proven effective method of propagation. (4) The planned disposition of leopards propagated would be to the zoo and/or reintroduction to the wild in such regions as indicated by the stated needs of international commissions. Leopards completing their life spans, or meeting with disease or accidental death would be, by Zoo policy, turned over to recognized museums, educational and research institutions. The University of Minnesota has been a major recipient. 

AGREEMENT 

The City of St. Paul, Minnesota, agrees, through its agents, to participate in such cooperative breeding arrangements mutually advantageous to Como Zoo, other participating zoos, and the U.S. Department of the Interior, Fish and Wildlife Service, as may perpetuate and propagate Endangered Species on this Earth. It further agrees to make available to other recipients the Department of the Interior necessary data to maintain a studbook registry on the animals propagated. 

Signed for the City of St. Paul on the 30th day of July, 1976. 

JOHN A. FLETCHER, 
Director, Como Zoo. 

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 606, 1612 K Street, N.W., Washington, D.C. 

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 165, Washington, D.C. 20013. 

This application has been assigned File Number PRT 2-328-97: please refer to this number when commenting. All relevant comments received on or before October 22, 1976 will be considered. 

Dated: September 17, 1976. 

C. R. BAYIN, 
Chief, Division of Law Enforcement U.S. Fish and Wildlife Service. 

[FR Doc.76-27968 Filed 9-21-76; 8:45 am] 

GATEWAY NATIONAL RECREATION AREA 

Public Meetings on Draft of General Management Plan 

Notice is hereby given that the National Park Service, U.S. Department of the Interior, will hold thirteen public meetings on the draft General Management Plan for Gateway National Recreation Area, New York-New Jersey. The purpose of the meetings is to obtain public reaction to and comments on the proposed General Management Plan that will be helpful in shaping the final form of these documents. 

Tuesday, October 20, 7:30 p.m., Municipal Council Chambers, City Hall, 125 Market Street, Paterson, N.J. 07505. 

Thursday, October 20, 7:30 p.m., Municipal Council Chambers, City Hall, 922 Broad Street, Newark, N.J. 07102. 

Thursday, October 28, 8:00 p.m., Commons Conference Room, Brookdale Community College, 765 Newman Springs Road, Lincroft, N.J. 07738. 

Saturday, October 30, 1:00 p.m., Queensboro Park, Queensboro Avenue, 927 125th Street, New York, N.Y. 10027. 

Wednesday, November 3, 7:00 p.m., Christophers Manor Park, 925 Astor Avenue, Bronx, N.Y. 10469. 

Thursday, November 4, 7:00 p.m., State Office Building, 10th Floor, 1123 125th Street, New York, N.Y. 10027. 

Saturday, November 6, 1:00 p.m., Brooklyn College, 1310 Boylan Hall, Brooklyn, N.Y. 11210. 

Monday, November 8, 7:00 p.m., Beach Channel High School, 100-00 Beach Channel Drive, Rockaway Park, N.Y. 11694. 

Wednesday, November 10, 7:30 p.m., City Hall Chambers, First and Washington Streets, Rockaway Park, N.Y. 11694. 

Wednesday, November 10, 7:00 p.m., Long Island University, Library Learning Center, 380 Flatbush Avenue Extension, Brooklyn, N.Y. 11203. 

Saturday, November 13, 1:00 p.m., New School for Social Research, 66 W 12th Street, New York, N.Y. 10011. 

Friday, November 19, 7:00 p.m., Staten Island Community College, B146, 715 Ocean Terrace, Staten Island, N.Y. 10301. 

Saturday, November 20, 7:00 p.m., New York Public Library, Hunts Point Regional Branch, 677 Southern Blvd., New York, N.Y. 10459. 

Written statements will be accepted for the record at the meetings. Persons wishing to make an oral presentation are asked to send written notice to the Superintendent, Gateway National Recreation Area. 

Single copies of the draft General Management Plan are available from September 23rd through November 8th at Gateway National Recreation Area, Floyd Bennett Field, Brooklyn, New York 11234 (212 253-9150) or at the North Atlantic Region, National Park Service, 150 Causeway, Boston, Massachusetts 02114 (617-233-3777). Bulk requests cannot be filled. Copies can be inspected at either site. 

Following the last scheduled public meeting, the public will have 30 days to submit written comments on the draft document. Further information can be available at the preceding addresses.
NOTICES

DEPARTMENT OF AGRICULTURE
Office of the Secretary

RICE DEFICIENCY PAYMENTS

Procedure for Calculating the National Average Market Price Received by Rice Farmers for the First Five Months of the Marketing Year

Pursuant to the authority contained in Section 102 of the Rice Production Act of 1975, the Secretary of Agriculture has prepared a procedure to calculate "the national average market price received by farmers during the first five months of the marketing year for each of the 1976 and 1977 crops of rice. These prices will be used by the Department of Agriculture in computing deficiency payments to producers on each crop. For each crop, this price will be computed by the Statistical Reporting Service (SRS) of the Department of Agriculture, reported by purchasers of rice and rice cooperatives. The data reported by purchasers and cooperatives used by SRS in developing the monthly prices may be subject to an audit to be conducted by the Department at the discretion of the Secretary of Agriculture.

Under the new procedure, SRS will compute a monthly average price received by farmers for rough rice, weighted by actual sales and/or purchases. The monthly price will be computed by weighing together the following:

1. Rough rice prices that would be paid to members of organizations setting with growers on the basis of mill returns, computed as if that month were the total marketing period; and
2. Rough rice prices received by farmers as reported by mills making each purchase.

An amended regulation issued under cited Act (15 CFR 301) prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00523. Applicant: Carnegie Institution of Washington, Department of Embryology, 115 W. University Parkway, Baltimore, Md. 21210. ARTICLE: Electron Microscope, Model JEM-1000S and accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of DNA molecules, artificial membranes, membranes of cultured cells, and ultrastructure of nerve and muscle cells. The experiments to be conducted will include measuring the length of single- and double-stranded regions of DNA molecules that have been enzymatically digested, observing the fusion of artificial and natural membranes, and may be examined during ordinary Commerce Department business hours at the Special Import Programs Division, Department of Commerce, Washington, D.C. 20230.

Docket number: 76-00524. Applicant: Washington University, Physics Department, St. Louis, Mo. 63130. Article: High Field Superconducting Magnet System. Manufacturer: Oxford Instrument Co., Ltd., United Kingdom. Intended use of article: The article is intended to be used for investigations of single crystals of elemental metals, alloys, insulators, and semiconductors employing principally Nuclear Acoustic Resonance, (NAR). Examples of the types of experiments using NAR with the 8.5 T superconducting magnet system are:
1. NAR Studies of the Transition Metal System with known Hydrogen Impurity Concentrations.
2. NAR Studies of Pure Elemental Metal Single Crystals.
3. NAR Studies of Single Crystals of Semimetals.

Application received by Commissioner of Customs: September 1, 1976.

Docket number: 76-00525. Applicant: Colorado School of Mines, Golden, Colorado 80401. Article: Electron Microscope, Model EM 400, with High Tilt (+60°) Goniometer Stage. Manufacturer: Philips Electronic Instruments N.V., The Netherlands. Intended use of article: The article is intended to be used to evaluate changes in the micro and fine structure produced by corrosion experiments, mechanical testing and heat treatment of thin metal films. Sections will be removed from various test specimens and electrolytically polished to render them suitable for transmission electron microscopy. Application received by Commissioner of Customs: September 3, 1976.

Docket number: 76-00526. Applicant: University of Massachusetts Medical School, Department of Pathology, 55 Lake Avenue North, Worcester, MA 01605. Article: Electron Microscope, Model JEM 100S and Haake and Warman chiller accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for examination of biological tissues which include the heart and blood vessels of animals with experimental cardiovascular disease, the pancreas, kidneys and skeletal muscle of animals with experimental diabetes, the brain in other tissues after the induction of inflammation. In addition, bone marrow speci...
Investigations will include ultrastructural studies on normal and pathologic hematopoietic tissue for the purpose of diagnostic studies. Application received by Commissioner of Customs: September 3, 1976.

Docket number: 76-00530. Applicant: Southern Illinois University School of Medicine, P.O. Box 3926, Springfield, III. 62708. Manufacturer: LKB 14800-1 for use with LKB Ultratome III. Intended use of article: The article is intended to be used for the study of immune complex localization in kidney disease as well as other biological materials and for microanalysis of biological specimens in the future. Conjugation with various antigens will be carried out on frozen sectioned material for both immunofluorescence and electron microscope studies. Application received by Commissioner of Customs: September 3, 1976. (Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEFFA, Director, Special Import Programs Division.

[FR Doc.76-27711 Filed 9-21-76:8:45 am]

Notices

United States Export Privileges Restored

In the matter of Engler & Co., Engler Ltd., Engler, Werner, Stadthausquai 7 (previously shown as Räenestrasse 26 Zurich, Switzerland, 8700 Kuenacht) and Maag-Petacherin, Jacob—related party, Wiikonerstrasse 317, 8054 Zurich, Switzerland, Respondents.

By order published in 24 FR 1573, March 3, 1959, the above-named respondents were directed all United States export privileges because of failure to comply with the Export Administration Regulations, 15 CFR Part 368 et seq. Engler petitions to be permitted full access to U.S. commerce and that it be restored to full export privileges.

Advice available to this Department reflects that Engler is a respected member of the business community in Switzerland. The Director, Compliance Division, reports that respondents’ activities are not suspect concerning violation of the Export Administration Regulations. After review of the record, the Hearing Commissioner recommends that respondents be afforded access to all U.S. commodities and restored to full export privileges.

I have examined the report and recommendations of the Commissioner. The record fails to report any recent derogatory information against respondents and they are not presently suspect in connection with any violations of the United States export laws. It is fitting and proper that respondents who have so manifested their intentions to comply and are in compliance with the export regulations, be restored to full export privileges. Restoration is in accordance with the purpose and intent of the Export Administration Act of 1969 as amended, 50 U.S.C. 2401 et seq., the regulations and the policies of this Department. Therefore, it is Ordered, The above-named parties are hereby unconditionally restored to all United States export privileges.

Date: September 10, 1976.

RAUER H. MAYER, Director, Office of Export Administration.
NOTICES

NEW ENGLAND REGIONAL FISHERY MANAGEMENT COUNCIL

Public Meeting

Notice is hereby given of a meeting of the New England Regional Fishery Management Council established by Section 302 of the Fishery Conservation and Management Act of 1976 (P.L. 94-265). The New England Regional Fishery Management Council will have authority, effective March 1, 1977, over fisheries within the fishery conservation zone adjacent to the States of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. The Council will, among other things, prepare and submit to the Secretary of Commerce fishery management plans with respect to fisheries within its area of authority; prepare comments on applications for foreign fishing; and conduct public hearings as it deems necessary.

This meeting of the Council will be held on October 12 and 13 at the Hilton Inn, Logan International Airport, East Boston, Massachusetts; and is scheduled to convene at 9 a.m. and adjourn at approximately 5 p.m.

Proposed Agenda:

(1) Organizational and operational practices and procedures;
(2) Review of preliminary fishery management plans with respect to fisheries within its area of authority; prepare comments on applications for foreign fishing; and conduct public hearings as it deems necessary.
(3) Other management activities.
This meeting is open to the public and there will be seating for approximately 30 public members available on a first-come, first-serve basis. Members of the public having an interest in specific items for discussion are advised that agenda changes are at times made prior to the meeting. Interested members of the public should contact Mr. Donald G. Birkholz at the above address. To receive due consideration and facilitate inclusion of these comments in the record of the meeting, typewritten statements should be received within 10 days after the close of the Council meeting.

Dated: September 17, 1976.

Jack W. Gehring, Deputy Director, National Marine Fisheries Service.

PURSE SEINING FOR GIANT BLUEFIN TUNA

Season Closed

On September 17, 1976, the Director, National Marine Fisheries Service determined that the 1976 annual quota of 180 short tons of Atlantic bluefin tuna that weigh in excess of 300 pounds taken by purse seine, as established in § 285.11(a), has been reached.

I hereby announce, in accordance with § 285.11, that the season for taking Atlantic bluefin tuna that weigh in excess of 300 pounds round weight taken by purse seine shall terminate at 2400 hours local time, in the regulatory area on the date of publication of this notice.

The 1976 season for taking Atlantic bluefin tuna between 14 pounds and 115 pounds by purse seine was closed on June 29, 1976.

Issued at Washington, D.C., and dated September 17, 1976.

Jack W. Gehring, Deputy Director, National Marine Fisheries Service.

Office of the Secretary

LEAD AND ZINC CONSUMPTION

Open Meeting

The Department of Commerce will chair an informal meeting to discuss the outlook for U.S. lead and zinc consumption for use at the annual meeting of the International Lead and Zinc Study Group to be held this November. The Department of Commerce meeting, to be attended by representatives of the lead and zinc consuming industries, will be held October 19, 1976 at 10:30 a.m. in Room 4833, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. The meeting will be open to public observation. A limited number of seats will be available to the public on a first-come, first-served basis.


P. S. M. Horsell, Deputy Assistant Secretary, Energy & Strategic Resources Policy.

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
**NOTICES**

Filing of Petition for Affirmation of GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1791-1795 (21 U.S.C. 321(s), 348, 771 (a))) and the regulations for affirmation of GRAS status (21 CFR 121.40), notice is given that a petition (GRASP 80078) has been filed by Tetroid Co., Inc., Hamilton, NY 13346 and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that demineralized, delactosed soluble whey protein and edible lactalbumin are generally recognized as safe (GRAS) for use in human food.

Any petition which meets the format requirements outlined in 21 CFR § 121.40 is filed by the Food and Drug Administration. There is no prefilling review of the adequacy of data to support a GRAS conclusion. Thus the filing of a petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability for affirmation.

Interested persons may, on or before December 22, 1976, review the petition and file comments (preferably in quintuplicate) with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available data which might be useful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: September 14, 1976.

HOWARD R. ROBERTS, 
Acting Director, 
Bureau of Foods.

[F.R. Doc. 76-27667 Filed 9-21-76;8:45 am]

Health Services Administration

CALIFORNIA PSRO AREA XX: RESULTS OF NOTIFICATION

Notice to Physicians Regarding Agreement To Designate Professional Standards Review Organization

On July 30, 1976, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Professional Standards Review Organization for PSRO Area XX of the State of California (PSRO Area XX PSRO) designating it as the State of California, for the PSRO Area XX of the State of California, in 42 CFR § 101.7.

Such notice was also published in three consecutive issues of the Los Angeles Times on July 30, 31, and August 2, 1976. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or osteopathy, including the State and County medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area III of the State of New York of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area III of the State of New York who objects to the Secretary entering into an agreement with the Professional Standards Review Organization for PSRO Area XX of the State of California, mail such objection in writing to the Secretary, Department of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York 10022, on or before August 30, 1976.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area III of the State of New York, the Secretary has determined, pursuant to 42 CFR § 101.105, that not more than 10 percentum of the doctors engaged in active practice of medicine or osteopathy in PSRO Area III of the State of New York have expressed timely objection to the Secretary entering into an agreement with the California Area XX PSRO. Therefore, the Secretary will proceed to enter into an agreement with the California Area XX PSRO designating it as the Professional Standards Review Organization for PSRO Area XX of the State of California.

Dated: September 13, 1976.

JOHN H. KELSO,
Deputy Administrator,
Health Services Administration.

[F.R. Doc. 76-27667 Filed 9-21-76;8:45 am]

NEW YORK PSRO AREA XII: RESULTS OF NOTIFICATION

Notice to Physicians Regarding Agreement To Designate Professional Standards Review Organization

On July 30, 1976, the Secretary of Health, Education, and Welfare published in the FEDERAL REGISTER a notice in which he announced his intention to enter into an agreement with the Professional Standards Review Organization of Central New York, Inc., designating it as the Professional Standards Review Organization for PSRO Area XII of the State of New York. Therefore, the Secretary will proceed to enter into an agreement with the Professional Standards Review Organization of Central New York, Inc., designating it as the Professional Standards Review Organization for PSRO Area XII of the State of New York.

Dated: September 13, 1976.

JOHN H. KELSO,
Deputy Administrator,
Health Services Administration.

[F.R. Doc. 76-27667 Filed 9-21-76;8:45 am]
to organizations of practicing doctors of medicine or osteopathy, including the appropriate State and County medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area XII of the State of New York of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area XII of the State of New York who objects to the Secretary entering into an agreement with the Southern New Jersey Professional Standards Review Organization on the grounds that such organization is not representative of doctors in its membership or on its staff inform the Secretary of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York 10022, on or before August 30, 1976. After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area XII of the State of New York, the Secretary has determined, pursuant to 42 CFR § 101.105, that not more than 10 percent of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area XII of the State of New York have expressed timely objection to the Secretary entering into an agreement with the Richmond County, New York, Professional Standards Review Organization, Inc. Therefore, the Secretary will proceed to enter into an agreement with the Richmond County, New York, Professional Standards Review Organization, Inc., designating it as the Professional Standards Review Organization for PSRO Area XII of the State of New York, on or before August 30, 1976.

Dated: September 13, 1976.

JOHN H. KELSO,
Deputy Administrator,
Health Services Administration.

[FR Doc. 76-27660 Filed 9-21-76; 8:45 am]

NEW JERSEY PSRO AREA VIII: RESULTS OF NOTIFICATION

Notice to Physicians Regarding Agreement To Designate Professional Standards Review Organization

On July 30, 1976, the Secretary of Health, Education, and Welfare published in the Federal Register a notice in which he announced his intention to enter into an agreement with the Southern New Jersey Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area VIII of the State of New Jersey, which area is designated a Professional Standards Review Organization Area in 42 CFR § 101.39. Such notice was published in three consecutive issues of the Trenton Times, Philadelphia Inquirer, Philadelphia Bulletin, Atlantic City Press, Burlington County Times, and the Vineland Times-Journal on July 30, 31, and August 2, 1976. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or osteopathy, including the appropriate State and County medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff who are engaged in active practice in PSRO Area VIII of the State of New Jersey of the contents of the notice.

The notice requested that any licensed doctor of medicine or osteopathy engaged in active practice in PSRO Area VIII of the State of New Jersey who objects to the Secretary entering into an agreement with the Southern New Jersey Professional Standards Review Organization on the grounds that such organization is not representative of doctors in its membership or on its staff inform the Secretary of Health, Education, and Welfare, P.O. Box 1588, FDR Station, New York, New York 10022, on or before August 30, 1976. After reviewing the final tabulation of objections from doctors of medicine or osteopathy in PSRO Area VIII of the State of New Jersey, the Secretary has determined, pursuant to 42 CFR § 101.105, that not more than 10 percent of the doctors engaged in the active practice of medicine or osteopathy in PSRO Area VIII of the State of New Jersey have expressed timely objection to the Secretary entering into an agreement with the Southern New Jersey Professional Standards Review Organization. Therefore, the Secretary will proceed to enter into an agreement with the Southern New Jersey Professional Standards Review Organization designating it as the Professional Standards Review Organization for PSRO Area VIII of the State of New Jersey.

Dated: September 13, 1976.

JOHN H. KELSO,
Deputy Administrator,
Health Services Administration.

[FR Doc. 76-27660 Filed 9-21-76; 8:45 am]

OHIO PSRO AREA X: RESULTS OF NOTIFICATION

Notice to Physicians Regarding Agreement To Designate Professional Standards Review Organization


Dated: September 13, 1976.

JOHN H. KELSO,
Deputy Administrator,
Health Services Administration.

[FR Doc. 76-27660 Filed 9-21-76; 8:45 am]

STATE OF KENTUCKY PSRO AREA Announcement of Result of Poll of Physicians

On May 4, 1976, the Secretary of Health, Education, and Welfare published in the Federal Register a notice in which he announced his intention to enter into an agreement with the Kentucky Peer Review Organization, Inc., designating it as the Professional Standards Review Organization for the State of Kentucky PSRO Area, which area is designated a Professional Standards Review Organization Area in 42 CFR § 101.21.

Such notice was also published in three consecutive issues of the Bowling Green News, The Covington Kentucky Post, The Kentucky New Era, The Lexington Herald-Leader, Messenger-Inquirer, The Paducah Sun Democrat, The Cincinnati Enquirer, The Louisville Courier-Journal & Times, and The Ashland Independent on May 4, 5, and 6, 1976. In addition, copies of the notice were mailed to organizations of practicing doctors of medicine or osteopathy in the State of Kentucky who were engaged in active practice in PSRO Area X of the State of Ohio of the contents of the notice.
osteopathy, including the appropriate state and county medical and specialty societies, and hospitals and other health care facilities in the area, with a request that each such society or facility inform those doctors in its membership or on its staff in active practice in the State of Kentucky who objects to the Secretary entering into an agreement with the Kentucky Peer Review Organization, Inc., on the grounds that such organization is not representative of doctors in the State of Kentucky, mail such objection in writing to the Director, Office of Professional Standards Review, Department of Health, Education, and Welfare, P.O. Box 1888, FDR Station, New York, New York 10022, on or before June 3, 1976.

After reviewing the final tabulation of objections from doctors of medicine or osteopathy engaged in active practice in the State of Kentucky, the Secretary determined, pursuant to 42 CFR § 101.105, that more than 50 per cent of the doctors engaged in the active practice of medicine or osteopathy in the State of Kentucky had expressed timely objection to entering into an agreement with the Kentucky Peer Review Organization, Inc., was representative of such doctors in the area.


Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Heart, Lung, and Blood Advisory Council, Manpower Subcommittee and Research Subcommittee.

The agenda will include discussion of issues identified in the legislative mandate to the Commission under Public Laws 92-346 and 94-278, including the Commission's report and recommenda-
CIVIL AERONAUTICS BOARD

[Docket No. 29789, etc.; Order 76-9-60]

HOUSTON/NEW ORLEANS—YUCATAN ROUTE PROCEEDING, ET AL.

Order Instituting Investigations


Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 13th day of September, 1976.

As a result of the suspension of negotiations between the United States and Mexico in March 1976, the Air Transport Agreement between the two countries has been extended until April 30, 1977. Under the Agreement, U.S. Routes D, R, and S have never been awarded to U.S. carriers.

Route D authorizes U.S.-flag service between the U.S. terminal point New Orleans, Louisiana, and the coterminous points Cozumel and Punta Cancun, Mexico. Route R authorizes U.S.-flag service between the terminal point Houston, Texas, and the coterminous points Merida, Cozumel, and Punta Cancun, Mexico. Route S authorizes U.S.-flag service between the terminal point Mazatlan, La Paz, San Jose del Cabo, Puerto Vallarta, and Guadalupe, Mexico.

Applications and motions for immediate hearing to operate over Routes D, F, and R and S have been filed by several U.S. air carriers. An application to amend its certificate of public convenience and necessity for immediate hearing in its application for authority to serve Route D in combination with Route F was filed by United Air Lines (Docket 27603). Texas International Airlines (TXI) filed an application and a motion for immediate hearing of its application for Authority for Dallas/Fort Worth and Houston/New Orleans, on the one hand, and Merida, Mexico, on the other (Docket 27542). Route R applications and motions for immediate hearing have been filed by Braniff Airways (Docket 23414). Continental Air Lines (Docket 27710) and TXI (Docket 22466). Those U.S. carriers that filed motions for immediate hearing in their applications over Route S are American Airlines (Docket 22497), Braniff (Docket 22418), Ozark Air Lines, (Dockets 26649) and TXI (Docket 22418) Route R service include applications for Route D authority, and that any proceeding investigating the possibility of Route S service include applications for Route P authority.

Braniff's motion for immediate hearing on its applications in Dockets 22414 (Route R) and 22418 (Route S) was supported in answers filed by the City of Houston and the Houston Chamber of Commerce (the Houston Parties), and by Eastern Air Lines, which urged that any proceeding investigating the possibility of Route S service include applications for Route D authority, and that any proceeding investigating the possibility of Route S service include applications for Route P authority.

The Docket 22414 application with respect to Houston/New Orleans Parties).

For further information concerning this Committee meeting contact Stephen Kitzman (202-284-7065). Minutes of the meeting will be available on request.

Richard K. Berg, Executive Secretary.

September 15, 1976.

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
NOTICES

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976

Answers in support of Continental's motion for immediate hearing in Docket 27710 (Route R) were filed by Eastern Air Lines, which urged contemporaneous consideration of applications for Routes R and D if a proceeding involving Route R applications was instituted, and by TXI. Pan American filed an answer in opposition to Continental's motion.

Georgia Air Lines, by National Air Lines, was filed in support of TXI's motion for immediate hearing in Docket 22436 (Route R). Answers in support of TXI's second motion for immediate hearing in Docket 22436 were filed by Eastern, which again requested that applications for Route R be considered in the same proceeding with Route D applications, National, and the Houston Parties. Braniff filed an answer in opposition to TXI's motion.

American's motion for immediate hearing in Docket 22487 (Route S) received answers in support from Eastern which again urged contemporaneous consideration of Route S and Route P applications, and TXI. Pan American filed an answer in opposition to American's motion. Hughes Airwest and Western Air Lines filed a motion for an immediate hearing in Docket 22487.

Ozark's motion for immediate hearing of its application in Docket 26649 (Route S) was supported in answers by Eastern, which again urging that applications for Routes S and P be considered in the same proceeding, and TXI. No answers have been filed to TXI's motion for immediate consideration of its application in Docket 21011 (Route S).

Hughes Airwest and Western Air Lines filed applications for similar authority in Docket 26799 and Docket 25776, respectively. Airwest's application requests the addition of new U.S. coterminal points, Los Angeles and San Francisco, California, and the addition of four new Mexican coterminal points, Acapulco, Manzanillo, Mexico City, and Zihuatanejo. Airwest filed a motion for immediate hearing in Docket 26799 and Pan American filed an answer in opposition to Airwest's motion. Airwest filed a second motion for immediate hearing of Airwest's application in Docket 27579 but only to the extent that the application seeks to add Los Angeles and San Francisco, and Manzanillo and Zihuatanejo, as coterminal points on segment 2 of Route 76 F. Western filed an answer in opposition to, or, in the alternative, requesting that Western's motion for immediate hearing in Docket 25776 be granted.

Western's application and contemporaneously filed motion for immediate hearing in Docket 25776 requests authority between the U.S. coterminal points Los Angeles and San Francisco and the coterminal points, Mazatlan, La Paz, Puerto Vallarta, Guadalajara, Manzanillo, Zihuatanejo, Mexico City, and Acapulco. Airwest filed an answer in support of Western's motion for immediate hearing and Pan American filed an answer in opposition to Western's motion. Petitions for leave to intervene were filed by the Washington Parties, the San Diego Parties, the Los Angeles Parties, and the San Francisco Parties.

Upon consideration of the foregoing and all the relevant facts, we have decided, to institute two investigations: one investigation to determine the need for service on U.S. Routes D (New Orleans-Cancun/Cozumel), F (which will be limited to New Orleans-Merida service without consideration of service beyond Merida), and R (Houston-Merida/Cancun, Cozumel), and a separate investigation to determine the need for service on U.S. Route S (Dallas/Fort Worth—Guadalajara/Puerto Vallarta/Mazatlan/La Paz/San Jose del Cabo). The route authority in the Yucatan points investigation (Routes D, F, and R) will be framed in the issues as involving six segments, but the Board will retain its authority to award the routes in the manner it finds most appropriate. Included within this proceeding will be the issue of whether Pan American's authority over Route P should be suspended or deleted. The Board reserves the right to award authority in issue in both investigations in the same proceeding or separate the economic operations of the U.S. airline applicants and will not be bound to award the route authority in question in the same form as provided in the Agreement.

Finally, American, Braniff, Continental, Delta, Eastern, National, Ozark, TXI and United have not submitted sufficient information for us to determine the environmental consequences of their requests for certificate amendments at this time. Therefore, we will require those carriers to file the information set forth in Part 312, Subpart C of the Board's Procedural Regulations. We will allow these carriers to consider and file applications in the proceeding 30 days from the date of service of this order to file their environmental evaluations.

Accordingly, it is ordered that: 1. An investigation of the need for the authorizations of U.S.-flag service between Merida, Cozumel, and Cancun, Mexico, on the one hand, and New Orleans, on the other, to be known as the Houston/New Orleans-Yucatan Route Proceeding, Docket 23799, be and it hereby is instituted and shall be set for hearing before an administrative law judge of the Board at a time and place hereinafter designated, as the orderly administration of the Board's docket permits.

2. An investigation of the need for authorization of U.S.-flag service between the terminal point Dallas/Fort Worth, Texas, and the coterminal points Guadalajara, Puerto Vallarta, Mazatlan, La Paz, and San Jose del Cabo, Mexico, to be known as the Dallas/Fort Worth-Western Mexico Route Proceeding, Docket 23799, be and it hereby is instituted and shall be set for hearing before an administrative law judge of the Board at a time and place hereinafter designated, as the orderly administration of the Board's docket permits.

3. The investigation instituted by paragraph 1, above, shall include consideration of the following issues:

   (a) Do the public convenience and necessity require the certification of an air carrier or air carriers on a subsidy-ineligible basis to engage in air transportation:

   (1) between Houston, Texas, and Merida, Mexico;
   (2) between Houston, Texas, and Cozumel, Mexico;
   (3) between Houston, Texas, and Punta Cancun, Mexico;
   (4) between New Orleans, Louisiana, and Merida, Mexico;
   (5) between New Orleans, Louisiana, and Cozumel, Mexico; and
   (6) between New Orleans, Louisiana, and Punta Cancun, Mexico.

   (b) If the answer to (a) is in the affirmative in whole or in part, which air carrier(s) should be authorized to engage in such service?

   (c) What conditions, if any, should be placed on the operation of such carrier(s)?

   (d) Should Pan American's Route F operations be suspended or deleted?

4. The investigation instituted by paragraphs 1, above, shall include consideration of the following issues:

   (a) Do the public convenience and necessity require the certification of an air carrier or air carriers on a subsidy-ineligible basis to engage in air transportation between the terminal point Dallas/Fort Worth, Texas, and the coterminal points Guadalajara, Puerto Vallarta, Mazatlan, La Paz, and San Jose del Cabo, Mexico?

   (b) If the answer to (a) is in the affirmative in whole or in part, which air carrier(s) should be authorized to engage in such service?

   (c) What conditions, if any, should be placed on the operation of such carrier(s)?

5. The applications of Braniff Airways (Dockets 27707, 27710), Western Air Lines (Dockets 27707, 27710), Eastern Air Lines (Docket 24756), National Air Lines (Docket 27801), Texas International Airlines (Dockets 22436, 27542), and United Air Lines (Docket 27803, 23326, 23271), to the extent that they conform "with the in-
INVESTIGATION IN THE PROCEEDING INSTITUTED IN PARAGRAPH 1, ABOVE, BE AND THEY HEREBY ARE CONSOLIDATED IN THE HOUSTON/NEW ORLEANS-YUCATAN ROUTE PROCEEDING, DOCKET 29790.

7. THE MOTION FOR A HEARING FILED BY AMERICAN AIRLINES (DOCKET 22487), BRANIFF AIRWAYS (DOCKET 22414, 22418), CONTINENTAL AIRLINES (DOCKET 22710), OZARK AIR LINES (DOCKET 26649), TEXAS INTERNATIONAL AIRLINES (DOCKETS 21011, 22418, 22467, 22487), AND UNITED AIR LINES (DOCKET 27603) BE AND THEY HEREBY ARE GRANTED;

8. THE MOTION OF HUGHES AIRWEST IN DOCKET 25799 AND WESTERN AIRLINES IN DOCKET 25776 FOR IMMEDIATE HEARING BE AND THEY HEREBY ARE DENIED;

9. THE MOTION OF TEXAS INTERNATIONAL AIRLINES FOR LEAVE TO FILE AN OTHERWISE UNAUTHORIZED DOCUMENT IN DOCKETS 22414 AND 22418, BE AND IT HEREBY IS GRANTED;

10. THE PETITIONS OF THE KANSAS CITY PARTIES FOR LEAVE TO Intervene IN DOCKETS 22414 AND 22418, BE AND THEY HEREBY ARE GRANTED;

11. THE PETITION OF MODERN AIR TRANSPORT FOR LEAVE TO INTERVENE IN DOCKET 27910 BE AND IT HEREBY IS GRANTED;

12. THE MOTION OF THE DALLAS/FORT WORTH PARTIES FOR IMMEDIATE CONSIDERATION OF DOCKETS 21011, 22365, 22413, 22416, 22467, AND 22487 TO THE EXTENT NOT GrANTED BE AND IT HEREBY IS DENIED;

13. BRANIFF AIRWAYS, CONTINENTAL AIRLINES, EASTERN AIRLINES, NATIONAL AIRLINES, PAN AMERICAN AIRWAYS, TEXAS INTERNATIONAL AIRLINES, UNITED AIR LINES, AND WORLDMARK OF CARRIERS INC. ARE CONSOLIDATED IN THE INVESTIGATION IN THE PROCEEDING INSTITUTED IN PARAGRAPH 2, ABOVE, BE AND THEY HEREBY ARE CONSOLIDATED IN THE DALLAS/FT. WORTH-WESTERN MEXICO ROUTE PROCEEDING, DOCKET 29790.


15. AMERICAN AIRLINES, BRANIFF AIRWAYS, CONTINENTAL AIR LINES, DELTA AIR LINES, EASTERN AIR LINES, NATIONAL AIRLINES, OZARK AIR LINES, TEXAS INTERNATIONAL AIRLINES, UNITED AIR LINES, AND ALL OTHER CARRIERS FILING APPLICATIONS IN THE PROCEEDINGS INSTITUTED IN "PARA-GRAMS 1 AND 2, ABOVE, SHALL FILE ENVIRONMENTAL EVALUATIONS PURSUANT TO SECTION 312 OF THE BOARD’S PROCEDURAL REGULATIONS, 14 CFR § 312.12 (1975), WITHIN 30 DAYS OF THE SERVICE DATE OF THIS ORDER;

16. APPLICATIONS AND MOTIONS TO CON- SOLIDATE IN THE PROCEEDINGS INSTITUTED IN PARAGRAPHS 1 AND 2, ABOVE, AND PETITIONS FOR RECONSIDERATION OF THIS ORDER SHALL BE FILED WITHIN 20 DAYS OF THE SERVICE DATE OF THIS ORDER AND ANSWERS THERETO SHALL BE FILED WITHIN 15 DAYS THEREAFTER; AND


THIS ORDER SHALL BE PUBLISHED IN THE FEDERAL REGISTER,

BY THE CIVIL AERONAUTICS BOARD.

PHYLIS T. KAYLER,
Secretary.

[FR Doc.76-27704 Filed 9-21-76; 8:45 am]

CIVIL RIGHTS COMMISSION

NORTH DAKOTA ADVISORY COMMITTEE
Open Meeting
Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the North Dakota Advisory Committee (SAC) to this Commission will convene at 9:30 a.m. and end at 4:00 p.m. on October 8, 1976, at the Holiday Inn, Highway 1-29 and 13th Avenue South, Fargo, North Dakota 50101.

Persons wishing to attend this open meeting should contact the Committee Chairperson or the Mountain States Regional Office of the Commission, Executive Tower Inn, Suite 1700, 1405 Curtis Street, Denver, Colorado 80202.

The purpose of this meeting is to discuss the Committee's project, Criminal Justice for Native Americans in the Dakotas.

This meeting will be conducted pursuant to the Rules and Regulations of the Commission.


ISAIAH T. CRESWELL, Jr.,
Advisory Committee Management Officer.

[FR Doc.76-27705 Filed 9-21-76; 8:45 am]

EQUAL OPPORTUNITY COMMISSION

STATE AND LOCAL GOVERNMENT INFORMATION RECORDS AND REPORTS (EEO-4)

Extension of Deadline for Filing
Notice is hereby given that the deadline for filing the 1976 State and Local Government Information (EEO-4) report required by 29 CFR 1602.33 is extended from September 30, 1976 to November 30, 1976. The payroll reporting...
The balance sheets of those stockholders can be relied upon to support their loan commitments. Specifically, Communico takes exception to the way in which both balance sheets categorize assets as either "Residence-approximate value" or "Business-marketable securities," and believes that KVHI's failure either to submit evidence of the fair market value of the residences, or to identify the marketable securities (including trading market and common values) as a means of support. 2

Communico avers that KVHI has failed to include in its proposal the costs for: (a) the replacement of its tower facility; (b) the replacement of the filter system facility; and (c) a revised estimate by KVHI's counsel of its legal fees. In support, movant submits a report by Trans-Pacific Laboratories, dated July 30, 1976, in which it is recommended that, based upon visual examination and visual inspections, KVHI's tower facility should be replaced. Communico estimates KVHI's pro rata replacement cost to be $13,825. 4 In addition, Communico's consulting engineer submits an analysis of KVHI's tower filter system, and concludes that its overall design and layout are "extremely poor." He maintains that under existing conditions, no station on the tower can be expected to operate with full modulation capabilities, and that the facilities proposed in KVHI's present application, if granted, would only compound this problem. The only solution, he opines, is to completely replace the filter system. Communico estimates that KVHI will need $25,000 for this additional expense. Finally, Communico concludes that KVHI's current estimate of its legal fees is $60,000, $43,000 more than the figure shown in KVHI's application. In total, Communico concludes that KVHI has underestimated its construction costs by at least $81,625 and will need an additional $72,125 in order to effectuate its proposal.

3. In opposition, KVHI initially maintains that the budgeting of $17,000 for the installation of a new filter system is still reasonable in view of the uncertainty as to the ultimate course and complexity of this proceeding. KVHI further states that its counsel has not provided a $80,000 estimate to it. As to movant's allegations concerning its tower and filter system, KVHI argues that the costs of their potential replacement need not be included in its present application since its proposals to increase power and change frequency did not cause these problems. In any event, KVHI claims that the requested issue is mooted by the contemporaneous amendment to its application, a copy of which is submitted with its opposition and erratum thereto, in which it now proposes to borrow $81,000 from Mr. Berger alone. KVHI also submits a current financial statement for Mr. Berger, which is based upon a balance sheet that includes Berger's name, market, amount and value, bonds, and cash, in excess of current liabilities of $104,756. Thus, KVHI concludes that it will have sufficient funds available with which to meet its estimated first year construction costs of $35,500, plus the additional $38,625 allegedly needed for the replacement of its tower and filter system.

4. In reply, Communico asserts that its request has not been mooted by KVHI's amendment of its financial proposal, maintaining that Mr. Berger's balance sheet still does not give reasonable assurance that he will have adequate funds available to meet his present loan commitment. Specifically, movant contends that the $40,000 in bonds listed under liquid assets cannot be relied upon since no evidence has been presented concerning their marketability or liquidity. Communico concludes that Mr. Berger's liquidable assets in excess of current liabilities are $84,756, $18,244 short of his loan commitment.

* These figures are calculated as follows:

<table>
<thead>
<tr>
<th>KVHI's construction cost</th>
<th>$35,500</th>
</tr>
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<tbody>
<tr>
<td>Additional construction costs</td>
<td>$81,625</td>
</tr>
<tr>
<td>(new tower)</td>
<td>$13,825</td>
</tr>
<tr>
<td>(new filter system)</td>
<td>$67,800</td>
</tr>
<tr>
<td>(total)</td>
<td>$84,756</td>
</tr>
<tr>
<td>Bonds from stockholders</td>
<td>$40,000</td>
</tr>
<tr>
<td>(total)</td>
<td>$124,756</td>
</tr>
<tr>
<td>Additional $38,625</td>
<td>$38,625</td>
</tr>
<tr>
<td>(total)</td>
<td>$163,381</td>
</tr>
</tbody>
</table>

In an attached affidavit, Mr. Berger states that he did make a high guess estimate in the presence of Mr. Constant but explains that it related to the combined legal costs for both KVHI and Communico and was made in the hope of encouraging a settlement between the parties.

This amendment was accepted, by Order, FCC 76M-866, released July 7, 1976.

Out of this $81,000 loan, KVHI will have $74,620 available after interest is deducted for first year construction costs.
5. The Review Board will deny the requested financial issue. Although we agree with Communco that KHVH must have an adequate tower facility and filter system in order to effectuate its proposal 76M-41454, movant has failed to raise a substantial question concerning either the sufficiency of Mr. Berger's liquid assets, or the adequacy of his proposed $51,000 loan to meet these added costs (§74.1250) by §74.520. Thus, Mr. Berger lists $104,756 in current and liquid assets in excess of current liabilities, enabling him to meet his $81,000 loan commitment. Furthermore, with respect to counsel fees, KHVH has satisfactorily responded to Constant's affidavit by explaining Berger's statement regarding attorney's fees. Moreover, movant has failed to raise a substantial question concerning the marketability of his liquid assets. Thus, Mr. Berger lists $104,756 in current and liquid assets in excess of current liabilities, enabling him to meet his $81,000 loan commitment.

6. Communco requests that an issue be added in this proceeding to determine whether KHVH can effectuate its proposed modifications. In support, movant's consulting engineer submits an analysis of the effect of KHVH's filter system on its present and proposed operations. Based upon information submitted by Communco's chief engineer for standard broadcast Station KPOI, and an examination of Commission files, he contends that KHVH's present filter system is causing bandwidth limitation which in turn is resulting in both poor isolation between, and poor modulation quality of, the four stations located on KHVH's tower. Furthermore, Communco's consultant maintains that these technical problems will be compounded by KHVH's proposed change in frequency and power. Thus, Communco concludes, KHVH is "not now operating within the Commission's Rules," and that a substantial question is raised concerning KHVH's ability to effectively implement its proposal.

7. In opposition, KHVH again maintains that the replacement of its filter system is not necessitated by its proposed change in frequency and power. However, the question raised need not be resolved in this proceeding. Furthermore, KHVH contests the findings of Communco's consulting engineer, asserting that both the factual basis for his affidavit, as well as the reasoning behind it, are incorrect. Specifically, KHVH points out that the drawings relied upon by Communco's consultant depict a filter system containing six stations, while at present only four stations are connected. In this regard, KHVH also states that there is no indication that Communco's consultant ever visited the site to determine whether the drawings accurately reflect the present filter system, and concludes that he lacks the personal knowledge of relevant facts required by Section 1226 of the Communications Act of 1934. Moreover, KHVH submits a special supplementary audio proof-of-performance dated April 26, 1976, in which it is concluded that certain technical standards as to frequency response, distortion, and power are not met.

8. Initially, it must be noted that although the replacement of KHVH's filter system may not be necessitated by its proposed change in frequency and power, Section 73.24(e) of the Commission's Rules "authorizes an increase in facilities to make a satisfactory showing as to the adequacy of its technical operation." Clearly, KHVH's filter system is a major part of its present technical proposal, and therefore, these questions have not been satisfactorily resolved by the allegations contained in KHVH's opposition. Thus, while KHVH is correct that movant's consulting engineer did not personally inspect the site in question, nevertheless, his detailed affidavit is based upon photographs of the site and an affidavit supplied by Station KPOI's chief engineer, supplemented by Commission's files, and KHVH has not shown that this information is insufficient to support his analysis. Moreover, the factual allegations indicate that KHVH cannot operate with its present filter system, even if KHVH is correct that only four stations are presently connected to the filter system. Therefore, the Board will add an issue to determine whether, in view of the facts of this case, the applicant can effectuate its proposal.

SPECTRUM UTILIZATION ISSUE

9. Communco requests that an issue be added to determine whether a grant of KHVH's application which proposes to increase power as well as change frequency, would provide for the most efficient and equitable utilization of the radio broadcast spectrum as contemplated by Section 307(b) of the Communications Act of 1934, as amended. In support, movant submits an affidavit from its chief engineer which indicates that the frequency has been determined from a frequency search of the standard broadcast spectrum that only two frequencies (990 KHz and 1000 KHz) in the Honolulu area would presently allow a station to cover a metropolitan area by a corresponding increase in power. Thus, movant contends that KHVH's proposed change in frequency from 1040 KHz to 1090 KHz would be wasteful in light of the fact that such a proposal would necessarily
preclude operation on two frequencies (1940 kHz and either 990 kHz or 1000 kHz), while at the same time utilizing only one allocation.2 Communo further maintains that KHVH could accomplish its desired power increase without making such a frequency move. In this regard, Communo asserts that KHVH’s stated reasons for changing its frequency—i.e., spurious and cross modulations, at the transmitter site. Moreover, Communo argues that the proposed power increase would only aggravate these cross modulation difficulties.

10. KHVH, in opposition, contends that although its proposal might reduce by one the number of available AM frequencies in Honolulu, it would in turn make another frequency usable in other cities in the Hawaiian Islands. Thus, KHVH concludes that a grant of its application would provide for a fair, equitable, and efficient use of the broadcast spectrum since, at present, only 10 of Hawaii’s 25 AM stations are licensed outside Honolulu.

11. Movant’s request for an issue will be denied. Initially, we note that Communo has not presented any engineering data to support its allegation that KHVH could increase its power without changing its frequency. Thus, Communo has failed to meet the support requirements of Section 1.229(e) of the Commission’s Rules, and for this reason alone, further inquiry would be unwarranted. Moreover, we note that, in effect, movant is arguing that KHVH’s proposal is not in the public interest because the applicant could have achieved its desired objectives in a better way. However, the Commission’s consistent policy has been that “an application which is otherwise in the public interest and meets the requirements of the Rules, should be granted without regard to possible superior proposals which might have been advanced.” WKYR, Inc., FCC 63-834, 19 FR 2314, 2317 (1954). Hence, Communo has made no showing that the KHVH application contravenes any Commission rule or is otherwise inherently deficient, the admission of the requested issue would be inappropriate.

12. Accordingly, it is ordered, That the request for reconsideration, filed June 29, 1976, by KHVH, Inc. (KHVH), is granted; and that the supplement is accepted; and

13. It is further ordered, That the motion to enlarge issues, filed April 19, 1976, by Communo Oceanic Corporation (KPOI), is granted to the extent indicated herein and is denied in all other respects therein.2

14. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue:

To determine whether the present filter system installed in the KHVH, Inc.’s tower facility is sufficient and suitable for its proposed operation, and, if not, the effect thereof upon the applicant’s technical Qualification.

15. It is further ordered, That the burdens of proceeding with the introduction of evidence and of proof under the issue added herein SHALL BE on KHVH, Inc. (KHVH).

FEDERAL COMMUNICATIONS COMMISSION
VINCENT J. MURPHY, Secretary.

[FR Doc 76-27757 Filed 9-31-76; 8:45 am]

[3 1 FCC 76-292; Docket No. 20740 and 20741; File No. BP-19635 and BP-19730]

COMMUNICO OCEANIC CORPORATION (KPOI) and KHVH, INC. (KHVH)
Applications for Construction Permits
Adopted September 13, 1976.

Released September 21, 1976.

1. This proceeding involves the mutually exclusive applications of Communo Oceanic Corporation (Communo) and KHVH, Inc. (KHVH) for construction permits to change the frequency and increase the power of their standard broadcast stations located in Honolulu, Hawaii. The Review Board has now before it a motion to enlarge issues, filed April 18, 1976, by KHVH, requesting the addition of financial, 1.65, 1.5141 and misrepresentation issues and a specialized programming issue.

SPECIALIZED PROGRAMMING ISSUE

2. Movant contends that since it will devote a minimum of 113 hours or 69.7% of its total time on the air each week to

news programming, whereas Communo programs primarily “middle-of-the-road” music, a specialized programming issue is required. We agree that in this situation the programming proposals of the applicants may be compared under the standard comparative issue. See Commercial Radio Institute, Inc., 48 FCC 2d 233, 31 RR 2d 12 (Rev. Bd. 1974); Jimmie H. Powell, 46 FCC 2d 1150, 30 RR 2d 1112 (Rev. Bd. 1972); KZNG Broadcasting Corp., FCC 67-82, 32 FR 770 (1967); and Ward L. Jones, FCC 67-62, 32 RR 1052, published January 28, 1967. See also Policy Statement on Comparative Broadcast Hearings, 1 FCC 2d 393, 397 n.9, 5 RR 2d 1901, 1911 n. 9 (1966). Where a specialized format is involved, this comparison is warranted without an initial demonstration of superior devotion to public service, although such a demonstration is required when the comparative programming issue is based upon less broad differences in the amounts of time to be devoted to particular program elements. Thus, since KHVH proposes a news format and Communo a specialized news programming, while Communo proposes general market programming, evidence may be adduced relating to a comparison of the need in the gain area for the particular type of format proposed. Although in the past the Board has sometimes provided for the comparison of a specialized format by adding a new issue, we note that the Commission generally provides for the comparison under the standard comparative issue, and we are following that procedure here.

FINANCIAL, MISREPRESENTATION AND RULES 1.65 AND 1.5141 ISSUES

3. KHVH alleges in its motion to enlarge that an availability of funds issue should be added against Communo since the latter’s balance sheet, dated January 31, 1974, and submitted with the instant application, although indicating available cash in the amount of $238,069, shows only $1,000 actually on deposit, an amount which is insufficient to meet the estimated $76,000 cost of financing its proposal. Movant contends that since KHVH was only formed in November of 1973, and thus could not have had

2 As the Commission stated in Chapman Radio and Television Co., 7 FCC 2d 215, 9 RR 2d 835 (1967), a proponent of the comparative programming issue is required to make a prima facie showing that there are significant differences in the programming proposed which go beyond ordinary differences in judgments which may be of decisional significance in a particular case.

3 As Communo, a wholly owned subsidiary of Communo, Inc., was formed in November of 1975, it purchased Station KPOL-FM. Communo planned to finance the purchase with a loan from the Connectic which may be compared under the standard comparative issue.
such items as “accounts receivable” and "retained earnings from prior years" on its January 31, 1974 balance sheet, the cash represented as belonging to Communco on January 31, 1974 was not its own.

Thus, the KKH slimming Communco on a financial issue necessary, but a misrepresentation issue is also required. Movant also asserts that if the cash relied upon by Cochonet belongs to its parent corporation, Communco, Inc., and the latter plans to finance Station KPOI's proposal, addition of a Rule 1.514 issue would also be warranted to determine whether Communco filed an incomplete application since there is nothing in the instant application to indicate that Communco, Inc., is either able or willing to finance KPOI's proposal. KKH further submits that a Rule 1.65 issue should be specified against Communco because the applicant failed to amend its application to reflect a reduction of $13,469 in the funds on which it was relying to effectuate its proposal. Movant asserts that a consolidated balance sheet dated July 31, 1974 of Communco and Communco, Inc., indicates that only $1,000 was on deposit, but rather would have represented the bank deposit to be something it was not, i.e., a substantially higher figure than the $1,000 shown. Moreover, Communco contends that considering the prior years' and retained earnings—current operations until sales revenues were anticipated construction costs and current liabilities without reliance on any other sources, whereas with only $117,300 in available cash the applicant must also rely on the collection of its accounts receivable to meet these expenses. 4. In opposition, Communco explains that at the time the instant application was prepared, only seven days after Communco had assumed control of Station KPOI, only $17,300 of existing capital had been generated from the operation of the station. According to opponent, the $1,000 on deposit was that which remained subsequent to closing to permit interim station operations until sales revenues were generated and the $238,069 in cash reflected on the balance sheet dated January 31, 1974, which was a combined statement for the parent and subsidiary, was a representation of the parent' and subsidiary’s assets as its own was due to inadvertence or other innocent error and, thus, a misrepresentation issue is required.

5. In response to the request for a misrepresentation issue, Communco argues that had it intended to mislead the Commission, it would not have represented that only $1,000 was on deposit, but rather would have represented the bank deposit to be something it was not, i.e., a substantially higher figure than the $1,000 shown. Moreover, Communco contends that considering the prior years' and retained earnings—current operations until sales revenues were anticipated construction costs and current liabilities without reliance on any other sources, whereas with only $117,300 in available cash the applicant must also rely on the collection of its accounts receivable to meet these expenses. 4. In opposition, Communco explains that at the time the instant application was prepared, only seven days after Communco had assumed control of Station KPOI, only $17,300 of existing capital had been generated from the operation of the station. According to opponent, the $1,000 on deposit was that which remained subsequent to closing to permit interim station operations until sales revenues were generated and the $238,069 in cash reflected on the balance sheet dated January 31, 1974, which was a combined statement for the parent and subsidiary, was a representation of the parent' and subsidiary’s assets as its own was due to inadvertence or other innocent error and, thus, a misrepresentation issue is required.

6. Movant contends, in reply, that Communco’s financial amendment does not resolve the issue of whether the applicant has adequate funds to effectuate its proposal. Rather, KKH asserts that while Communco has $117,300 in cash or existing capital and $37,950 in current assets, it must also pay $79,200 in current obligations and $76,000 in proposed construction costs for a total of $155,200, leaving only $65,000 to fund what has been a deficit operation of Station KPOI. Furthermore, movant argues that Communco has not shown the collectability of $30,000 in commercial paper, $50,000 in accounts receivable and $50,000 in certificates of deposit which total $117,300. Since the $800 difference is of no decisional significance, we will assume that the applicant actually has $67,300 in cash.

7. The Bureau, in its opinion, that even if it proved to be true that Communco was relying on its parent corporation to finance its proposal, only a comparatively Rule 1.514 issue, rather than a Rule 1.65 issue, should have been specified, since there had been no indication of an intent to deceive the Commission.

8. Communco's financial amendment has been approved by the presiding Judge. See n. 9, supra.
has indicated about the $50,000 in coming the likelihood of payment. Nor has forthcoming, as it was in Ken Stephens, $5 FCC 2d 385 (Rev. Bd. 1975), indicating a likelihood of payment. Nor has the Commission been informed whether the $50,000 due on July 15th has yet been received by CBT Corporation. We also note that although the parent treasurer of CBT Corporation, Inc., states that the net accounts receivable of $37,950 is of fair value and fully collectible, he has failed to certify them collectible within 90 days, as required by item 4(b) Sec. III, FCC Form 301. Additionally, we do not know whether the assistant treasurer who made the certification is a Certified Public Accountant as required.

Furthermore, while indicating in its financial amendment that its substantial annual losses are regularly absorbed by its parent, CBT Corporation failed to submit financial statements demonstrating Communico, Inc.'s current financial situation; therefore, the Board is unable to realistically determine the financial capability of the parent corporation to sustain the losses of its subsidiary海洋海洋美国电视公司，Inc., and to continue operating Communico, Inc.’s current financial situation; therefore, the Board is unable to realistically determine the financial capability of the parent corporation to sustain the losses of its subsidiary. Since movant has not met the specificity and support requirements of Section 1.229(c) of the Commission’s Rules, the issue will not be added.

10. Accordingly, it is ordered, That the motion to enlarge issues, filed April 10, 1976, by KHVH, Inc., is granted to the extent indicated herein, and is denied in all other respects; and 

11. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue:

To determine whether Communico Oceanic Corporation has sufficient funds available to finance its proposal, and whether, in light of the evidence adduced, Communico Oceanic Corporation is financially qualified.

12. It is further ordered, That the burdens of proceeding with the introduction of evidence and proof under the above issue shall be on Communico Oceanic Corporation.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FRC Doc. 76-27736 Filed 9-21-76; 8:45 am]

FLINT FAMILY RADIO, INC., ET AL.
Applications for Construction Permits
Adopted September 14, 1976.

Released September 22, 1976.

1. The above-captioned mutually exclusive applications were designated for hearing on March 4, 1976, at which time it was learned that petitioner Merritt had filed a petition to enlarge issues against Flint Metro Mass Media, Inc. (Metro) :

(a) To determine the facts and circumstances relating to and surrounding the contacts by Family Broadcasting Corporation, Inc. of the Flint Family Radio, Inc. witnesses.

(b) To determine whether Flint Metro Mass Media, Inc. solicited and encouraged others to make presentations which the applicant itself was prohibited from making under the provisions of Section 1.1235 of the Commission’s Rules.

(c) To determine the effect of the evidence adduced under Issues (a) and (b) upon the basic and/or comparative qualifications of Flint Metro Mass Media, Inc. to be a Commission licensee.

ABUSE OF PROCESS ISSUE.

2. With regard to its request for an abuse of process issue, Family argues that prior to a March 4, 1976 hearing session in this proceeding, Vernon Merritt, president, a director, 28.5% stockholder and proposed general manager of Metro, contacted three of Family’s proposed rebuttal witnesses, Rev. J. C. Curry, B. T. Anderson and L. W. Pryor, in an attempt to dissuade them from testifying at the hearing. In support of this allegation, movant relies on affidavits from each of the above named witnesses of their contacts in question. Specifically, Rev. Curry averred that prior to the March 4 hearing, Merritt phoned him twice to encourage me not to attend as a witness on behalf of Family, and that on March 3, 1976, Merritt brought him the testimony of prior witnesses in this proceeding. Rev. Curry further explains that he “believes this material was brought to me to read for the purpose of encouraging me not to attend as a witness for Family” at the March 4 hearing. Similarly, Rev. Anderson states that “Merritt phoned me several times concerning my appearing as a witness for Family,” and that “Merritt gave me some materials to read to achieve his stated purpose.” Finally, Rev. Pryor averred that Merritt gave him the prior testimony of a witness in this proceeding. In light of the above, petitioner asserts that Metro has abused the Commission’s processes by going beyond the limits of a permissible investigation of a competing applicant, citing in support, WICO, Inc., 84 FCC 2d 692, supra.

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34 RR 2d 1093 (Rev. Bd. 1975) and
Chronicle Broadcasting Co., Inc., 10 FCC 2d 240, 6 RR 2d 1014 (Rev. Bd. 1972)

3. In opposition, Metro first argues that its purpose in contacting the Rev. Curry, Anderson and Pryor was merely to ascertain the circumstances under which they had agreed to appear as witnesses for Family. According to the affidavit of Vernorn Merritt, Jr., submitted with Metro's pleading, Merritt became aware that a prior Metro witness had given false testimony and was advised that he could properly be excused or pressured not to go to Washington as to whether he had been threatened or harassed. In response to Freeman's question as to whether he had been threatened or harassed, Merritt "specifically asked me not to attend as a witness. Nor did he ever threaten or harass me or offer me anything to induce me not to testify for the * * Family." Similarly, regarding the affidavit of Rev. Anderson, in response to Freeman's question as to whether he had been threatened or harassed, Rev. Anderson not to testify for the Family. In light of the foregoing, Metro maintains that its actions were entirely proper and consistent with the standards set forth in Rocket Radio, Inc., 56 FCC 2d 238, 5 RR 2d 293 (Rev. Bd. 1975); National Broadcasting Co., Inc. (KNBC), 21 FCC 2d 195, 18 RR 2d 74 (Rev. Bd. 1970); and Chronicle Broadcasting Co., supra.

4. It is beyond dispute that one party may not attempt to obstruct the presentation of a competing application, whether by an improper investigation of an opponent or otherwise. Chronicle Broadcasting Co., Inc., supra. Metro attacks its pleading an affidavit from its president who denies Mason's allegation and affidavits from nine persons who attest to the September 26, 1975 meeting, all of whom state that either they do not recall hearing or did not hear Merritt solicit direct support for the Metro proposal.

7. The Review Board will add the requested ex parte solicitation issue. First, although Family has not established good cause for late filing of its request, the Board is convinced that Family has made a serious public interest question which requires exploration in the context of an evidentiary hearing. The Edgefield-Saluda Radio Co. (WJES), 5 FCC 2d 148, 8 RR 2d 611 (1966). It is uncontested that members of the community write or telephone the Commission or their congressmen and senators on behalf of applicants, which the Board is unable to resolve on the basis of the pleadings before us. Thus, there is a conflict between Mason's position in his affidavit that Merritt made a prohibited presentation at the September 26, 1975 meeting, and the affidavits of Merritt and others either denying the allegation or stating that they did not hear or do not recall hearing the alleged solicitation.

In our view, the conflict in the affidavits is sufficient to require resolution on the basis of an evidentiary record. Rocket Radio, Inc. v. WAMM, Inc. setting forth the same allegations.

Family also submits the affidavit of Edward S. Kulvenzor, its president, who states in essence that his efforts to corrobore Mason's allegation were unsuccessful in that he was unable to interview most of the participants in the meeting and those to whom he did speak would neither confirm nor deny Mason's account.

In opposition, Metro first raises a question as to the reliability of the Mason affidavit, arguing that it is a party with an "obvious bias" in that Metro would compete with WAMM for the airtime. Metro did not file any of the affidavits purportedly made by the parties, which were granted. In addition, Metro attaches to its pleading an affidavit from its president who denies Mason's allegation and affidavits from nine persons who attest to the September 26, 1975 meeting, all of whom state that either they do not recall hearing or did not hear Merritt solicit direct support for the Metro proposal.

Metro provides a copy of a letter from Washington counsel to Merritt, dated February 26, 1976, which confirms that this advice was given.

According to Freeman, Rev. Anderson stated that he would rather not give an affidavit concerning the Metro and Family incident, which he had previously given an affidavit to Family.

8. Accordingly, it is ordered, That the petition to enlarge issues filed April 13, 1976 by Flint Family Radio, Inc. is GRANTED to the extent indicated below, and is DENIED in all other respects; and

9. It is further ordered, That the issues in this proceeding are Enlarged to include the following issue:

To determine if Flint Metro Mass Media, Inc. solicited ex parte presentations in violation of Section 1.1225 of the Commission's rules and, if so, to determine whether such conduct reflects adversely upon Flint Metro Mass Media, Inc's basic qualifications to be a licensee.

10. It is further ordered, That the burdens of proceeding with the introduction of evidence and of proof under the issue added herein shall be on Flint Family Radio, Inc.

FEDERAL COMMUNICATIONS COMMISSION, VINCENT J. MULLINS, Secretary.

[FR Doc. 76-27759 Filed 9-21-76; 8:45 am]

FM BROADCAST APPLICATIONS

Ready and Available for Processing


Released: September 17, 1976.

The following applications specify essentially the same facilities as those of former FM broadcast station KEFM, Omaha, Nebraska, which ceased operations on September 2, 1976. The Commission will accept other applications which proposed substantially the same facilities. The Commission will also entertain applications in the matter of: Development of policy re: change in the entertainment format of broadcast stations.

In the matter of: Development of policy re: change in the entertainment format of broadcast stations.

Filed by Frank Kahn (on behalf of himself) Aug. 26, 1976

Filed by Doris Grossman, attorney for WNCN Listeners Guild Aug. 30, 1976


In the matter of: Amendment of sec. 73.658 of the Commission's rules to bar multiple exposure of more than one episode of the same program (except for local news or public affairs programs) in access time on stations owned by or affiliated with a national television network in the 50 largest television markets.


Filed by Kenneth A. Cox, John Wells King, attorneys and Ashbrook Sept. 7, 1976

P. Bryant, associate counsel.

In the matter of: Amendment of pts. 80, 91, and 93 of the Commission's rules and regulations to eliminate the required annual measurement of transmitter power, frequency and modulation, and to specify transmitter power in terms of output power.

Filed by Hunter Bell, president of Bell Communications Inc.

De.

Rule Making Proceedings

Petitions for Reconsideration of Actions

September 17, 1976.

Note.—Opinions on petitions for reconsideration must be filed on or before Oct. 7, 1976. Replies to an opposition must be filed within 30 days after time for filing oppositions has expired.

FEDERAL ENERGY ADMINISTRATION

VOLUNTARY AGREEMENT AND PLAN OF ACTION TO IMPLEMENT THE INTERNATIONAL ENERGY PROGRAM

Meeting and Approvals by the Administrator and the Attorney General

In accordance with Section 252(c) (1) (A) (1) of the Energy Policy and Conservation Act (P.L. 94-163), notice is hereby provided of a meeting of Subcommittee A of the Advisory Board (IAB) to the International Energy Agency (IEA) to be held on October 4, 1976, at the headquarters of the IEA, 2 Rue Pascal, Paris 16, France, beginning at 9:00 a.m. The purpose of this meeting is to permit representatives of members of Subcommittee A to participate in the Fall 1976 IEA Allocation Systems Test, which is scheduled to begin at 9:00 a.m. on October 4, 1976, and which will continue for a period of six to eight weeks. The agenda for the meeting consists of the conduct of the Allocation Systems Test.

The systems test and the exchange and provision of certain information necessary to implement the test has been approved by the Administrator (Annex A) and the Attorney General (Annex B).

As provided in Section 252(c) (1) (A) (ii) of the Energy Policy and Conserva-
provided for the exchange or provision of the following types of information:

1. Unaggregated first half 1975 Questionnaire "A" or "B".
2. Costs or market shares of crude oil or product prices.
3. Cross-shipment data (ie. data which must be kept confidential and proprietary information and exchanged as part of the test, and types of information that may not be provided; specifies the persons who may be exchanged and among whom it may be exchanged; and establishes the conditions under which such provision or exchange of data is permitted. Approval for furnishing and exchanging confidential information would apply to all present U.S. companies, the IEA Secretariat and ISAG and will propose and carry out certain mock reallocations.

This approval does not extend to:

1. Confidential or proprietary crude oil or product prices.
2. Costs or market shares of crude oil or product prices.
3. Cross-shipment data.

Copies of Provision Questionnaire "A" shall be provided to:


Any other confidential or proprietary data which may be exchanged as part of the test shall be supplied upon request to the U.S. Government representatives attending the test.

This approval of the test and the provision of certain data and information (including the need to provide it in disaggregated and individually communications by individual

The data base for the questionnaires will be each company’s historical work and supply schedules for two dates, August 1976 and August 1975, as modified by assumed supply disruptions and the mock reallocations.

The International Energy Agency (IEA) is expected shortly to formally request a test of the emergency allocation system. This letter sets out certain guidelines for industry participation in the test and provides certain required approvals for the exchange of confidential and proprietary data.

The IEA Secretariat and ISAG will propose and carry out certain mock reallocations and the Voluntary Agreement and Plan of Action to Implement the International Energy Program (IEP) and which are now contained in the Emergency Management Manual. The IEA Secretariat and ISAG will propose and carry out certain mock reallocations and the Voluntary Agreement and Plan of Action to Implement the International Energy Program (IEP).

The U.S. Government intends to use the test as an opportunity to test its own mock ISAG. The IEA Secretariat and ISAG will propose and carry out certain mock reallocations and the Voluntary Agreement and Plan of Action to Implement the International Energy Program (IEP).

This approval covers the provision of such data to the IEA Secretariat and the ISAG. Such data may also be exchanged among IEA members, observers authorized by the IEA while present at the test, and, as necessary to carry out the test, with Reporting Companies to cooperate fully in this important work.

This is in response to your letter of August 2, 1976, which requests my approval of the provision and exchange of certain confidential and proprietary information and data by U.S. companies participating in the Voluntary Agreement and Plan of Action to Implement the International Energy Program (IEA) of its emergency allocation system. My approval is sought pursuant to the provisions of section 5(b) of the Voluntary Agreement.

The test is at present, scheduled to begin in October and run for up to eight weeks and is based on certain historical supply and capacity data. The oil industry will participate in two ways in the test. Members of Subcommittee A of the Industry Advisory Advisory Board carried out in accordance with Section 5 of the Voluntary Agreement. Working sessions will include meetings of all ISAG members as well as smaller sessions of ISAG members working on particular problems. Given the length and nature of the test it will not be practicable to keep a verbatim transcript. Instead a full and complete record will be prepared for use by governments and representatives present at the test. The U.S. Government representatives will attend all sessions of the subcommittee and ISAG and the companies participating in the test will be treated as "communications" subject to FEA regulations. More detailed guidelines including suggested operating procedures are set out in Appendix A. These guidelines were prepared in cooperation with the Department of Justice and the Federal Trade Commission. The U.S. Government intends to use the test as an opportunity to test its own mock ISAG. The IEA Secretariat and ISAG will propose and carry out certain mock reallocations and the Voluntary Agreement and Plan of Action to Implement the International Energy Program (IEP).

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The test has two main purposes. First it will assess certain specific characteristics of crude grades/product types.

2. Historical and forecast country crude/NGO production data, as well as information on supply restrictions and embargoes which may occur during an emergency.

3. Physical capability of a refinery or installation to receive various sized vessels.

4. Main characteristics of crude grades/product types.

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The International Energy Agency (IEA) is expected shortly to formally request a test of the emergency allocation system. This letter sets out certain guidelines for industry participation in the test and provides certain required approvals for the exchange of confidential and proprietary data.

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This approval covers the provision of such data to the IEA Secretariat and the ISAG. Such data may also be exchanged among IEA members, observers authorized by the IEA while present at the test, and, as necessary to carry out the test, with Reporting Companies to cooperate fully in this important work.
ISAG members with each other; communications by ISAG with Reporting Companies; actions by Reporting Companies to adjust their details to comply with the guidelines and supply imbalances among IEA member countries. The guidelines also establish procedures for consulting with the Federal Trade Commission on this matter. Following these consultations, I hereby convey in your approval of the test and give my approval under section 15 of the Shipping Act 1916 as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 7814). Any person desiring to become a party must file a petition to intervene. Copies of this filing are on file with the Federal Power Commission and are available for public inspection.

KENNETH F. PLUMS, Secretary.

[FR Doc.76-27762 Filed 9-21-76; 8:45 am]

AGOLQUIN GAS TRANSMISSION CO.
Rate Change Pursuant to Purchased Gas Cost Adjustment Provision

September 14, 1976.

Take notice that Algonquin Transmission Company ("Algonquin Gas"), on or before September 9, 1976, will file with the Federal Power Commission an implementation of the August 25, 1976, tendered for filing Substitute Eighteenth Revised Sheet No. 10 and Substitute Nineteenth Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1. The rate changes are being filed to reflect revised rates filed by its supplier, Texas Eastern Transmission Corporation, on August 16, 1976.

The proposed effective dates of these tariff sheets are August 2, 1976, and September 1, 1976, respectively.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE, Washington, DC 20423, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 23, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protests parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Federal Power Commission and are available for public inspection.

KENNETH F. PLUMS, Secretary.

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

FEDERAL POWER COMMISSION

[FR Doc.76-27730 Filed 9-21-76; 8:45 am]
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FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976

BOSTON EDISON COMPANY, ETC.

Order Accepting Settlement Agreement and Terminating Proceedings

On June 30, 1976, Presiding Administrative Law Judge Michel Levant certified to the Commission a proposed settlement agreement (Agreement) in the captioned dockets, together with the record in these proceedings. The Commission finds that the Agreement is in the public interest and accepts and approves it.

The subject dockets were initiated when, on February 11, 1974, the Commission instituted an investigation of the Fitchburg system capacity by Edison to Fitchburg during scheduled outages at normal operation. The amendments to the contracts would become effective as of June 1, 1976. The record in these proceedings, including the settlement agreement itself, the filings, documents and pleadings submitted, demonstrates that the proposed rates are supported by cost evidence and are just and reasonable, and that the settlement agreement represents a reasonable resolution of the issues. Accordingly, approval and adoption of the Agreement are in the public interest.

In conjunction with acceptance and approval of the subject Agreement, the Commission shall require Edison to tender for filing revised tariff schedules reflecting the terms of the settlement agreement.

The Commission finds: The Agreement certified to the Commission by the Presiding Administrative Law Judge in these proceedings is supported by cost evidence and should be accepted and approved as hereinafter conditioned and ordered.

The Commission orders: (A) The Agreement certified to the Commission in these dockets is hereby accepted, incorporated herein by reference and approved effective June 1, 1976, subject to the following condition.

(B) Edison shall file within 30 days of the issuance of this order the amendments to Boston Edison Company, Rate Schedule FPC No. 71, in conformance with the terms of the Agreement approved herein.

(C) This order is without prejudice to any findings or orders which have been made or which may hereafter be made by the Commission, and is not prejudicial to any claims or contentions which may be made by the Commission, its Staff, Boston Edison Company, New England Power Service Company, or any other party or person affected by this order in any proceedings now pending or hereafter instituted by or against Boston Edison Company, New England Power Service Company, or any other person or party.

(D) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.

KENNETH F. PLUMS,
Secretary.

*Designations for the transmission of the Fitchburg system capacity are Boston Edison Company, Rate Schedule FPC No. 71 and New England Power Company, Rate Schedule FPC No. 262.

**Designations for the transmission of the Fitchburg system capacity are Boston Edison Company, Rate Schedule FPC No. 71 and New England Power Company, Rate Schedule FPC No. 262.

BRUER & GENTILE

The Honorable MICHEL LEVANT,
Administrative Law Judge

Federal Power Commission
25 North Capitol Street, N.E.
Washington, D.C. 20426


DEAR JUDGE LEVANT: On behalf of the three parties to this proceeding, we request that the record be terminated. The Agreement certified to the Commission in the captioned dockets and request that it, along with the record, be accepted and approved by the Commission for approval.

The Settlement Agreement would terminate two consolidated proceedings. Docket No. E-8137 involves a contract providing for the sale of a 40 MW entitlement of system capacity and corresponding system energy by Edison to Fitchburg. The sale began on December 9, 1972 and terminates on September 30, 1981. The Commission will issue an order on May 9, 1974. Docket No. E-8217 involves a contract under which Edison would provide the necessary transmission service for the delivery of Fitchburg entitlement to the Fitchburg system. The transmission contract is coterminous with the system capacity contract and orders the transmission service to Fitchburg. The transmission contract is designated as Exhibit 1. The Docket No. E-8217 transmission contract is designated as Boston Edison Company, Rate Schedule FPC No. 71 and New England Power Company, Rate Schedule FPC No. 262 and is included in the record as Exhibit 7.

Appendix A to the Agreement contains estimated 1976 cost data in support of the settlement. Page 1 of Appendix A is a settlement cost of service which develops the system capacity costs associated with Edison's provision of generation and transmission service to Fitchburg. Page 2 shows the combined system capacity costs used in the page 1 cost of service. The overall average is 9.76 percent and the common equipment cost recovery is 6.1 percent. The transmission recovery is comprised of the following:

- Transmission recovery is less than the transmission contract cost because the transmission contract provides essentially that Edison will recover roughly half its transmission costs. Under the page 1 cost of service, the combined system capacity and transmission costs are $66.36 per kW per year. The equivalent revenues pursuant to the contract, shown on page 3, are somewhat less—$65.54. No cost charge is in connection with NEPCO transmission charges because neither Staff nor any other party has submitted evidence which would show that such charges are excessive. On the basis of the foregoing, Fitchburg, Edison and NEPCO believe that the contract for system capacity and transmission service should not be amended.

Appendix B of the Agreement does amend the Edison-Fitchburg contract in two respects. First, the agreement contractual form, the entire Fitchburg 40 MW system entitlement is tied to the operability
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of a single unit, Edison's Pilgrim 1 nuclear unit. When that unit is not operating because of planned or unscheduled outages, Fitchburg obtains the energy related to its entitlement at scheduled outage rates (paid to Edison) or at rates paid by New England Power Company (to the New England Power Pool) or from other sources of generation. These provisions of the contract have resulted in substantial increases in the cost of generating periods of Pilgrim 1 unscheduled outage. Therefore, Edison and Fitchburg have agreed to amend the contract to create a separate system entitlement provision that will, during periods of Pilgrim 1 unscheduled outage, significantly reduce Fitchburg's current rate of fuel costs and the system energy rate recover fuel costs.

The contract amendment and its proposed effective date of June 1, 1976, are essential in order to preserve the substantial savings which may accrue to Fitchburg during periods of unscheduled Pilgrim 1 outage. Therefore, the parties have agreed that the amendment should be retroactively effective as of June 1, 1976, and have agreed in the interim to estimate and maintain the existing contract, consistent with the Settlement Agreement. This procedure is necessary to protect the substantial savings which may accrue to Fitchburg under the Settlement Agreement. The estimated billings will be revised if the settlement agreement is not ultimately approved, but such revision would entail extensive computations and effort. Therefore, the parties respectfully request expeditious consideration of the Settlement Agreement.

Very truly yours,

CARL M. GENTILE
ATTACHMENTS

UNITED STATES OF AMERICA, BEFORE THE FEDERAL POWER COMMISSION


SETTLEMENT AGREEMENT

Whereas, the Federal Power Commission ("the Commission"), by order issued May 9, 1976, accepted for filing as an initial rate schedule for Boston Edison Company, Rate Schedule FPC No. 71, providing for the sale by Boston Edison Company ("Edison") to Fitchburg Gas and Electric Light Company ("Fitchburg") of a 40 MW entitlement of system capacity and related energy, and hydraulic power, and without modification with the in-service date of Edison's Pilgrim 1 nuclear unit (December 9, 1972) and terminating on September 30, 1981.

Whereas, the Commission, by order issued June 17, 1976, accepted for filing a contract providing for the transmission by New England Power Company ("NEPCO") and Edison of the Fitchburg entitlement to Fitchburg;

Whereas, the Commission orders provided for an investigation of the two contracts in consolidated proceedings under the provisions of § 206 of the Federal Power Act;

Whereas, Edison, NEPCO and Federal Power Commission Staff ("Staff") have each submitted evidence in the proceedings; and

Whereas, Edison, NEPCO, Fitchburg and Staff have held settlement conferences at various times to discuss resolution of the issues in the captioned docket;

Now, therefore, the parties to this settlement agreement, Edison and NEPCO agree as follows:

1. This Settlement Agreement, together with related agreements as forth in Appendix A, are to be submitted to the Presiding Administrative Law Judge for his certification to the Commission for its approval. The cost data panels on one party in the proceeding has taken the position that the NEPCO transmission charges are excessive.

2. Appendix B hereto contains an amendment, which is dated June 16, 1976, to Boston Edison Company, Rate Schedule FPC No. 71. The amendment, including the June 1, 1976 effective date thereof, is part of and an essential term of this Settlement Agreement. Upon and on the condition of acceptance without change of the Settlement Agreement by the Commission, Edison will file, pursuant to § 35.18 of the Commission's Regulations, Appendix B hereto as an amendment of its Rate Schedule FPC No. 71.

3. This Settlement Agreement disposes of all issues in Dockets Nos. E-3119 and E-2817 and, if it is accepted without change by the Commission, Fitchburg and Edison stipulate that the rates set forth in Boston Edison Company, Rate Schedule FPC No. 71, including the availability provisions thereof, for service provided by Edison to Fitchburg in Pilgrim 1 unscheduled outages under rates applicable to such service prior to June 1, 1976 and that, except for any claim as to the amount of a bill and except for any adjustment to an estimated bill based on actual costs, (1) the payments made by Fitchburg to Edison in such unscheduled outages were due and owing and are final and irrevocable, and (2) the Settlement Agreement is in accord and satisfaction for any claims Fitchburg may have directly or indirectly related to the service heretofore rendered pursuant to the said Rate Schedule.

4. Other than as stated in the preceding section, the making of this Settlement Agreement (1) shall not be deemed to establish principles, to affect any other cause in any respect constitute an admission by either party that any allegation or contention in this proceeding is true or valid, and (2) shall not be deemed to prejudice or bind on either of the parties or Staff for purposes of any other proceeding, pending or future, or in any way force the parties or Staff from making any contention in any such proceeding.

5. The acceptance of this Settlement Agreement by the Commission shall not, in any respect constitute a determination by the Commission as to the merits of any allegations or contentions in this proceeding.
NOTICES

Buyer shall prior to February 1, 1977, have the option to change the amounts available from the above units provided that Buyer purchases a minimum of 6,000 kilowatts of associated capacity from each of the Units and further provided that the total purchase equals 40,000 kilowatts. If Buyer exercises the option hereunder the Contracted Capacities associated with each Unit, as set forth in paragraph A-1.1 shall be deemed revised accordingly.

Any person desiring to be admitted to the proceedings of the Commission as an intervenor, must file a petition to intervene with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 11.0 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). Any such petitions or protests should be filed on or before September 22, 1976. Petitions will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any party wishing to file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMS, Secretary.

[FR Doc. 76-37727 Filed 9-21-76; 7:45 am]

[Docket No. RP76-175; PGA76-7]

CONSOLIDATED GAS SUPPLY CORP.

Deferral

Take notice that on September 1, 1976, Consolidated Gas Supply Corporation (Consolidated) tendered for filing a letter in which it stated it will include the reduced rates from revision of Texas Eastern Transmission Corporation's June 17, 1976 PGA filing in its next PGA filing to be made around October 1, 1976 for effectiveness November 1, 1976. Consolidated states the purpose of the deferral is not to place a burden on its customers who have filed their PGA's with the state commissions.

[FR Doc. 76-37728 Filed 9-21-76; 7:45 am]

[Docket No. ER76-861]

CINCINNATI GAS AND ELECTRIC CO.

Filing of Service Agreements

Take notice that on August 23, 1976, Cincinnati Gas & Electric Company tendered for filing revised service agreements with its wholesale customers pursuant to FPC Electric Tariff, First Revised Volume No. 1.

Cincinnati states that the service agreements are to replace corresponding "unexecuted" service agreements filed on or about August 22, 1974, in Docket No. E-8885 at the Commission's direction.

The requested effective dates are the dates of the execution of the agreements as follows:

Village of Hammersville.... July 1, 1976.
Village of Ripley...... Do.
Western Harrison Gas & Aug. 11, 1976.
Electric Company.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 11.0 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 22, 1976. Petitions will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to file a petition to intervene. Copies of this filing are on file with the Commission and available for public inspection.

KENNETH F. PLUMS, Secretary.

[FR Doc. 76-37727 Filed 9-21-76; 7:45 am]

[Docket No. RP72-157; PGA76-7]
NOTICES

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission’s Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 14, 1976. Protest[s] will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMM,
Secretary.

[FR Doc.76-27717 Filed 9-21-76; 8:45 am]

DENVER BOARD OF WATER COMMISSIONERS
Application for Amendment of License
September 14, 1976.

Public notice is hereby given that an application for an amendment of license was filed on March 30, 1976, under the Federal Power Act (16 U.S.C. Sections 824b, 825 et seq.) by the Denver Board of Water Commissioners, Applicant (Correspondence to: J.L. Ogilvie, Manager, Denver Board of Water Commissioners, 144 West Colfax Avenue, Denver, Colorado 80202), for the construction of Project No. 2035, known as the Gross Dam Project, located on South Boulder Creek, and on lands of the United States in Boulder County, Colorado.

Applicant seeks Commission approval to change the outlet works at the project because of their poor condition. The construction would include a new outlet control structure and a new concrete and steel tunnel and flume to the new outlet works. The new outlet structure, to be located downstream from the dam’s east abutment on the east bank of South Boulder Creek. The four operating valves would be removed and the four guard valves would be placed in a full open position and encased in concrete. Steel piping would be connected to the existing outlet works and would then continue through the existing outlet tunnel and flume to the new outlet works. The new outlet structure, to be built over the existing box culvert near the discharge point, would house the five discharge lines, each with an appurtenant guard valve and discharge control valve.

Applicant has requested the shortened procedure provided for under Section 1.32 (b) of the Commission’s Rules of Practice and Procedure, 18 CFR 1.32(b) (1976).

Any person desiring to be heard to make any protest with reference to said application should file a protest the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission’s Rules of Practice and Procedure, 18 C.F.R. 1.8 or 1.10 (1976). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any hearing therein must file a petition to intervene in accordance with the Commission’s Rules.

Take further notice that, pursuant to the authority contained in and conferred upon the Federal Power Commission by Sections 308 and 309 of the Federal Power Act, 16 U.S.C. § 825g and § 825h, and the Commission’s Rules of Practice and Procedure, specifically Section 1.32(b), a hearing on this application may be held before the Commission without further notice if no issue of substance is raised by any request to be heard, protest, or petition filed subsequent to this notice within the time required herein. If an issue of substance is so raised, further notice of hearing will be given.

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for Applicant to appear or be represented at the hearing before the Commission.

The above filing is on file with the Commission and is available for public inspection.

KENNETH F. PLUMM,
Secretary.

[FR Doc.76-27718 Filed 9-21-76; 8:45 am]

DETROIT EDISON CO.
Certificate of Concurrence
September 15, 1976.

Take notice that on September 13, 1976, Consumers Power Company filed a Certificate of Concurrence to the tender of The Detroit Edison Company on August 16, 1976, in the above-captioned docket.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Section 1.8 and 1.10 of the Commission’s Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before October 4, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMM,
Secretary.

[FR Doc.76-27745 Filed 9-21-76; 8:55 am]

DISTRIGAS OF MASSACHUSETTS CORP.
Rescheduling of Settlement Conference
September 14, 1976.

Take notice that the settlement conference in the captioned docket presently scheduled for September 13, 1976 has been cancelled. The conference will be held instead on September 24, 1976 at 10:00 a.m. in Room 3200, North Building, Federal Power Commission, Washington, D.C. 20426.

KENNETH F. PLUMM,
Secretary.

[FR Doc.76-37729 Filed 9-21-76; 7:45 am]

EL PASO NATURAL GAS CO.
Proposed Change in Rate Pursuant to Purchased Gas Cost Adjustments
September 15, 1976.

Take notice that El Paso National Gas Company ("El Paso") on August 23, 1976, applied for a change in rates for jurisdictional gas service rendered to customers served by its interstate gas system. Such service is rendered under rate schedules affected by and subject to the "PGAC-CHPG" contained in the General Terms and Conditions applicable to El Paso’s FPC Gas Tariff, Original Volume No. 1, Third Revised Volume No. 2 and Original Volume No. 2A, and under rate schedule affected by and subject to the "PGAC—High Pressure Gas Provision, ("PGAC") contained in El Paso’s FPC Gas Tariff, Original Volume No. 2A.

El Paso states the instant notice of change in rates is occasioned solely by, and will compensate El Paso only for, increases in the cost of purchased gas (including gas produced from leases acquired after October 7, 1969) which will become effective on or before September 30, 1976, applied for in volume purchased for the twelve (12) month period ending June 30, 1976.

The annualized increase in purchased gas costs as to the PGAC adjustments applies to all rate schedules contained in El Paso’s Original Volume No. 1 tariff and those special rate schedules contained in El Paso’s Third Revised Volume No. 2 and Original Volume No. 2A of $2,235,650 based upon increased purchased gas costs as to the PGAC adjustments.

In addition, El Paso states that its Account 191, Unrecovered Purchased Gas Cost, contains a balance of $27,685,101, applicable to increases in purchased gas costs after January 1, 1976. Included in said Account 191 balance is an estimated amount of $5,836,873 attributable to increased gas costs which El Paso will recover by means of its special Opinion No. 749 surcharge during the period August 1, 1976, to


FEDERAL REGISTER, VOL. 41, NO. 185— WEDNESDAY, SEPTEMBER 22, 1976
The special rate schedules subject to PGAC-CHPG are Rate Schedules FS-3, FS-6, FS-7, FS-10 and PS-32.
NOTICES

Iowa Power and Light Co.

Revised Filing

September 14, 1976.

Take notice that on August 25, 1976, Iowa Power & Light Company (I&P&L) tendered for filing certain revised tariff sheets to its rate increase filing. I&P&L states that the filing is intended to conform to the Commission's order issued herein on July 15, 1976, in that the filing is intended to exclude CWIP from rate base and to conform its fuel cost adjustment clause to the Commission's Regulations.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All protests or petitions should be filed on or before September 30, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb, Secretary.

[FR Doc.76-27719 Filed 9-21-76;8:45 am]

Iowa Public Service Co.

Application

September 15, 1976.

Take notice that on September 8, 1976, Iowa Public Service Company (Applicant) filed an application seeking an order pursuant to Section 204 of the Federal Power Act authorizing the issuance of securities in connection with an arrangement pursuant to which the City of Salix, Iowa is to issue up to $18,000,000 aggregate principal amount of its pollution control revenue bonds (the “Pollution Control Revenue Bonds”) and loan the proceeds thereof to Applicant to use to pay part of Applicant's share of the cost of pollution control facilities being constructed at Unit No. 4 at the George Neal Steam Electric Generating Station located near Salix, Iowa. Neal Unit No. 4 is owned by Applicant and others as tenants in common with Applicant having a 43.4% interest.

The securities to be issued by Applicant consist of a note or notes (collectively, the “Note”) and a first mortgage bond or bonds (collectively, the “First Mortgage Bond”). To evidence its obligation to repay the loan from the City, the Applicant will issue the Note which will be pledged by the City to the Trustee under the Pollution Control Revenue Bond Indenture. Payments under the Note will be sufficient to pay principal, interest and premium, if any, on the Pollution Control Revenue Bonds and to pay the fees, expenses and costs of the City and of the Trustee under the Pollution Control Revenue Bond Indenture.

In addition to the Note, Applicant also proposes to issue the First Mortgage Bond which will be pledged by Applicant to the Trustee under the Pollution Control Revenue Bond Indenture. This is expected to allow the Pollution Control Revenue Bonds to receive a higher rating than would otherwise be possible with conventional bonds. The principal amount of the First Mortgage Bond will be the same as the aggregate principal amount of the Pollution Control Revenue Bonds but interest on the First Mortgage Bond, at the same rate as that borne by the Pollution Control Revenue Bonds, will be payable and accruing only after such time, if any, as the maturity of the Pollution Control Bonds is accelerated pursuant to the provisions of the Pollution Control Revenue Bond Indenture. At the time any of the Pollution Control Revenue Bonds are paid or retired, or provision is made therefor, a like principal amount of the First Mortgage Bond will be surrendered for cancellation. Applicant expects that, having made timely payments under the Note, it will never be called upon to make payments under the First Mortgage Bond.

The Pollution Control Revenue Bonds will have a maturity of between ten and thirty years, subject to market conditions at the time they are issued, and the Note and First Mortgage Bond will have the same maturity. It is not possible to predict the interest rate that will be borne by the Pollution Control Revenue Bonds inasmuch as this rate will also depend on market conditions at the time of issue, but tax-exempt bonds such as these are expected to be (pursuant to Section 103 of the Internal Revenue Code of 1954, as amended) historically carry a lower interest rate than comparable taxable bonds and their use is expected by Applicant to result in interest savings to it.

The Pollution Control Revenue Bonds will be sold to the underwriters by the City and a bond purchase agreement will be entered into between the City and the underwriters with respect thereto. Applicant will not be a party to any such bond purchase agreement.

The sale of the Pollution Control Revenue Bonds will be governed by State law and will be accomplished without competitive bidding by the City. Since the Note and the First Mortgage Bond will be pledged by the Applicant for the benefit of the holders of the Pollution Control Revenue Bonds and as the source of payment therefor (although the City will be the issuer of the Pollution Control Revenue Bonds, the credit of the City will not be pledged to their payment), the terms of each such security must correlate with those of the Pollution Control Revenue Bonds so that competitive bidding with respect to the Note and the First Mortgage Bond is not possible. Consequently, the Note and the First Mortgage Bond are the subject of an Application for Exemption from Competitive Bidding under Section 24.2(o) (2) of the Commission's Rules and Regulations.

Applicant is incorporated under the laws of the State of Iowa, with its principal business office in Sioux City, Iowa, and is engaged in the electric utility business in northwestern, north central and southeastern Iowa, with a few small communities in South Dakota.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 7, 1976, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed or petitions will be considered by the Commission in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb, Secretary.

[FR Doc.76-27739 Filed 9-21-76;8:45 am]

Lawrenceburg Gas Transmission Corp.

Refund Report

September 14, 1976.


Lawrenceburg states that a copy of the report has been mailed to its two wholesale customers and to the two interested state commissions (Indiana and Ohio).

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 22, 1976. Protests
NOTICES

shall, Texas 75670, filed a petition for

person wishing to become a party must

determining the appropriate action to be

filing are on file with the Commission

and are available for public inspection.

KENNETH F. PLUMS,
Secretary.

[FR Doc 76-27733 Filed 9-21-76; 8:45 am]

MARSHALL EXPLORATION, INC.

Petition for Special Relief

September 15, 1976.

Take notice that on August 26, 1976, Marshall Exploration, Inc., (Marshall), 305 West Rusk St., P.O. Box 720, Marshall, Texas 75670, filed a petition for special relief in Docket No. RI76-147 pursuant to Section 2.76 of the Commission's General Policy and Interpretations (18 CFR 2.76).

Marshall is a small producer currently selling gas to Texas Eastern Transmission Corporation (Texas Eastern) from the Grand Cane Field, Desoto Parish, Louisiana and the Whelan Field, Harrison County, Texas. Marshall seeks reimbursement from Texas Eastern of the cost of transportation services involved in its sale of gas.

Any person desiring to be heard or to make any protest with reference to said petition should on or before September 24, 1976, file comments on or before September 24, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMS,
Secretary.

[FR Doc 76-27741 Filed 9-21-76; 8:45 am]

MISSISSIPPI RIVER TRANSMISSION CORP.

Proposed Change in Rates

September 15, 1976.

Take notice that Mississippi River Transmission Corporation ("Mississippi") on September 1, 1976 tendered for filing six (6) copies of Forty-Sixth Revised Sheet No. 3A to its FPC Gas Par.iff, First Revised Volume No. 1, to become effective October 1, 1976.

Mississippi states that the instant tariff sheet is being submitted pursuant to the Purchased Gas Cost Adjustment Order (PGCA) of its tariff to provide for the recovery of amounts accumulated in its unrecovered purchased gas cost account and to update the base average unit cost of gas purchased from producers. Additionally the tariff sheet reflects an adjustment to Mississippi's base tariff rates to reflect the appropriate level of transportation costs associated with Mississippi's purchases of gas in the Mills Ranch Field.

Mississippi further states that the base tariff rates included in Forty-Sixth Revised Sheet No. 3A reflect the effect of the general rate increase filing which was made by Mississippi on April 1, 1976 at Docket No. RP76-77 and suspended by the Commission until October 1, 1976. Mississippi states that the instant filing was made by letter dated August 11, 1976. Montaup filed a Settlement Agreement is in the public interest and will provide for just and reasonable rates. Accordingly, the agreement will be approved.

The proposed settlement, together with testimony and exhibits filed herein, was certified to the Commission on May 25, 1976. Notice of the filing of the Agreement was issued May 24, 1976, with comments due on or before June 4, 1976. The Commission Staff filed timely comments in support of the proposed agreement. On June 21, 1976, the Rhode Island Division of Public Utilities' and Carriers and the Rhode Island Consumers' Council filed timely comments also in support of the Commission orders (A) The Settlement Agreement filed on May 20, 1976 by Montaup, incorporated herein by reference, is hereby accepted and approved.

(B) Within 30 days of the issuance of this order, Montaup shall file the revised rate schedules and service agreement appearing as Appendix A to the Settlement Agreement.

(C) Within 30 days of the filing of the revised rate schedules in accordance with Paragraph (B) supra, Montaup shall refund, with interest at 9 percent per annum, all amounts collected in excess of the proposed settlement services.

Any person desiring to be heard or to protest said filing should file a petition to intervene or a protest in accordance with the Commission's Rules.

KENNETH F. PLUMS,
Secretary.

[FR Doc 76-27740 Filed 9-21-76; 8:45 am]

MID LOUISIANA GAS CO.

Filing of Refund Report

September 15, 1976.

Take notice that on August 13, 1976, Mid Louisiana Gas Company (Mid Louisiana) tendered for filing a refund report stating that by letter dated August 5, 1976, the Commission accepted Mid Louisiana's refund plan, filed June 21, 1976, in the captioned docket and that pursuant to such acceptance Mid Louisiana refunded $24,878.38 to Transcontinental Gas Pipe Line Corporation on August 11, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 285 North Capitol Street, N.E., Washington, D.C. 20426, on or before September 24, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene unless such petition has previously been filed. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMS,
Secretary.

[FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976]
monthly billing determinants and revenue under its prior, present, and settlement rates, and showing the monthly settlement rate increase, the monthly rate refund, the monthly interest computations which may hereafter be made or which may hereafter be made by the Commission, and is without prejudice to any claims or contentions which may be made by the Commission, its staff, Montaup or by any other party or person affected by this order in any proceeding now pending or hereinafter instituted by or against Montaup or any other person or party.

(F) The Secretary shall cause prompt publication of this order to be made in the Federal Register.

By the Commission.

KENNEF P. FLUM, Secretary.

ATTACHMENT A

SETTLEMENT AGREEMENT

This Settlement Agreement is made and entered into by and among Montaup Electric Company, Blackstone Valley Electric Company, Brockton Edison Company, Fall River Electric Light Company, Middleborough Gas & Electric Department, The Narragansett Electric Company, Newport Electric Corporation, and Pascoag Fire District, the Rhode Island Division of Public Utilities and Carriers and the Rhode Island Consumers Council. After acceptance and suspension of the filing, settlement discussions were held. These discussions have resulted in a Settlement Agreement that would leave intact the proposed revision of the system power supply arrangements but would modify the proposed rates. Subject in every particular to the conditions set forth in this Settlement Agreement, including acceptance of this Settlement Agreement in its entirety and without change or condition by the Commission, and with the understanding that the Settlement Agreement is fit consideration and support of every other term, the parties have agreed as follows:

ARTICLE 1: REVISIONS - THE RATE SCHEDULES

1.1 It is agreed that, upon the Commission's approval of this Settlement Agreement, Montaup and its owner companies will file the revised rate schedule in Appendix A hereto to their filing in this docket. The non-affiliated wholesale customers agree to execute the various agreements filed in this docket, as thus revised, prior to their filing with the Commission.

1.2 This filing in this docket, as revised in Appendix A hereto, is to be effective as of May 19, 1975, when the filing became effective under Commission suspension order, and Montaup and its owner companies agree to refund all amounts collected under the rates as originally filed in excess of the settlement rates.

ARTICLE 2: SETTLEMENT COST OF SERVICE

2.1 It is agreed, for settlement purposes only, that the Settlement rate is supported by the cost of service analysis presented in Appendix B hereto.

ARTICLE 3: CONDITIONS

3.1 The making of this Settlement Agreement shall not be deemed to constitute an admission by any party that an allegation or contentions in these proceedings is true or valid.

3.2 The making of this Settlement Agreement establishes no principles and shall not be deemed to be a party from making any contentions in any proceeding or investigation.

3.3 The acceptance of this Settlement Agreement by the Commission shall not be deemed to constitute a determination by the Commission as to the merits of any allegations or contentions made in this rate proceeding.

3.4 The Settlement Agreement is expressly conditioned upon the Commission's acceptance of all the provisions thereof, without any change or condition, in the following further Commission actions:

(a) waiver of the requirements of Section 35.13 of its regulations under the Federal Power Act with respect to said filings; and

(b) acceptance of said filings without suspension, under Section 35.13 of its regulations under the Federal Power Act, effective as of the dates specified in said filings.

3.5 The discussions between the parties which have preceded this Settlement Agreement have been conducted on the explicit understanding, pursuant to Section 1.18(e) of the Commission's Rules of Practice and Procedure, that all offers of settlement and discussions relating thereto are and shall be privileged, shall be without prejudice to the position of any party or participant presenting any such offer or participating in any such discussion, and are not to be used in any manner in connection with this proceeding or otherwise.

3.6 This Settlement Agreement is submitted on the condition that in the event the Commission does not by order accept it in its entirety, this Settlement Agreement shall be deemed withdrawn and shall not constitute any part of the record in this proceeding or be used for any other purpose.

This Settlement Agreement is entered into at Washington, D.C., on the 26th day of May, 1976, by and between the undersigned parties.

MONTAUP ELECTRIC COMPANY, BLACKSTONE VALLEY ELECTRIC COMPANY, BROCKTON EDISON COMPANY, FALL RIVER ELECTRIC LIGHT COMPANY, BY GEORGE F. BRUEG, Their Attorney.

MIDDLEBOROUGH GAS & ELECTRIC DEPARTMENT, BY FRANCIS FRANCIS, Its Attorney.

THE NARRAGANSETT ELECTRIC COMPANY, BY WILLIAM G. HAYES, COMPANY, Its Attorney.

NEWPORT ELECTRIC COMPANY, BY L. E. RANKIN, Jr., President.

PASCOAG FIRE DISTRICT, BY DAVID I. SWETTLAND, Its General Manager.

RHODE ISLAND DIVISION OF PUBLIC UTILITIES AND CARRIERS, BY R. DANIEL PRENTICE, Its Attorney.

RHODE ISLAND CONSUMERS COUNCIL, By DENNIS J. ROBERTS, II, Its Attorney.

APPENDIX B

COST OF SERVICE ANALYSIS

(Revisions to Rates under Docket E-9046)

MONTAUP ELECTRIC COMPANY

Electric utility—wholesale rate of return analysis for settlement rate—1974 test year

| Rate base | $46,374,000 |
| Revenue from proposed rate | $49,885,000 |
| Operating expenses | $31,000 |
| State income tax | $35,000 |
| Return | $5,107,000 |

Rate of return—9.96%

1 Includes provision for deferred income taxes and investment credit.
Blackstone Electric Company

Electric utility—rental of 115 kV transmission facilities rate of return analysis for settlement rate—1974 test year

<table>
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<tr>
<th>Rate base</th>
<th>Principal amount (in thousands)</th>
<th>Cost (percent)</th>
<th>Weighted cost (percent)</th>
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<td>55.78</td>
<td>7.22</td>
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<td>10,056</td>
<td>10.41</td>
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<td>58,698</td>
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<td>13.09</td>
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<td><strong>Total</strong></td>
<td><strong>159,884</strong></td>
<td><strong>100.00</strong></td>
<td><strong>9.06</strong></td>
</tr>
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</table>

1 Weighted average cost for period May 1 to Dec. 31, 1975.

Blackstone Valley Electric Company

Electric utility—rental of 115 kV transmission facilities rate of return analysis for settlement rate—1974 test year

<table>
<thead>
<tr>
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<th>Weighted cost (percent)</th>
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<td><strong>100.00</strong></td>
<td><strong>9.06</strong></td>
</tr>
</tbody>
</table>

1 Weighted average cost for period May 1 to Dec. 31, 1975.

Preferred...............................-......... 16,953 10.61 6.21

Sum of subsidiary companies:

EUA Consolidated:

Debt: ...............................
Preferred: ...........................
Equity: ............................

Total: ................................

Fall River:

Long-term debt: ...........................
Preferred stock: ...........................
Common equity: ...........................

Total: ................................

Brookton Edison Company

Electric utility—rental of 115 kV transmission facilities rate of return analysis for settlement rate—1974 test year

<table>
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<td>6.66</td>
</tr>
<tr>
<td>58,698</td>
<td>35.61</td>
<td>13.09</td>
<td>4.37</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>159,884</strong></td>
<td><strong>100.00</strong></td>
<td><strong>9.06</strong></td>
</tr>
</tbody>
</table>

1 Weighted average cost for period May 1 to Dec. 31, 1975.

Blackstone Electric Company

Electric utility—rental of 115 kV transmission facilities rate of return analysis for settlement rate—1974 test year

<table>
<thead>
<tr>
<th>Rate base</th>
<th>Principal amount (in thousands)</th>
<th>Cost (percent)</th>
<th>Weighted cost (percent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$89,130</td>
<td>55.78</td>
<td>7.22</td>
<td>4.03</td>
</tr>
<tr>
<td>10,056</td>
<td>10.41</td>
<td>6.21</td>
<td>6.66</td>
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</tr>
</tbody>
</table>

1 Weighted average cost for period May 1 to Dec. 31, 1975.

Blackstone Valley Electric Company

Electric utility—rental of 115 kV transmission facilities rate of return analysis for settlement rate—1974 test year

<table>
<thead>
<tr>
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<th>Principal amount (in thousands)</th>
<th>Cost (percent)</th>
<th>Weighted cost (percent)</th>
</tr>
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<td><strong>9.06</strong></td>
</tr>
</tbody>
</table>

1 Weighted average cost for period May 1 to Dec. 31, 1975.

[Rate base—beginning and end of year balances; capacity allocation method—average of 12 monthly coln. peaks; all data as adjusted by staff; summary of revenue requirements]

<table>
<thead>
<tr>
<th>Rate base</th>
<th>Proposed revenues</th>
<th>Operating expenses before taxes</th>
<th>Excess revenues</th>
<th>Return on equity</th>
<th>Total return on equity</th>
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</thead>
<tbody>
<tr>
<td>$89,130</td>
<td>$136,867</td>
<td>$266,434</td>
<td>$136,867</td>
<td>$136,867</td>
<td>$136,867</td>
</tr>
</tbody>
</table>

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
the pools are to be connected by 17.7 miles of new pipeline to interstate transmission facilities near Ellensburg in Pot­
ter. Applicants expect that with the total estimated cost of development over a three-year period for the three pools is $49,618,051. Applicants state that in order to assure orderly development, applica­tion for authorization is made at this time respecting the West Independence pool, improvements at the East Independ­ence pool, and the related new 17.7 miles of pipeline. It is indicated that de­veloping East and West Hill storage pool would be the subject of a subsequent amendment to the instant application.

[Docket No. CP76-492]

WEST INDEPENDENCE DEVELOPMENT

Applicants propose the following:

Storage Corporation proposes to acquire immediately upon receipt of Commission authorization such rights as Supply Corporation has in the West Independence pool covering an estimated 1,491 acres in the Towns of West Independence and Willin, Allegany County, New York. It is indicated that the property would be entered on the books of Storage Corporation at original cost less accumulated amortization and deprecia­tion to the time of transfer. It is asserted that this pool produced gas from the Ors­kyny sandstone formation and that gas and water pressures remain in the forma­tion which would reduce the amount of base gas otherwise required to develop the facility. It is stated that these de­posits of native gas are not economically recoverable due to the presence of exces­sive water and that Supply Corporation anticipates that it would have no need to develop this pool for service to its existing customers in the foreseeable future. App­licants state that 13 wells presently exist­ing at the West Independence pool which are being reworked by Supply Cor­poration in order to alleviate existing increased production problems and to improve communication with East Independence and in order to utilize 10 of these 13 wells for storage related purposes and that the 3 other wells would be abandoned.

Further, it is proposed that in addition to the existing wells, Applicants would drill 14 new wells and that, of the resulting total, 20 would be used for in­jection—withdrawal and 4 would be ob­servation wells. Applicants propose to connect the injection—withdrawal wells to the existing compressor station facility serving East Independence by instal­lation of approximately 28,000 feet of 4 and 12-inch gathering lines. Further, it is proposed that the existing East Independence compressor station would be expanded to a total designed capacity of 3,300,000 Mcf annual top gas capacity with ability to deliver 22,800 Mcf of gas per day during the 150-day withdrawal period.

CONSTRUCTION AT EAST INDEPENDENCE

Supply Corporation proposes to con­struct two additional wells for injection and withdrawal of gas at the existing East Independence storage pool. It is as­serted that after the addition of these wells, the West Independence facility would be able to meet peak demands of customers to obtain volumes of gas which may become available only during the summer season.

In summary, in order to perform the foregoing proposals, Applicants request the following:

1. A certificate of public convenience and necessity authorizing a. the acquisition and operation by Storage Corporation of the East Independence storage field and completion of construction at the West Independence field; b. the operation by Storage Corporation commencing April 1, 1977, of the combined East and West Independence facilities; and c. the construction and operation of 17.7 miles of pipeline connecting the three storage pools to the systems of interstate transmission companies near Ellensburg, Pennsylvania; d. the operation by Storage Corporation commencing April 1, 1978, of the East Independence storage field; e. the rendering of storage service by Storage Corporation for up to six pro­posed customers in amounts reaching a maximum aggregate annual amount of 11,500,000 Mcf of gas commencing April 1, 1977.

2. Permission for and approval of the abandonment by Supply Corporation of: a. each of the foregoing facilities over which the Commission has jurisdiction at the earliest opportunity, excepting only the East Independence gas storage facilities, and b. the East Independence gas storage facilities on April 1, 1977.

Any person desiring to be heard or to make any protest with reference to said application should file on or before October 14, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in ac­
in determining the appropriate action to be taken but will not serve to make the protesters parties to the proceeding. Any person wishing to become a party to a proceeding or to participate in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required, herein, if the Commission on its own motion is filed-within the time required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion finds that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB, Secretary.

[FR Doc. 76-27744 Filed 9-21-76; 8:45 am]

[Natural Gas Pipeline Co. of America Application]

September 15, 1976.

Take notice that on August 25, 1976, Natural Gas Pipeline Company of America (Applicant) 122 South Michigan Avenue, Chicago, Illinois 60604, filed an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing (1) the withdrawal by Applicant from its market storage fields with existing facilities in order to support pipeline deliveries of 10,000,000 Mcf of hustanded gas in addition to presently certificated seasonal pipeline support withdrawals; and (2) an increase in peak day pipeline support withdrawal limitations on its market storage fields to 2,410,000 Mcf per day, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to husband 10,000,000 Mcf of gas by injection into storage. Applicant states that it would be able to inject the contemplated 10,000,000 Mcf for hustanding because certificated inventory limitations on its reservoirs permit the injection of gas into storage in excess of gas required to make certificated withdrawals. Applicant requests authority to withdraw the 10,000,000 Mcf of hustanded gas annually from market storage to help maintain winter pipeline deliveries. Applicant states that it is presently certificated to withdraw gas for its own account from its market storage fields to help support its winter deliveries, subject to withdrawal limitations of 39,700,000 Mcf on a peak day and 39,700,000 Mcf over the winter season, in addition to certificated withdrawals to provide Rate Schedules S-1 and LS-1 services provided from the same market storage reservoirs. It is stated that Applicant does not make withdrawals from any specific reservoir for a specific service, nor does it attribute withdrawals from any particular reservoir to any particular service in discrete quantities. Consequently, all storage reservoirs are available on any given day to provide the withdrawals needed to meet Applicant's and its customers' storage requirements on that day.

Applicant further states that existing withdrawal limitations on its market storage fields are adequate to provide sufficient operating flexibility and maximum utilization of facilities. It is alleged that hustanding 10,000,000 Mcf of gas by injection into market storage, for withdrawal during the winter season, would maintain deliveries at winter entitlement levels developed based on Applicant's anticipated supply exclusive of hustanded gas, to the extent Applicant can withdraw such gas with existing facilities.

Applicant also proposes to increase the peak day withdrawal limitation for market storage to 2,410,000 Mcf. Applicant states that its storage facilities are designed to meet the simultaneous peak day storage withdrawals for its customers and for its own account. Therefore, on days when less than peak day withdrawals are being made for LS-1 and S-1 customers, additional withdrawals can be made by Applicant to support pipeline deliveries. Applicant states that the peak day withdrawal limitation requested of 2,410,000 Mcf will increase its flexibility to meet unanticipated supply shortages and outages on its system.

Applicant states that no new facilities would be needed to effectuate its proposal. Because Applicant's facilities are designed to meet the simultaneous, peak day withdrawal to meet customer requirements and Applicant's requirements to support pipeline deliveries, additional capacity and sufficient reservoir pressure, depending upon S-1 usage, would be available to withdraw 10,000,000 Mcf of hustanded gas over the winter season. Similarly up to 2,410,000 Mcf could be withdrawn on a peak day to support pipeline deliveries, depending upon storage inventory and S-1, and LS-1 usage on that day.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 12, 1976, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken.

[FR Doc. 76-27744 Filed 9-21-76; 8:45 am]

[Nekoosa Papers Inc. Application for Approval of Use of Project Lands]

September 14, 1976.

Public notice is hereby given that an application was filed on December 2, 1975, and supplemented on June 28, 1976, under the Federal Power Act, 16 U.S.C. §§ 791a-825r, by Nekoosa Papers Inc., Project No. 2292. (Correspondence to: Mr. Robert R. Johnson, Secretary, Nekoosa Papers Inc., Wisconsin River Drive, Port Edwards, Wisconsin 54469) for Commission approval of the use of the lands and waters of the Nekoosa Project, FPC No. 2292, for construction, operation, and maintenance thereon of two sewer lines and appurtenant facilities. The Nekoosa Project is located in Wood County, Wisconsin, on the Wisconsin River.

The sewer lines and related facilities are part of a wastewater treatment system designed to meet the requirements of National Pollutant Discharge Elimination System Permit No. WI 0003620, which was issued for Applicant's pulp and paper operations by the U.S. Environmental Protection Agency pursuant to Section 402 of the Federal Water Pollution Control Act Amendments of 1972. According to Applicant, the system was scheduled for completion by June, 1976.

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
NOTICES

[FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976]

5. Approximately 2.223 miles of 4\(\frac{1}{2}\)-inch pipeline and a 4-inch tap and valve assembly located in Uintah County, Utah, connecting the Royster Oil Company Sales Meter Station to the Bar X Field Lateral used for the receipt of gas said no longer to be required by Utah.

6. Grotto Lateral and Grotto Tap.—Approximately 100 feet of 2\(\frac{1}{2}\)-inch pipeline and a 4\(\frac{1}{2}\)-inch tap and valve assembly located in Uintah County, Utah, used for the receipt of gas said no longer to be required by Intermountain.

7. Idaho State Penitentiary Tap and Meter Station.—A 2-inch tap and valve assembly located in Ada County, Idaho, used for the receipt of gas said no longer to be required by the Idaho State Penitentiary.

8. Grotto Lateral and Grotto Tap.—Approximately 1,127 miles of 6\(\frac{1}{2}\)-inch pipeline and a 6-inch standard orifice meter station located in Rio Blanco County, Colorado, used for the receipt of residue gas which is said no longer to be available.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 28, 1976, file with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 C.F.R. § 1.8 or § 1.10 (1976).

Under the shortened procedure herein provided for, unless otherwise advised, it will not be necessary for Applicant to appear in person at the hearing before the Commission.

The application is on file with the Commission and is available for public inspection.

KENNETH F. PLUMB, Secretary.

[NODE No. CP76-491]

NORTHWEST PIPELINE CORP.

Application

SEPTEMBER 14, 1976.

Take notice that on August 19, 1976, Northwest Pipeline Corporation (Applicant), P.O. Box 1826, Salt Lake City, Utah 84110, filed in Docket No. CP76-491 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon certain gas purchase and gas sales facilities located along Applicant's pipeline system, all as more fully shown in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon the following facilities:

7. Bar X Field Orifice Meter Station.—Approximately 1,127 miles of 6\(\frac{1}{2}\)-inch pipeline and a 6-inch standard orifice meter station located in Rio Blanco County, Colorado, used for the receipt of residue gas which is said no longer to be available.

2. Harry Rosyer Well No. 1 Well Tap—Bar X Field.—Approximately 1,127 miles of 4\(\frac{1}{2}\)-inch pipeline located in Grand County, Utah, connecting the Royster Well to Bar X Field Lateral used for the receipt of gas said no longer to be available.

3. Uintah Oil Company Sales Meter Station.—A 2-inch tap and 4\(\frac{1}{2}\)-inch standard orifice meter station located in Uintah County, Utah, used for sale of gas to Utah Gas Service Company (Utah) for resale to Uintah Oil Company and other industrial customers, which service is said no longer to be required by Utah.

4. Escalante Land and Cattle Company Tap.—A 2-inch tap and valve located in Escalante County, Utah, used for sale of gas to Utah for resale to Escalante Land and Cattle Company, which service is said no longer to be required by Utah.

5. Dolores Meter Station.—A 2-inch standard orifice meter station and approximately 100 feet of 2\(\frac{1}{2}\)-inch pipeline connecting Montelmoor, Colorado, with a gas utility service located in Montelmoor, Colorado, used for sale of gas to Rocky Mountain Natural Gas Company for resale in Dolores, Colorado, which service is said no longer to be required because service for that area is provided by Rocky Mountain Natural Gas Division of Northern Natural Gas Company together with distribution service for Cortez, Colorado.

6. Vernon W. Goldsmith Tap.—A 2-inch tap and valve assembly located in Elmore County, Idaho, used for sale of gas to Intermountain Gas Company (Intermountain) for resale to Vernon W. Goldsmith, which service is said no longer to be required by Intermountain.

7. Idaho State Penitentiary Tap and Meter Station.—A 2-inch tap and valve assembly located in Ada County, Idaho, used for sale of gas to Intermountain for resale to the Idaho State Penitentiary, which service is said presently to be provided at a new tap.

8. Grotto Lateral and Grotto Tap.—Approximately 100 feet of 4\(\frac{1}{2}\)-inch pipeline and a 4\(\frac{1}{2}\)-inch tap and valve assembly located in King County, Washington, used for sale of gas to Washington Natural Gas Company for resale to Ideal, Cement, Comr.., which service is said to be discontinued.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 28, 1976, file with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 C.F.R. § 1.8, § 1.10) and the Regulations under the Natural Gas Act (18 C.F.R. § 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken, but will not serve to make the protesting parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of the petition are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, Secretary.

[FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976]
NOTICES

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission’s Rules of Practice and Procedure, a hearing is to be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review finds that permission and approval for the proposed abandonment are required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, Secretary.

PACIFIC INTERSTATE TRANSMISSION CO.

Proposed Changes in FPC Gas Tariff Pursuant to Purchased Gas Cost Adjustment Provision

SEPTEMBER 14, 1976.

Take notice that Pacific Interstate Transmission Company (Pacific Interstate) on August 16, 1976, tendered for filing as part of its FPC Gas Tariff, Original Volume No. 2, the following sheets:

First Revised Sheet No. 38.
Second Revised Sheet No. 36.

The proposed effective date of both of these tendered tariff sheets and the rates reflected thereon is October 1, 1976.

Pacific Interstate states that the tariff sheets listed above are filed pursuant to the Purchased Gas Cost Adjustment (PGCA) Provision as set forth in Section 16 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 2. Pacific Interstate states that the change in its rates reflects a Cost of Gas Adjustment (so that Pacific Interstate’s rates may reflect its current cost of purchased gas) and a Surcharge Adjustment (so that the balance is Pacific Interstate’s Unrecovered Purchased Gas Cost Account) may be amortized over a six-month period beginning October 1, 1976.

In addition to the above tendered tariff sheets, Pacific Interstate also tendered for filing as part of its FPC Gas Tariff, Original Volume No. 2, the following sheets:

First Revised Sheet No. 36.
Second Revised Sheet No. 38.

The proposed effective date of both of these tendered tariff sheets is also October 1, 1976.

Pacific Interstate states that First Revised Sheet No. 36 and Second Revised Sheet No. 38 add language to Section 16 of the General Terms and Conditions of its FPC Gas Tariff, Original Volume No. 2 to provide for the inclusion of carrying charges on the debit or credit balance in Account No. 191—Unrecovered Purchased Gas Costs.

Pacific Interstate states that the PGCA rate change reflects the Second Revised Sheet No. 4 and First Revised Sheet No. 5 does not reflect the proposed carrying charge provisions contained in First Revised Sheet No. 36 and Second Revised Sheet No. 38.

Pacific Interstate states that copies of the filing have been served on all authorized purchasers, interested state regulatory commissions and other interested parties.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426 in accordance with Sections 1.8 and 1.10 of the Commission’s Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 22, 1976. Petitions will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, Secretary.

SOUTHERN CALIFORNIA EDISON CO.

Tariff Change

SEPTEMBER 14, 1976.

Take notice that on August 30, 1976, Southern California Edison Company (Edison) tendered for filing a February 11, 1974, agreement with the City of Pasadena (Pasadena) representing a change in provisions of Schedule FPC No. 55 where it involves the Pasadena-Edison 220 kV Interchange Agreement.

The proposed change provides for the return of energy in lieu of a cash settlement as an alternate method of payment for energy associated with emergency service. Service has not been rendered under this proposed amendment since its date of execution.

Copies of this filing were served upon Pasadena and the Public Utilities Commission of the State of California.

Anyone desiring to be heard or to protest this application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission’s rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 27, 1976. Petitions will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a
petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMBE, Secretary.

[FR Doc. 76-27731 Filed 9-21-76; 8:45 am]

(City of Tacoma) Application for the Commission's Rule of Practice and Procedure (18 CFR 1.8 or 1.10). All such procedures issued pursuant to the Commission's Rule of Practice and Procedure (18 CFR 1.8, 1.10) will be considered by the Commission in determining the appropriate action to be taken. The proposal will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMBE, Secretary.

[FR Doc. 76-27724 Filed 9-21-76; 8:45 am]

TEXAS EASTERN TRANSMISSION CORP.

Refund Plan

September 14, 1976.

Take notice that Texas Eastern Transmission Corporation (PETCO) on August 26, 1976 tendered for filing proposed changes in its FPC Gas Tariff, Fourth Revised Volume No. 1, the following sheets:

Twenty-second Revised Sheet No. 14
Twenty-second Revised Sheet No. 44A
Twenty-second Revised Sheet No. 14B
Twenty-second Revised Sheet No. 14C
Twenty-second Revised Sheet No. 14D.

PETCO states that these sheets are being issued pursuant to the Purchased Gas Cost Adjustment provision contained in Section 23 of the General Terms and Conditions of Texas Eastern's FPC Gas Tariff, Fourth Revised Volume No. 1. PETCO states that the change in Texas Eastern's rates proposed by this filing reflects a change in the cost of gas purchased from Texas Eastern's pipeline supplier, United Gas Pipe Line Company, upon United's general rate increase filing in Docket No. R76-84, as adjusted for United's July 2, 1976 PGA. PETCO states that United has agreed to a rate increase of $1,222,229.22 received from United by crediting the balance of its Gas Cost Adjustment Account as provided for in Section 23.8 of the General Terms and Conditions of its FPC Gas Tariff, Fourth Revised Volume No. 1.

Texas Eastern states that copies of this filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, Washington, D.C. 20426.

[FR Doc. 76-27733 Filed 9-21-76; 8:45 am]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Filing of Refund Report

September 15, 1976.

Take notice that on April 23, 1976, Transcontinental Gas Pipe Line Corporation (Tranco) tendered for filing a refund report. Transco states that in accordance with Article VII 2(b) of Transco's approved settlement agreement in Docket No. RP73-69 and Article III, Section 2(d) of the approved settlement agreement in Docket Nos. RP73-

[FR Doc. 76-27724 Filed 9-21-76; 8:45 am]
NOTICES

Take notice that on August 23, 1976, United Gas Pipe Line Company (Applicant), P.O. Box 1478, Houston, Texas 77001, filed in Docket No. CP76-497 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction of a new delivery point and metering and regulating facilities to be located at Livingston Parish, Louisiana, for delivery directly to Town of Livingston, Louisiana, (Livingston) of up to 581 Mcf of natural gas daily for resale to that community, as issued, fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the proposed facilities would provide separate delivery points for both Livingston and Walker, Louisiana (Walker) which are currently served by a common delivery point. Walker would continue to be served through the existing meter and regulator station. It is stated that Applicant would deliver 2,324 Mcf of gas daily to Walker and 581 Mcf of gas daily to Livingston. Applicant maintains that the effective total daily quantity to be delivered to both Livingston and Walker would not be increased from the present 2905 Mcf.

Applicant states that construction work has been completed and that the annual cost ofWalker would continue to be served directly to Town of Livingston, Louisiana, (Livingston) of up to 581 Mcf of natural gas daily for resale to that community, as issued, fully set forth in the application on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said application should on or before October 1, 1976, file with the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a petition to intervene or a protest in accordance with the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein. If the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity, if a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, Secretary.

[FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976]
the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise ordered, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB, Secretary.

[FR Doc.76-27748 Filed 9-21-76;7:04 am]

[DOCKET NO. ER76-886]

VIRGINIA ELECTRIC AND POWER CO.
Contract Supplement

SEPTEMBER 14, 1976.

Take notice that on August 31, 1976, Virginia Electric and Power Company (VEPCO) tendered for filing a contract supplement dated July 14, 1976, to the Agreement designated as VEPCO's Rate Schedule FCC No. 67-2 between VEPCO and Virginia Electric Cooperative, according to VEPCO.

VEPCO states that said supplemental requests Commission authorization for connection of a new delivery point (Deerfield) located approximately 1.8 miles west of the intersection of I-95 and Route 620 in Spotsylvania County, Virginia.

VEPCO requests an effective date as that of the date of connection of facilities which it to occur sometime in October, 1976; and requests waiver of the requirement of filing billing data.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 285 North Capital Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 24, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, Secretary.

[FR Doc.76-27755 Filed 9-21-76;7:04 am]

[DOCKET NO. ER76-882]

WISCONSIN POWER AND LIGHT CO.
Revised Rate Schedules

SEPTEMBER 14, 1976.

Take notice that on August 30, 1976, Wisconsin Power and Light Company tendered for filing revised rate schedules Rate W-2, Resale Service to Rural Cooperatives, and Rate W-3, Resale Service.

Wisconsin states that the filing is made to incorporate in each of the affected rate schedules the necessary statement regarding unilateral rate change applications in compliance with FPC Order No. 541 and 541-A, and requests an effective date of August 1, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 285 North Capital Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 29, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, Secretary.

[FR Doc.76-27760 Filed 9-21-76;7:04 am]

[DOCKET NO. CP76-440]

WESTERN TRANSMISSION CORP.
Application

SEPTEMBER 15, 1976.


Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 285 North Capital Street, N.E., Washington, D.C. 20426. In accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before September 24, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB, Secretary.

[FR Doc.76-27765 Filed 9-21-76;7:04 am]
NOTICES

proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's regulations and procedures, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required hereinafter. The Commission, on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedures herein, for unlawful activities are detrimental to the public interest. A copy of the Secretary of Agriculture's request was appended to the application for grant submitted by the Applicant for the Federal Trade Zones Board.

KENNETT F. PLUMB, Secretary.

[FR Doc. 76-27749 Filed 9-21-76; 8:45 am]

FOREIGN-TRADE ZONES BOARD

[Dockets No. 6-76]

FOREIGN-TRADE ZONE NO. 7

MAYAGUEZ, PUERTO RICO

Withdrawal of Notice Regarding the Investigation Pursuant to 15 CFR §§ 400.807 and 400.1302 To Determine Whether Certain Meat Processing Operations Are Detrimental to the Public Interest

The Foreign-Trade Zones Board (the Board) hereby withdraws the notice of July 27, 1976 (41 FR 31619; July 29, 1976) which ordered that an investigation be made by the Board's Committees of Alternates to determine whether the processing of foreign meat covered by TSUS 106.10 within Foreign-Trade Zone No. 7 at Mayaguez, Puerto Rico is detrimental to the public interest (Dockets No. 6-76).

That investigation was initiated at the request of the Secretary of Agriculture who on July 13, 1976, wrote the Chairman of the Board requesting exclusion of certain meat processing activities in Foreign-Trade Zone No. 7 at Mayaguez, Puerto Rico, on the grounds that these activities are detrimental to the public interest. A copy of the Secretary of Agriculture's request was appended to the Federal Register notice published on July 29, 1976 regarding the matter.

By order of the Commission.

KENNETH R. MASON, Secretary.

[FR Doc. 76-27710 Filed 9-21-76; 8:45 am]

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-18]

MONOLITHIC CATALYTIC CONVERTERS Termination of Investigation

Upon consideration of the Presiding Commissioner's Recommended Determination and the record in this proceeding:

The Commission hereby orders the termination of Investigation No. 337-TA-18, monolithic catalytic converters, based upon a finding that no violation of section 337 exists.

Copies of the Commission's Memoandum Opinion in support of the Commission action are available to the public during official working hours at the Office of the Secretary, United States International Trade Commission, 701 E Street NW, Washington, D.C. 20439, Notice of institution of the investigation was published in the Federal Register on July 23, 1976 (40 FR 30979).

Issued: September 16, 1976.

By order of the Commission.

KENNETH R. MASON, Secretary.

[FR Doc. 76-27770 Filed 9-21-76; 8:45 am]

LEGAL SERVICES CORPORATION

LEGAL ASSISTANCE OF NORTH DAKOTA

Grants and Contracts

- SEPTEMBER 17, 1976.

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. 2996-2996c. Section 1007(f) provides: "At least thirty days prior to the approval of any grant application or prior to entering into a contract or prior to the initiation of any other project, the Corporation shall announce publicly, and shall notify the Governor and the State Bar Association of any State where legal assistance will thereby be initiated, of such grant, contract, or project..."

The Legal Services Corporation hereby announces publicly that it is considering the application for grant submitted by Legal Assistance of North Dakota, Bismarck, North Dakota.

Additional information may be obtained by writing the Legal Services Corporation, 733 Fifteenth Street, N.W., Suite 700 Washington D.C. 20005.

THOMAS ERHLEN, President.

[FR Doc. 76-27703 Filed 9-21-76; 8:45 am]

NATIONAL ADVISORY COUNCIL ON EXTENSION AND CONTINUING EDUCATION

Meeting

Notice is hereby given, pursuant to the Federal Advisory Committee Act, Pub. L. 92-463 that a meeting of the National Advisory Council on Extension and Continuing Education will be held on October 7 and 8, 1976, at the Hyatt Regency Hotel at 400 New Jersey Avenue, NW, Washington, D.C. The main business meetings of the Council will occur on October 7, from 2:00 p.m. to 5:00 p.m.; and on October 8, from 9:00 a.m. to 1:00 p.m., in the Bunker Hill Room at the Hyatt Regency Hotel.

The National Advisory Council on Extension and Continuing Education is authorized under the Higher Education Facilities Act of 1963, 20 U.S.C. 2391-2409. The Council is directed to advise the Commissioner of Education in the preparation of general regulations and with respect to policy matters arising in the administration and effectiveness of all federally supported extension and continuing education programs, including community service programs.

The meetings of the Council will be open to the public. The primary items on the agenda for these meetings will include: (1) The swearing-in of new members of the Council; (2) a report of the Council's budget and anticipated operating expenses in FY 77; (3) a review of the activities of the Council's standing committees; (4) a review of recent Congressional actions regarding the authorization of title I of the Higher Education Act of 1965; (5) a scheduling of activities for the upcoming year; and (6) such other items that members may bring before the Council.

Prior to these public meetings, the staff of the Council will also conduct an orientation program for new members of the Council. This session is scheduled for Wednesday, October 6, from 8:30 p.m. to 5:00 p.m. in the Council's Office at the Omni Shoreham Hotel, 2500 Connecticut Avenue, NW, Washington, D.C. Also on Thursday, October...
7, from 9:00 a.m. to 1:00 p.m. in the Bunker Hill Conference Room at the Hyatt Regency Hotel, there is a meeting scheduled of the Continuing Education Policy Committee of the Council. The committee will review its planning activities in preparation of a national invitational conference on Continuing Education. All records of Council proceedings are available for public inspection at the Council's staff office, located in Suite 529, 425 Thirteenth Street, NW, Washington, D.C.

JAMES A. TURMAN, Executive Director.

[FR Doc. 76-27617 Filed 9-21-76; 8:45 am]

NATIONAL LABOR RELATIONS BOARD

CHAIRMAN'S TASK FORCE ON THE NATIONAL LABOR RELATIONS BOARD

Meeting

The Chairman's Task Force on the National Labor Relations Board will hold an open meeting at 9:00 a.m. on Tuesday, October 5, 1976, and at 9:00 a.m. Wednesday, October 6, 1976 at the facilities of the National Labor Relations Board, 1717 Pennsylvania Avenue, N.W., Washington, D.C. 20570.

The agenda for the meetings will be a continuation of Task Force and sub-committee consideration of suggestions or proposals for changes or revisions of Agency practices and procedures within the purview of the Task Force responsibilities for review and evaluation of the existing structure, practice and procedures of the National Labor Relations Board.

Requests for further information on the meeting should be addressed to Mr. Earl D. Proctor, Secretary for the Task Force. He may be reached by telephone on (202) 254-8047. Any member of the public will be permitted to file a written statement specifically on the National Labor Relations Board Rules and Regulations with the Task Force.

Dated this 17th day of September 1976 in Washington, D.C.

JOHN C. TRUDESAL, Executive Secretary.

[FR Doc. 76-27783 Filed 9-21-76; 8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the office of Management and Budget on Sept. 15, 1976 (44 USC 3509).

The purpose of publishing this list in the Federal Register is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondent to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-355-4529), or from the Reviewer listed.

NEW FORMS

ACTION

Needs for Assistance, Basic Organization Interviews—staff, volunteer and recipient variations, single-time, sample of volunteer organizations in 6 sites, Warren Topelius, 395-5872.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Noise Quality Data Questionnaire, on occasion, air travelers, Washington, D.C., 395-5667.

DEPARTMENT OF DEFENSE

Departmental and Other DOD Contractor Report of Foreign Purchases, on occasion, contractors, National Security Division, Raynsford, R., 395-4734.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration, Antibiotic Application, FD-1675, on occasion, antibiotic manufacturers, Warren Topelius, 395-5872.


REVIEWS

VETERANS ADMINISTRATION

Certification of Monument Data, 40-4696, on occasion, next of kin of deceased veterans, Warren Topelius, 395-5872.

DEPARTMENT OF AGRICULTURE


Cotton Objective Yield Survey, CE-12-33A, Other (see SP-85), Cotton Producers, Hulet, D.T., 395-4730.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary, Individual School Campus Report and Continuation Sheet, CS-8-76B, annually, public elementary and secondary schools, Kathy Wallman, 395-6140.

Social Security Administration, Agreement to Refund Overpayments, SSA-633, on occasion, persons entitled to Social Security who have been overpaid, Caywood, D.P., 395-4442.

Office of Education, FMC-74-7 application for the gifted and talented program, OFR 9048, annually, S&I's, LEA's, IHE's, Caywood D.P., 395-5442.

DEPARTMENT OF AGRICULTURE


DEPARTMENT OF DEFENSE


DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institute of Education, Applicant Profile Card, NIE-110, on occasion, educational researchers, Marsha Tranyham, 395-4829.

DEPARTMENT OF JUSTICE

Office, Boards, Divisions, Amendments to Registration or Supplemental Registration Reports, (foreign agents), DJ-307, on occasion, registrants, Warren Topelius, 395-5872.


PHILIP D. LARSEN, Budget and Management Officer.

[FR Doc. 76-27760 Filed 9-21-76; 8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 5443 (611-249)]

ADAMS EXPRESS CO.

Filing of Application

September 15, 1976.

Notice is hereby given that on July 9, 1976, The Adams Express Company, 525 Fifth Avenue, New York, New York ("Applicant"), registered as a closed-end diversified management investment company under the Investment Company Act of 1940 ("Act") filed an application pursuant to Section 8(f) of the Act for an order of the Commission declaring that it has ceased to be an investment company as defined in the Act. All interested persons are referred to the application, on file with the Commission, for a statement of the representations contained therein, which are summarized below.

Applicant, incorporated under the laws of the State of New York, registered under the Act on November 1, 1940. On February 12, 1976, the respective Boards of Directors of Applicant and The Adams Express Company, a newly organized
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[Rel. No. 9438; (812-9998)]

CARDINAL CORPORATE INCOME TRUST ET AL.

Application for Order of Exemption

SEPTEMBER 14, 1976.

In the matter of Cardinal Corporate Income Trust, Series 101 (and subsequent series) and the Ohio Company, 51 North High Street, Columbus, Ohio 43215.

Notice is hereby given that Cardinal Corporate Income Trust, Series 101 ("Series 101"), a unit investment trust registered under the Investment Company Act of 1940 (the "Act"), and its sponsor, The Ohio Company (the "Sponsor") (hereinafter the Sponsor and Series 101 referred to collectively as "Applicants") have filed an application pursuant to Section 8 (f) of the Act (hereinafter called "the Act") for a statement of the representations contained therein, which are summarized below.

The Sponsor has filed a Form S-6 Registration Statement with the Commission covering a maximum of 7,500 Units of fractional undivided interests in Series 101 (hereinafter called "Units") to be offered to investors at a public offering price set forth in the prospectus included in the S-6 Registration Statement. Applicants request that the exemptive order be issued by the Commission on or about September 30, 1976, due to the compelling circumstance that the Units will be sold under the special circumstances set forth in the prospectus.

The Sponsor has also filed a Form N-8A Notification of Registration and a Form N-BB-2 Registration Statement under the Act relating to Series 101 and Series 22c-1, which under the Act may become effective. The Sponsor has also filed a Form N-8A Notification of Registration and a Form N-BB-2 Registration Statement under the Act relating to Series 101 and Series 22c-1, which under the Act may become effective. All Underlying Securities will be fixed income securities, the income on which is subject to Federal income taxation. In selecting the Underlying Securities, the Sponsor and will not necessarily be limited or guided by any rating service. All Underlying Securities, however, will have a rating of BBB or better by Standard & Poor's Corporation or Fitch Investors Service, Inc., or better by Moody's Investor Service, Inc., if unrated, will have substantially equivalent characteristics in the opinion of the Sponsor; (ii) the yield and price of the Underlying Securities relative to other fixed income securities of comparable quality and maturity; (iii) The diversification of the portfolio of each Series will consist of the Underlying Securities; (iv) Such Underlying Securities will not become effective.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc. 76-27669 Filed 9-21-76; 8:45 am]

FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976
redeemed, the denominator of such fraction will be reduced and the fraction unitholdings, as so determined, for each Unit outstanding will be increased. Units will remain outstanding until redeemed or until the termination of the Agreement. The Agreement may be terminated, with respect to any particular Series, upon approval by 86 2/3 percent of the Units holders of such Series or, in the event that the value of the Underlying Securities in a particular Series shall fall below 20 percent of the principal amount of the Underlying Securities initially deposited in such Series, upon direction of the Sponsor to the Trustee. There is no provision in the Agreement for the issuance of any Units after the initial public offering of Units (except to the extent that the secondary trading by the Sponsor in the Units is deemed the issuance of Units under the Act) and such activity will not take place.

While the Sponsor undertakes no obligation to do so, it is its intention to maintain a market for Units of each Series of the Sponsor in the secondary market at prices in excess of the redemption prices as set forth in the Agreement. In the absence of such a market, Unit holders may be able to purchase Units from the Trustee by tendering them to the Trustee for redemption.

Section 14(a): Section 14(a) of the Act requires that a registered investment company, prior to making a public offering of its securities, (a) have a net worth of $100,000, (b) have previously made a public offering in the United States and at that time had a net worth of $100,000, or (c) have made arrangements for at least $100,000 to be paid in by 25 or fewer persons before acceptance of public subscriptions.

Applicants seek an exemption from the provisions of Section 14(a) in order that a public offering of Units of Series 161 and subsequent Series as described above may be made. In connection with the exemption sought from Section 14(a), the Sponsor agrees (i) to refund on demand and without deduction the sales load to purchasers of Units of any Series if, within 90 days after offer ing and at that time had a net worth of $100,000, or if such Series is terminated; (ii) to instruct the Trustee on the date the Underlying Securities are deposited in each Series that if any Series shall at any time have a net worth of less than 20 percent of the principal amount of Underlying Securities initially deposited in such Series as a result of redemption by the Sponsor of Units constituting a part of the unsold Units, the Trustee shall terminate and distribute any Underlying Securities or other assets deposited with the Trustee pursuant to the Agreement as provided therein; and (iii) in the event of the occurrence of the events described in (ii) above, to refund any sales load to any purchaser of Units purchased from the Sponsor on demand and without any deduction.

Rule 19b-1-1: Rule 19b-1-1(a) provides in substance that no registered investment company which is a "regulated investment company" as defined in Section 851 of the Internal Revenue Code of 1954, as amended, shall distribute more than one capital gain dividend in any one taxable year. Therefore, the Sponsor shall maintain a similar prohibition for a company not a "regulated investment company" but permits a unit investment trust to distribute capital gain dividends received from a "regulated investment company" within a reasonable time after receipt.

Distributions of principal and income to Unit holders of each Series are to be made quarterly. Distributions of principal to Unit holders may arise in two instances: (1) if the issuer calls or redeems an issue held in the portfolio of any Series, the sums received by such Series will be distributed to a Unit holder on the next distribution date; and (2) if Units are redeemed by the Trustee and Underlying Securities from the portfolio are sold to provide the necessary funds from which such redemptions are made. Each Unit holder will receive his pro rata portion of any proceeds remaining from the sale of the Underlying Securities after such redemption. In such instances, a Unit holder market value gain from the distribution funds which constitute capital gains, since in some cases the value of the Underlying Securities redeemed or sold may have increased since the date of initial deposit. The net worth of such Series shall be reduced and the fraction unitholdings of such Series or, in the event that the value of the Underlying Securities in a particular Series shall fall below 20 percent of the principal amount of the Underlying Securities initially deposited in such Series, the Trustee has control over events which might trigger capital gains, i.e., the ten­derning of Units for redemption and the prepayment of portfolio securities by the Sponsor. As noted, paragraph (b) of Rule 19b-1 provides that a unit investment trust may distribute capital gain dividends received from a "regulated investment company" without the cost of any additional capital gains tax to Unit holders.

Rule 22c-1-1: Rule 22c-1-1 provides, in pertinent part, that no registered investment company shall sell, redeem, or repurchase any such security except at a price based on the current market values of such securities. Therefore, in the event that no dealer in any such security, shall sell, redeem, or repurchase any such security except at a price based on the current market value of such securities and such price is next computed after receipt of a tender of such security for redemption or of an offer to purchase or sell such security.

Applicants represent that, following the closing public offering, the Sponsor intends to offer to purchase the Units of each Series in the secondary market at prices on the offering side evaluation of the Underlying Securities in each Series, determined on the last business day of each week, effective for all sales made during the following week. Applicants assert that the pricing by the Sponsor in the secondary market will not adversely affect the assets of any Series, and that the public Unit holders will benefit from such pricing procedure by receiving a normally higher repurchase price. In that event the Trustee need not bear the burden of daily evaluations of the Unit redemption value. In addition, Applicants state that the Sponsor has undertaken to adopt a procedure whereby the Evaluator will provide estimated evaluations on trading days between formal evaluations. In the case of a repurchase, if the Evaluator cannot state that the previous Friday's price is at least equal to the current bid price, the Sponsor will order a full evaluation. The Sponsor agrees, in the case of resale of Units in the secondary market, that if the Evaluator cannot state that the previous Friday's price is more than one-half of one point ($0.50) on a unit representing $1,000.00 of Underlying Securities, greater than the current offering price, a full evaluation will be ordered.

Section 6(c) of the Act provides, in part, that the Commission may, upon application by or on behalf of any person, security, or transaction, or any class or classes of persons, securities, or transactions from any provisions of the Act or of any rule or regulation thereunder which it is found that such application is properly in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 30, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter 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 a hearing be held thereon. Any such communications 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 the 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 con-
temporarily with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated thereunder, 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 or orders issued in this matter, including the date of the hearing or order and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons, Secretary.

[FR Doc. 76-27670 Filed 9-21-76; 7:45 am]

[Release No. 12801; (SR-CBOE-1976-15)]

CHICAGO BOARD OPTIONS EXCHANGE, INC.

Order Approving Proposed Rule Change

September 15, 1976.

On July 27, 1976, the Chicago Board Options Exchange, Inc., LaSalle at Jackson, Chicago, Illinois 60604, ("SBOE"), filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Exchange Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change. The proposed rule change would amend Rule 9.22 of the SBOE Rules ("Rule 9.22"), which sets forth fidelity bonding requirements for member firms, so that a member-subsidiary of another member that carries bonding coverage greater than the minimum requirements for the firm would not be permitted to have the amount of excess deductible in its bond subtracted from its parent's net worth, rather than from the subsidiary's net worth, in the calculation of the subsidiary's net capital pursuant to § 240.15 c3-1 (the "Uniform Net Capital Rule"). At present, Rule 9.22 would allow member firms to carry bonding coverage greater than the minimum requirements set forth in the SBOE Rules, so that the parent guarantees the subsidiary's net worth in writing. In this respect, it appears that Rule 9.22 is inconsistent with the purposes of the Uniform Net Capital Rule inasmuch as Appendix "C" thereto prohibits flow through capital benefits of this kind. Accordingly, the proposed rule change is being made in order to render Rule 9.22 consistent with the purposes of the Uniform Net Capital Rule in this regard.

Notice of the proposed rule change together with the terms of substance of the proposal was given by publication of a Commission Release ("Securities Exchange Act Release No. 12704, August 12, 1976") and by publication in the Federal Register (41 FR 55587, August 22, 1976). Public comments were invited until the twenty-first day after publication of the proposal.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular, the requirements of Section 6 thereof.

Further, the Commission finds good cause pursuant to Section 19(b)(2) of the Act for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of the filing because: (1) the rule change is technical in nature, and (2) the rule change will ensure that the provisions of the rule are consistent with the purposes and policies of the Uniform Net Capital Rule.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change to Rule 9.22 be, and the same hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons, Secretary.

[FR Doc. 76-27681 Filed 9-21-76; 7:45 am]

EASTERN UTILITIES ASSOCIATES, ET AL.

[Rel. No. 19082; (70-5388)]

Proposed Sale of Securities and Assumption of Loan and Bond Obligations

September 15, 1976.

In the matter of:

Eastern Utilities Associates, P.O. Box 2383, Boston, Massachusetts 02107.

Blackstone Valley Electric Company, P.O. Box 1111, Lincoln, Rhode Island 02865.

Brockton Edison Company, 30 Main Street, Brockton, Massachusetts 02108, October 10, 1975). Terms of the loan from Citibank include provisions that it may be assumed by Brockton, Blackstone in connection with the loan to reduce open account advances from EUA.

It is now proposed that the final step in the transfer of the Montaup security interest be effected. EUA has proposed to purchase Blackstone's Montaup securities (subject to the lien under the Citibank Agreement) for cash in an amount equal to Blackstone's equity as of the date of October 15, 1975, for the purchase price of $202,041 as of June 30, 1976). (These figures are based on Blackstone's current equity ownership of Montaup). The purchase price to be paid by Brockton will be reduced by (i) the principal amount of Blackstone's obligations under the Citibank Agreement and the related note, which Brockton will assume ($15,000,000) and (ii) the principal amount of Blackstone's outstanding First Mortgage and Collateral Trust Bonds ($87,083) ("Blackstone Bonds"), as to which Brockton will assume the obligations of Blackstone as to the payment of principal and interest. Upon Brockton's assumption of the obligations described above, the maturity of the related note will be extended to October 21, 1979 and Brockton will reimburse Blackstone in cash the amount of the commitment fee which was paid by Brockton in connection with the Citibank Agreement ($97,039). Brockton will also reimburse Blackstone for unamortized debt expense less premium applicable to the Blackstone Bonds, the maturity of which is maintained, while the note to Citibank remains outstanding, a $100,000 balance in an account with Citibank.

Applicants-declarants request an extension from the competitive bidding requirements of Rule 50 under the Act in connection with the assumption by Brockton of Blackstone's obligations with respect to the Blackstone Bonds pursuant to Rule 50(a)(5).

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Brockton approved the Brockton such request, and the issues of fact or hearing be held on such matter stating February 12, 1976, request in writing that a

penses tion, as further amended by said post-

ment, or as it may be further amended, the application-declaration, as further amended by said post-effective amendment, which he desires to be amended and may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as further amended by said post-effective amendment, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exception from such rules as is incorporated by reference in the application, the Fund states that the exchange will not be consummated unless the Fund receives a ruling from the Internal Revenue Service that such exchanges will be tax free.

In its place the following language should be inserted:
The Fund states that it has submitted to the Internal Revenue Service a request for a ruling under the Internal Revenue Code of 1954, as amended (the "Code"), that for federal income tax purposes the Fund will be treated as a partnership and not as an association taxable as a corporation. If this ruling is issued, Applicants expect it to be based on the fact that the Fund is established as a partnership and lacks the corporate characteristics of limited liability and continuity of life.

In its Registration Statement on Form 8-S, which is incorporated by reference in the application, the Fund states that the exchange will not be consummated unless the Fund receives a ruling from the Internal Revenue Service that it will be classified as a partnership for federal income tax purposes and unless certain proposed legislation, described below, which Fund's tax counsel has advised would permit the exchanges to be tax free, is enacted in such form as to permit the Fund's tax counsel to advise that the exchange will be tax free.

Notice is further given that, the notice period during which any interested person may submit to the Commission a request for a hearing on this matter, in accordance with the procedures set forth in Investment Company Act Release No. 9423, is hereby extended until October 8, 1976 at 5:30 p.m.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Notice is hereby given that the following material should be stricken from said notice:

The Fund states that it has submitted to the Internal Revenue Service a request for a ruling under the Internal Revenue Code of 1954, as amended (the "Code"), that for federal income tax purposes no gain or loss will be recognized by any investor on the contribution of securities in exchange for Shares of the Fund. Applicants have also sought a ruling from the Internal Revenue Service that the Fund will be treated as a partnership and not as an association taxable as a corporation. If these rulings are issued, they are expected to be based on the fact that the Fund is established as a partnership and lacks the corporate characteristics of limited liability and continuity of life.

In its Registration Statement on Form 8-S, which is incorporated by reference in the application, the Fund states that the exchange will not be consummated unless the Fund receives a ruling from the Internal Revenue Service that such exchanges will be tax free.

Notice is hereby given that the Mid-west Association of Credit Unions ("MACU") and The First National Bank of Chicago (the "Bank" or "Trustee") (collectively, the "Applicants") have filed an application pursuant to Section 6(e) of the Investment Company Act of 1940 ("Act") for an order exempting the Common Trust Fund H of The First National Bank of Chicago ("Common Fund") from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

MACU is an Illinois not for profit corporation organized for the purposes of developing and promoting interest and cooperation between, and providing services to, its credit union members. Under its by-laws, membership is limited to credit unions authorized to do business and operating in accordance with the credit union act of their state of incorporation, or the Federal Credit Union Act.

Applicants have proposed the establishment of the Common Fund in order to permit credit unions to invest more efficiently in United States government and government agency securities which are exempt securities under Section 3(a) (2) of the Securities Act of 1933 ("1933 Act"). The corpus of the Common Fund will be comprised of monies contributed by participating trusts established with the Bank as trustee ("Participating Trusts") by individual credit union members. Participation in the Common Fund will be limited to Participating Trusts. It is anticipated that the Common Fund, because of its size and ability to diversify investments, will provide a greater yield and liquidity to participating credit unions than could be obtained through individual credit union investments. Applicants have sought and obtained a ruling of The Comptroller of the Currency that the provisions of the Common Fund comply with the rules and regulations of the Comptroller and that the Common Fund will be considered a common trust fund under Regulation 9.18 of the Regulations of the Comptroller of the Currency, and Applicants state that the Common Fund will be permitted to invest in and maintain a bank in conformity with Regulation 9.18. Applicants have also sought a ruling from the National Credit Union Administration, which supervises and administers federal credit unions, that the Federal Credit Union Act authorizes federal credit unions to invest their funds in the Common Fund. If any state-chartered credit union desires to participate in the Common Fund, such participation will be subject to approval by the state agency responsible for administering such credit union.

The Trustee will have full discretionary powers of management and of investment of all investments of the Fund and of each of the Participating Trusts, provided the assets of each Participating Trust are invested or reinvested in units of the Common Fund or solely in securities permitted by their trust agreements. The assets of the

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Common Fund will be kept separate and apart from all other property belonging to or in the custody of the Bank, except that cash awaiting investment or distribution may be held temporarily by or on deposit with the Bank. Credit unions participating in the Common Fund will be provided with a monthly report prepared by the Bank listing all transactions with the Trustee setting forth all relevant information on the status of each Participating Trust. In addition, each credit union establishing a Participating Trust and the Comptroller of the Currency will be provided with a yearly audited financial report on the Common Fund (or advised that a copy of such report is available).

The Trustee will charge the Common Fund any reasonable expenses incurred by the Trustee in the administration or preservation of the Common Fund which would be chargeable to the respective Participating Trusts if incurred in the administration of preservation thereof. The Bank will provide investment management, safekeeping of assets and bookkeeping services to the Common Fund. For these services the Bank will charge the Common Fund a fee, computed daily and payable monthly, at an annual rate of 0.25 percent of the average asset value of the Common Fund. No additional management fee shall be payable to the Bank as Trustee of any Participating Trust, so long as a portion of any such Trust's assets are invested in the Common Fund, and the Bank is receiving compensation for such services from the Common Fund. The Bank will employ the First Jersey National Bank as its agent to handle the receipt and disbursement of funds, as well as the record keeping for the Common Fund and its participants. A Participating Trust may withdraw money from the Common Fund at any time, subject to the Trustee's approval. Income and gain realized on investments of the Common Fund will be distributed daily and automatically reinvested in the Common Fund. No sales charge will be assessed against a Participating Trust in connection with its investments in the Common Fund.

Applicants submit that it is 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 for the Commission to enter an order exempting the Common Fund from all the provisions of the Act for the following reasons: (1) Participation in the Common Fund will be offered only to credit unions; (2) Participating credit unions would be subject to the same requirements as other regulated entities; (3) The operation of the Common Fund and the Participating Trusts will be supervised and examined by federal banking examiners to assure compliance with Regulation 9 of the regulations of the Comptroller of the Currency pertaining to fiduciary accounts and collective investment funds; (4) The Common Fund will have voting representation with the credit unions which are exempted from being investment companies by Section 3(c) of the Act and securities and government agencies securities which are exempted from the 1933 Act by Section 3(a) (2) thereof; (5) The Common Fund will operate to carry out the congressional policy of providing 'a further margin for securities of the United States' (Preamble to the Federal Credit Union Act, Act of June 26, 1934, 48 Stat. 1216, 12 U.S.C. 1751 et seq.); and (6) An additional layer of regulation will underwrite the Bank's management fee and would cause only unnecessary burdens and expenses and duplication of effort contrary to the interests of the members of credit unions and the general public.

Notice is further given that any interested person may, not later than October 12, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter 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 should 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 addresses stated above. Proof of such service (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.

MAJOR PETROLEUM CO.
Suspension of Trading

September 14, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Major Petroleum Company being traded on a national securities exchange or otherwise is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 3:00 p.m. (EDT) on September 14, 1976 through September 23, 1976.

By the Commission.

George A. Fitzsimmons, Secretary.

MASSACHUSETTS MUTUAL LIFE INSURANCE CO.
Filing of Application

September 16, 1976.

Notice is hereby given that on July 23, 1976, Massachusetts Mutual Life Insurance Company ("Applicant"), 1295 State Street, Springfield, Massachusetts 01111, a mutual life insurance company organized under the laws of the Commonwealth of Massachusetts, filed an application pursuant to Section 17(d) of the Investment Company Act of 1940 (the "Act") and Rule 17d–1 thereunder for an order of the Commission permitting Applicant to engage in the transaction described below. 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.

Pursuant to an order of the Commission issued on August 19, 1971 (Investment Company Act Release No. 6680), Applicant, which acts as investment adviser to MassMutual Corporate Investment Company, Inc. ("Fund"), a non-regulated, closed-end management investment company registered 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. 76–27674 Filed 9–22–76; 8:45 am]
The Commission finds that NASDAQ, Inc. is so organized and has the capacity to be able to assure the prompt, accurate, and reliable performance of its functions as a securities information processor, comply with the provisions of this title and the rules and regulations thereunder, carry out its functions in a manner consistent with the purposes of the Act and, insofar as it is acting as an exclusive processor, operate fairly and efficiently.

It is therefore ordered, pursuant to Section 11A(b) (3) of the Act, that the application of NASDAQ, Inc. for registration as a securities information processor be, and hereby is, granted.

By the Commission.

GEORGE A. FITZSIMMONS, Secretary.

[FR Doc. 76-27675 Filed 9-21-76; 8:45 am] 41485

NEW ENGLAND ELECTRIC SYSTEM AND NEW ENGLAND POWER CO.

Proposed Capital Contribution

September 15, 1976.

Notice is hereby given that New England Electric System ("NEES"), a registered holding company and New England Power Company ("NEP"), 20 Turnpike Road, Westborough, Massachusetts 01581, an electric utility subsidiary of NEES, have filed an application-declaration and an amendment thereto, with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a), 10 and 12(b) of the Act and Rules 42(a), 42(b) (2) and 45 promulgated thereunder.

2 NASDAQ, Inc. is a wholly-owned subsidiary of the National Association of Securities Dealers, Inc., which purchased the NASDAQ system from the Maker Name Corporation on February 9, 1976.


as applicable to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

NEES proposes to make a capital contribution to NEP in an amount up to $20,000,000. NEP will apply the funds received from said capital contribution toward the payment of a like amount of its short-term promissory notes issued to pay for capitalizable expenditures or to reimburse its treasury therefor. NEP presently has $34,000,000 of short-term promissory notes outstanding and expects that such notes will aggregate approximately $40,000,000 at the time of the proposed capital contribution.

It is stated that there are no fees or commissions to be paid in connection with the proposed transactions except that New England Power Service Company, an affiliated service company, will render incidental services to the transaction at an aggregate actual cost of not less than $100,000.

NEP has, through its subsidiary, New England Electric System, as previously stated, jurisdiction over the proposed transaction. Notice is further given that any interested person may, not later than October 6, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, and reasons for such request, and the issues of fact or law raised by such application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549.

It is stated that under Massachusetts law there is no provision for notice to the parties to the proposed transaction. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transaction.

NEPCO proposes to sell to Fitchburg Gas and Electric Light Company ("FG&E"), a company not affiliated with NEPCO or NEES, certain electric facilities located in Fitchburg, Massachusetts. The facilities include two substations, 69 kv lines, 13.8 kv lines and related equipment. Prior to 1972, NEPCO utilized the facilities to provide primary wholesale electric service to FG&E. This service was discontinued in 1972, and since then the facilities have been used for the transmission to FG&E under contract of an entitlement of power from Boston Edison Company and to serve six NEPCO industrial customers. In view of such limited use by NEPCO and a desire by FG&E to incorporate the facilities as part of its system, NEPCO and FG&E have entered into an agreement for the sale of the facilities to FG&E.

The agreement has been executed, subject to necessary stockholder and regulatory approvals, under which NEPCO will transfer to FG&E the facilities and associated property and rights-of-way. FG&E has agreed to purchase the facilities for a price equal to net book value (defined as original cost, about $1,730,000, less depreciation accrued to the date of transfer) plus $69,000 covering the use of the facilities by FG&E prior to such date. On December 31, 1975, the facilities had a net book value of approximately $1,240,000. Under the agreement, FG&E will assume responsibility for serving the six industrial customers presently served by NEPCO. The agreement also provides, among other things, that the parties will contract for the sale by NEPCO to FG&E of capacity and energy in an amount sufficient to provide service to the industrial customers.

It is stated that under Massachusetts law the purchase and sale of the facilities requires the approval by holders of two-thirds in interest in the stock of NEPCO and FG&E. NEES, as sole common stockholder of NEPCO, has voted in favor of the proposal. FG&E, at a meeting of its stockholders, obtained the necessary approval.

It is stated that the facilities are not an essential part of the transmission and distribution system of NEPCO and that the proceeds to be realized from the proposed sale will be reinvested by NEPCO in more essential facilities. NEPCO also expects to realize savings of approximately $200,000 per year attributable to increased transmission efficiency.

It is stated that the Massachusetts Department of Public Utilities and no other state or federal commission, other than this Commission, has jurisdiction over the proposed transaction. Fees and expenses to be incurred in connection with the proposed transaction will be supplied by amendment.

Notice is further given that any interested person may, not later than October 6, 1976, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of service by mail, by certification) should be filed with the request. At any time after said date, the declaration, as amended, or as it may be further amended, may be granted as provided in Rule 33 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons, Secretary.

[FR Doc.76-27678 Filed 9-21-76; 8:45 am]

[Rel. No. 4949; (812-3970)]

ONE WILLIAM STREET FUND, INC.
AND THE LEHMAN CORP.

Filing of Application for Exemption

September 10, 1976.

Notice is hereby given that The One William Street Fund, Inc., One William Street, New York, New York 10004 ("One William"), a Maryland corporation and
a registered diversified, open-end management investment company under the Investment Company Act of 1940 (the "Act"), and The Lehman Corporation ("Lehman"), One South William Street, New York, New York 10004, a Delaware corporation and a registered diversified, closed-end management investment company under the Act (collectively the "Applicants"), filed an application on August 9, 1976, under Amendments to the Act, on September 3, 1976, for an order of the Commission pursuant to Section 6(c) of the Act declaring that Mr. Lewis P. Seiler, a director of One William and Lehman, shall be deemed an "interested person," as defined in Section 2(a) (19) of the Act, of either One William or Lehman, of their investment manager or of the principal underwriter for One William, a wholly-owned subsidiary of Equitable, and EVLICO and its separate account, registered under the Act (collectively the "Applicants"), filed an application on August 9, 1976, under Amendments to the Act, on September 3, 1976, for an order of the Commission pursuant to Section 6(c) of the Act declaring that Mr. Lewis P. Seiler, a director of One William and Lehman, shall be deemed an "interested person," as defined in Section 2(a) (19) of the Act, of either One William or Lehman, or of their investment manager or of the principal underwriter for One William, a wholly-owned subsidiary of Equitable, and EVLICO and its separate account, registered under the Act (collectively the "Applicants")

Applicants state that they have been informed that (1) Equitable registered as a broker-dealer solely to permit it and its agents to engage in the sale of variable annuity contracts and variable life insurance policies by EVLICO, a wholly-owned subsidiary of Equitable, and Equico Securities, Inc. ("Equico"), whose parent is a wholly-owned subsidiary of Equitable, are also registered broker-dealers under the Act, and (2) Equitable Variable Life Insurance Company ("EVLICO"), a wholly-owned subsidiary of Equitable, is registered as a broker-dealer solely to permit it to engage in the sale of its variable life insurance policies; and (3) Equico registered as a broker-dealer solely to permit it to act as a broker for Equitable and its subsidiaries in buying and selling its securities. Applicants state that neither of these affiliated persons is a registered broker-dealer, and that none of the above-mentioned affiliated persons are registered as a broker-dealer under the Act. Applicants state that Mr. Seiler, as a director of EVLICO or Equico, is not a director or officer of either EVLICO or Equico.

Applicants state that Mr. Seiler was a director of Equitable from January 1934 until August 1976, and that he is not a director or officer of Equitable but in no way participates in the day to day operations of Equitable. Applicants state that Mr. Seiler is currently retired and that, prior to his retirement, his principal occupation was Chairman of the Board of Associated Dry Goods Corporation.

Applicants contend that Mr. Seiler should be deemed not an interested person of One William, Lehman, LEMCO or LBI because his affiliation with Equitable and Equico will not affect or impair his independence in acting on behalf of Applicants and their shareholders. Applicants further contend that Mr. Seiler, as a director of Equitable and Equico, is not subject to any conflicts of interest as a result of his affiliation with Equitable, EVLICO and Equico. While Mr. Seiler's position as a director of Applicants causes neither a violation of Section 10 of the Act, Applicants state that the granting of this application would decrease the possibility of any future non-compliance by Applicants with the provisions of Section 10 of the Act.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person from any provision of the Act, if the Commission determines that the 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.

Notice is further given that any interested person may, not later than October 12, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter 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 should 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 each of Applicants at the addresses stated above. Proof of such service (by affidavit, or in case of any attorney-at-law, copy of certificate) shall be filed contemporaneously with the request. As provided by Rule 0-3 of the Rules and Regulations promulgated under the Act, an order disposing of this 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 require 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.

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Part of the application, commented upon by the Securities and Exchange Commission in the Federal Register, is as follows:

Applicants contend that Mr. Seiler, as a director of Equitable, should be deemed not an interested person of One William, Lehman, LEMCO or LBI because his affiliation with Equitable and Equico will not affect or impair his independence in acting on behalf of Applicants and their shareholders. Applicants further contend that Mr. Seiler, as a director of Equitable and Equico, is not subject to any conflicts of interest as a result of his affiliation with Equitable, EVLICO and Equico. While Mr. Seiler's position as a director of Applicants causes neither a violation of Section 10 of the Act, Applicants state that the granting of this application would decrease the possibility of any future non-compliance by Applicants with the provisions of Section 10 of the Act.

Section 6(c) of the Act provides, in part, that the Commission may conditionally or unconditionally exempt any person from any provision of the Act, if the Commission determines that the 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.

Notice is further given that any interested person may, not later than October 12, 1976, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter 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 should 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 each of Applicants at the addresses stated above. Proof of such service (by affidavit, or in case of any attorney-at-law, copy of certificate) shall be filed contemporaneously with the request. As provided by Rule 0-3 of the Rules and Regulations promulgated under the Act, an order disposing of this 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 require 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.

PACIFIC STOCK EXCHANGE INC.

Self-Regulatory Organizations; Proposed Rule Change

is above the next preceding different price at which a sale of such security, regular way, was reported in such consolidated system [was effected on the Exchange]. [In determining the price at which a short sale may be effected after a security goes ex-dividend, ex-rights or ex-any other distribution, all sales prices prior to "ex" date may be reduced by the value of such distribution.]

(2) Notwithstanding subsection (d) hereof, no member of member organization shall, for his or its own account, or for the account of any other person, effect on the Exchange a short sale of any security not covered by paragraph (1) of this subsection (i) below the price at which the last sale of such security, regular way, was effected on the Exchange, or (ii) at such price unless such price is above the next preceding different price at which a sale of such security, regular way, was effected on the Exchange.

(3) Notwithstanding paragraph (1) of this subsection (a), the Board of Governors of the Exchange, in its discretion, may determine that it is necessary or appropriate in the public interest or for the protection of investors that short sales in any security for which trades are reported in a consolidated system be subject to the rule set forth in paragraph (2) hereof. Following any such designation of any such security by the Board of Governors, compliance with the terms of paragraph (2) hereof shall constitute compliance with this subsection (a).

Marker "Long" or "Short"

Sec. 9(b). No member or member organization of the Exchange shall, by the use of any facility of the Exchange, execute any sell order unless such order is marked either "long" or "short."

Marking Orders

Sec. 9(c). No member or member organization of the Exchange shall mark a sell order "long" unless (1) the security to be delivered after sale is carried in the account for which the order is to be executed, or (2) such member or member organization is informed that the seller owns the security ordered to be sold, and as soon as is possible without undue inconvenience or expense, will deliver the security owned to the account for which the sale is to be executed.

Exceptions

Sec. 9(d). The provisions of subsection (a) hereof shall not apply to:

(1) Any sale by any person, for an account in which he has an interest, if such person owns the security sold and intends to deliver the security as effected as possible without undue inconvenience or expense;

(2) Any member or member organization in respect of a sale for an account in which he has no interest, pursuant to an order to sell which is marked "long";

(3) Any sale of an odd lot. Any sale of a security for which trades are reported in a consolidated system [except a sale to a stabilizing bid complying with Securities Exchange Act Rule 10b-7] by a specialist in such security for its own account affected at a price equal to or above the last sale reported for such security in such class as adjusted for any distributions, is not to be deemed a short sale of such security.

(4) Any sale by a specialist to offset odd lot orders of customers;

(5) Any sale by a specialist to liquidate a long position which is less than a round lot, provided such sale does not change the position of such specialist by more than the unit of trading;

(6) Any sale of a security for which trades are not reported in a consolidated system [except a sale to a stabilizing bid complying with Securities Exchange Act Rule 10b-7] effected with the approval of the Exchange which is necessary to equalize the price of such security on the Exchange with the current price of such security on another national securities exchange which is the principal exchange market for such security;

(7) Any sale of a security for a special arbitration account in which the seller owns another security by virtue of which he is, or presently will be, entitled to acquire an equivalent number of securities of the same class as the securities sold, provided such sale, or the purchase which such sale offsets, is effected for the bona fide purpose of profiting from a current difference between the price of the security sold and the security owned and that such difference is not significantly attached to or represented by another security or was issued to all the holders of any class of securities of the issuer;

(8) Any sale(s) of a security on the Exchange effected for a special international arbitration account for the bona fide purpose of profiting from a current difference between the price of such security on a securities market not within or subject to the jurisdiction of the United States and on the Exchange, provided the seller at the time of such sale knows, or by virtue of information currently accessible to him, has reasonable grounds to believe that an offer enabling him to cover such sale is then available to him in such foreign securities market and intends to accept such offer immediately;

(9) Any sale of a security effected in accordance with a special offering plan declared effective by the Securities and Exchange Commission pursuant to paragraph (2) of Section 9(e) of this Rule, i.e., on a "plus" or "zero plus" tick based on previous Exchange sale prices;

(10) Any sale by an underwriter, or any member of a syndicate or group participating in the distribution of a security, in connection with an over-allotment of securities, or any lay-off sale by such a person in connection with a distribution of securities through rights pursuant to Securities Exchange Act Rule 10b-5, or a standby underwriting commitment.

For the purpose of paragraph (this clause) (b) hereof of this subsection (d) a depository receipt for a security shall be deemed to be the same security as the security represented by such receipt.

Short-Sales After "EX" Date

Sec. 9(e). In determining the price at which a short sale may be effected after a security goes ex-dividend, ex-rights or ex-any other distribution, all sales prices prior to "ex" date may be reduced by the value of such distribution.

Short Sales in Dually-Traded Stocks

Sec. 9(f). (1) While the primary market is open:

(a) Any sale of a security in a dually traded stock at a price below the last sale price on the primary market.

Subject to approval as provided by section 9(d) (8) of this Rule, (1) deliver previous sale price on the Exchange was above the prevailing price on the primary market, a short sale (equalizing) may be made at the last sale price on the primary market, and (1) prior to an intervening transaction on the primary market, for additional short sales at the equalizing price may be made only by a specialist provided such sales are for his own account, or an agency order, or an order of a member organization on the Exchange.

(2) After the close of the primary market, a short sale may be made at the last sale price of the stock on the primary market pursuant to paragraph (2) hereof, and subsequent short sales may be made only pursuant to section 9(a) of this Rule, i.e., on a "plus" or "zero plus" tick based on previous Exchange sale prices.

Sec. 9(f). No member or member organization of the Exchange shall lend, or arrange for the loan of any security for delivery to the broker for the purchaser after sale, or shall fail to make any security on the date delivery is due, if such member or member organization knows or has reasonable grounds to believe that the sale was effected, or will be effected, pursuant to an order marked "long" unless such member or member organization knows or has reasonable grounds to believe that the sale was made to such account and that delivery will be made as soon as is possible without undue inconvenience or expense. The provisions of this subsection [paragraph (d) hereof] shall not apply to:

(1) The lending of a security by a member or member organization through the medium of a loan to another member or member organization; or

(2) Any loan or arrangement for the loan, of any security, or any failure to deliver any security if, prior to such loan, arrangement, or failure to deliver, the Exchange finds (A) that such sale resulted from a mistake made in good faith; (B) either that the condition of the market at the time the mistake was made was such that undue hardship would result from covering the transaction by a "purchase for cash" or that the mistake was made by the seller's broker and the security is valued at the price prevailing for a short sale under Section 9 of this Rule III; and (C) that due dil-
genc was used to ascertain that the circumstances specified in clause (2) (i) of section 9(e) of this Rule III existed or obtained. All information specified in clause (1) (2) thereof.

STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule change is to conform PSE rules to the amendments to Securities Exchange Act Rules 10a-1 and 10a-2. PSE believes that the proposed rule change is consistent with Securities Exchange Act Rules 10a-1 and 10a-2. No comments have been solicited or received.

Elmer burden on competition results from the proposed rule change is the result of conformity with Securities Exchange Act Rules 10a-1 and 10a-2. On or before October 27, 1976, or within such longer period (as the Commission may designate up to ninety (90) days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or as to when it finds it in the public interest to extend the above-mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with the respect to the foregoing and of all written submissions will be available for inspection in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection at the principal office of the above-mentioned self-regulatory organization. Documents should refer to the file number referenced in the application and should be submitted on or before October 22, 1976. For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: September 15, 1976.

GEORGE A. FITSIMMONS,
Secretary.

[Release No. 4946; (812-3900)]

WELLINGTON FUND, INC.

Application for Exemption

September 16, 1976.

In the matter of:

Wells Fargo Corporation, $1,000 or an annual premium of $100.

Notice is hereby given that Wellington Fund, Inc., Windsor Fund, Inc., Ivest Fund, Inc., Trustees’ Equity Fund, Inc., Explorer Fund, Inc., Wellesley Income Fund, Inc., W. L. Morgan Growth Fund, Inc., and Westminster Bond Fund, Inc., ("Funds"), open-end diversified management investment companies registered under Investment Company Act of 1940 ("Act"). Wellington Management Company ("WMC") (collectively "Applicants") filed an application on February 5, 1978, and an amendment thereto on June 29, 1978, pursuant to Section 6(e) of the Act for an order exempting Applicants from Section 22 (d) of the Act and Rule 22d-1 thereunder with respect to the extension of reduced sales charges to certain investors. All interested persons are referred to the application as filed with the Commission for a statement of the representations therein which are summarized below.

WMC is investment adviser and principal underwriter to each of the Funds. Each of the Funds are proposing to offer their shares for sale to the public pursuant to two sales charge schedules. The "individual" sales charge schedule calls for a maximum sales charge of 8 1/2% of the offering price for sales of less than $10,000 (reduced on larger purchases) and is applicable to sales to "any person" as defined under Paragraph (a) of Rule 22d-1. The "group" sales charge schedule calls for a maximum sales charge of 6 percent of the offering price for sales of less than $25,000 (reduced on larger purchases) and is applicable to certain groups contemplated by Paragraph (f) of Rule 22d-1.

Wellsington Management Company, through a wholly-owned subsidiary, also distributes certain insurance products through salesmen who are licensed to sell both insurance and mutual funds. Applicants believe that there are certain efficiencies involved in being able to offer both insurance products and mutual funds to the same investor, an investor buying both insurance and mutual funds contemporaneously would be entitled to a reduced sales charge on his mutual fund purchases. Therefore, Applicants request an exception permitting investors who have previously or contemporaneously purchased insurance products from the same retailer to be charged a minimum face amount of $1,000 or an annual premium of $100.

Section 22(d) of the Act prohibits a registered investment company and its principal underwriter from selling its redeemable securities except through a dealer, a principal underwriter or the issuer, except at a current public offering price described in the prospectus. Rule 22d-1 provides certain SEC exemptions from Section 22(d) to the extent necessary to permit the sale of such securities by such persons at prices which reflect reductions in, or eliminations of the sales load under certain circumstances. No exemption is provided with respect to the purchase of shares by investors who have previously or contemporaneously purchased an insurance product from the same retailer.

Section 8(c) of the Act provides that the Commission may conditionally or unconditionally exempt any person or transaction from provisions of the Act if, in the opinion of the Commission, the exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purpose fairly intended by the policy and provisions of the Act.

Notice is further given that expected any interested person may, not later than October 13, 1976, at 5:30 p.m. submit to the Commission in writing a request for hearing on the matter 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 such person 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. The Commission, or such request shall be served personally or by mail upon Applicants at the address stated above.

Proof of such service (by affidavit, or in
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FOURTH SECTION APPLICATION FOR RELIEF

September 17, 1976.

An application, as summarized below, has been filed requesting relief from the requirements of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1100.40) and filed on or before October 7, 1976.

PSA No. 43336—Corn and Soybeans to Chicago, Illinois. Filed by Chicago and North Western Transportation Company (No. 109), for interested rail carriers.

Rates on corn and soybeans, in carloads, as described in the application, from Point Roberts, Wash., to Beloit, Illinois, to Chicago, Illinois. Grounds for relief—Carrier and market competition.

By the Commission.

Robert L. Oswald,
Secretary.

INTERSTATE COMMERCE COMMISSION

[Notice No. 149]

ASSIGNMENT OF HEARINGS

September 17, 1976.

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

MC 107743 (Sub-No. 46), System Transport, Inc., now assigned September 27, 1976 at Seattle, Washington, is postponed indefinitely.


Robert L. Oswald,
Secretary.

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FEDERAL REGISTER, VOL. 41, NO. 185—WEDNESDAY, SEPTEMBER 22, 1976

to eliminate the gateways at Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. (14) Between points in Maryland and Michigan, on the one hand, and, on the other, points in Minnesota, Missouri, Nebraska, and Wisconsin. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Manhattan, Fort Scott, and Topeka, Kans., and Kansas City, Mo. (15) Between points in Nebraska, Minnesota, Missouri, and Nebraska, on the one hand, and, on the other, points in Nevada, New Mexico, North Carolina, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Garden City, Kansas City, Garden City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. (16) Between points in Michigan, Minnesota, Missouri, Nebraska, and New Mexico, on the one hand, and, on the other, points in New York, Pennsylvania, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Manhattan, and Topeka, Kans. (17) Between points in Minnesota, on the one hand, and, on the other, points in Michigan, Minnesota, Missouri, Nebraska, and Nebraska. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, points in Kansas, and Kansas City, Mo. (18) Between points in Nebraska, Michigan, Minnesota, Missouri, Nebraska, and Wisconsin, on the one hand, and, on the other, points in Tennessee, Texas, Utah, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Garden City, Kansas City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans., and Kansas City, Mo., and Ravenna, Ohio. (19) Between points in Ohio, on the one hand, and, on the other, points in Missouri and Nebraska. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Manhattan, and Topeka, Kans. (20) Between points in New York, on the other, points in North Carolina, Indiana, and Illinois. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Manhattan, Kans. and Kansas City, Mo. (21) Between points in New York and North Carolina, on the one hand, and, on the other, points in South Dakota, Tennessee, Texas, Utah, Virginia, Wisconsin, Wyoming, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Kansas City, Garden City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. (22) Between points in New York, Ohio, Oklahoma, Pennsylvania, and Tennessee, on the one hand, and, on the other, points in Utah and Virginia. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, and Garden City, Kansas City, Mo., and Kansas City, Mo. (23) Between points in North Carolina, Tennessee, and Oklahoma, on the one hand, and, on the other, points in Pennsylvania, Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Kansas City, Kansas City, Manhattan, Kansas City, Port Scott, Wichita, and Topeka, Kans. and Ravenna, Ohio. (24) Between points in Ohio, on the one hand, and, on the other, points in Oklahoma. The purpose of this filing is to eliminate the gateways at Arkansas City and Wichita, Kans. (25) Between points in Ohio and Oklahoma, on the one hand, and, on the other, points in Nebraska and New Mexico. The purpose of this filing is to eliminate the gateways at Garden City and Arkansas, Kans. (26) Between points in Kansas and Nebraska, on the one hand, and, on the other, points in Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, and Arkansas City, Wichita, Garden City and Independence. Kans. (27) Between points in Texas, on the one hand, and, on the other, points in Wisconsin and Wyoming. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. and Kansas City, Mo. (28) Between points in Virginia and West Virginia, on the one hand, and, on the other, points in Georgia, Missouri, and Pennsylvania. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, and Kansas City, Wichita, Garden City and Independence, Kans. (29) Between points in Virginia, on the one hand, and, on the other, points in Nevada, New Mexico, and Utah. The purpose of this filing is to eliminate the gateways at Ravenna, Ohio, Kansas City, Garden City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. (30) Between points in Missouri, on the one hand, and, on the other, points in Wisconsin and Wyoming. The purpose of this filing is to eliminate the gateways at Ravenna, Kansas City, Mo., and Manhattan, Kans. and Kansas City, Mo. (31) Between points in Arkansas. The purpose of this filing is to eliminate the gateways at Garden City, Kansas City, Garden City, Wichita and Topeka, Kansas. (32) Between points in Colorado. The purpose of this filing is to eliminate the gateways at Topeka and Garden City, Kans. (33) Between points in Indiana. The purpose of this filing is to eliminate the gateways at Garden City, Kansas City, Kans. (34) Between points in Iowa. The purpose of this filing is to eliminate the gateways at Kansas City, Mo., and Manhattan, Kans., and Kansas City, Kans. (35) Between points in Kentucky. The purpose of this filing is to eliminate the gateway at Pittsburg and Fort Scott, Kans. (36) Between points in Michigan. The purpose of this filing is to eliminate the gateway at Garden City, Kansas City, Mo., and Marysville, Kans. (37) Between points in Kansas. The purpose of this filing is to eliminate the gateway at Pittsburg and Fort Scott, Kans. (38) Between points in Kansas. The purpose of this filing is to eliminate the gateway at Garden City, Kansas City, Mo., and Manhattan, Kansas City, Mo. (39) Between points in Kansas, Manhattan, Kansas City, and Garden City, Kansas City. The purpose of this filing is to eliminate the gateway at Kansas City, Kansas City, and Kansas City, Mo. (40) Between points in Nebraska. The purpose of this filing is to eliminate the gateway at Topeka, Kans. (41) Between points in South Dakota. The purpose of this filing is to eliminate the gateway at Garden City, Kansas City, Garden City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. and Kansas City, Mo. (42) Between points in Oklahoma. The purpose of this filing is to eliminate the gateways at Wichita and Garden City, Kans. (43) Between points in West Virginia. The purpose of this filing is to eliminate the gateways at Kansas City, Garden City, Kansas City, Garden City, Marysville, Pittsburg, Independence, Galena, Topeka, and Wichita, Kans., Ravenna, Ohio, Kansas City, Mo., and Manhattan, Kans. and Kansas City, Mo. (44) Between points in Texas. The purpose of this filing is to eliminate the gateways at Garden City and Wichita, Kans. The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's Gateway Elimination Rules (49 CFR 1065), and notice thereof to all interested persons is hereby given as provided by such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before October 4, 1976. A copy may be filed either by the interested party or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

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

No. MC 71355 (Sub-No. E4), filed June 4, 1974. Applicant: ESSEX VAN & STORAGE, INC., 1500 Eastern Ave., Baltimore, Md. 21231. Applicant's representative: Robert J. Gallagher, 1000 Connecticut Ave. NW., Suite 1200, Wash., D.C. 20036. Authority sought to operate as a common carrier for hire, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in New Jersey and extending along Interstate Highway 81 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 158, thence along New York Highway 158 to junction New York Highway 37, thence along New York Highway 37 to the New York-Canada Border, on the one hand, and, on the other, points in Canada. Authority also sought to operate as a common carrier for hire, by motor vehicle, over irregular routes, transporting: Household goods, as defined by the Commission, between points in New Jersey and extending along Interstate Highway 81 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction New York Highway 12, thence along New York Highway 12 to junction New York Highway 36, thence along New York Highway 36 to junction New York Highway 158, thence along New York Highway 158 to junction New York Highway 37, thence along New York Highway 37 to the New York-Canada Border, on the one hand, and, on the other, points in Canada.

No. MC 87966 (Sub-No. E1) (correction), filed May 9, 1974, published in the Federal Register issue of May 2, 1975, and republished, as corrected, this issue. Applicant: ELEVEY CHICAGO FUR-
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NITTURE SERVICE, INC., 4020 W 24th St., Chicago, Ill. 60623. Applicant's representative: E. H. Eleveld (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New furniture (uncrated), as described by the Commission, from Peshtigo, Wis., to points in Pennsylvania, Kentucky, and through by asterisks as indicated on the one hand, and, on the other, points in Iowa, Minnesota, Michigan and Wisconsin (the Chicago, Ill., Commercial Zone as defined by the Commission) * , Missouri, Kentucky, and those in Pennsylvania on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 222 to junction Pennsylvania Turnpike, thence along Pennsylvania Turnpike, thence along U.S. Highway 30, thence along Interstate Highway 78, thence along Interstate Highway 78 to the New Jersey-Pennsylvania State Line (Peru, Ind.) *. The purpose of this filing is to eliminate the gateway of Peru, Ind.

No. MC 87966 (Sub-No. E1), filed May 9, 1974. Applicant: ELEVELED CHICAGO FURNITURE SERVICE, INC., 4020 W. 24th St., Chicago, Ill. 60623. Applicant's representative: E. H. Eleveld (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: New furniture (uncrated), as described in Appendix II to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from Elgin, Ill., to points in Pennsylvania and to points in Kentucky on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 41 to junction Kentucky Highway 79, thence along Kentucky Highway 79 to junction U.S. Highway 641 to junction Kentucky Highway 68, thence along Kentucky Highway 68 to the Kentucky-Indiana State line. The purpose of this filing is to eliminate the gateway of Peru, Ind.

No. MC 113459 (Sub-No. E117), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Metal tubing and pipe, incidental to, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum products, (2) products which are transported in connection with main or trunk pipe lines, (a) the transportation, installation, repair, relocation, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities from or to holes or well sites, (3) metal tubing and pipe, the transportation of which, by reason of size or weight, require the use of special equipment, against the transportation of agricultural machinery and agricultural tractors (points in Illinois) * and (2) self-propelled tractors (other than truck tractors designed for highway operation), each weighing 15,000 pounds or more, restricted to commodities which are transported on trailers, between points in Wisconsin on and east of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 69 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to Lake Michigan, on the one hand, and, on the other, points in Wisconsin on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 76 to junction U.S. Highway 120, thence along U.S. Highway 120 to the Wyoming-Montana State line, the purpose of this filing is to eliminate the gateways of Sterling, Ill., and points in Kansas.

No. MC-113459 (Sub-No. E120), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Metal tubing and pipe, incidental to, used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum products, (2) products which are transported in connection with main or trunk pipe lines, (a) the transportation, installation, repair, relocation, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities from or to holes or well sites, (3) metal tubing and pipe, the transportation of which, by reason of size or weight, require the use of special equipment, against the transportation of agricultural machinery and agricultural tractors (points in Illinois) * and (2) self-propelled tractors (other than truck tractors designed for highway operation), each weighing 15,000 pounds or more, restricted to commodities which are transported on trailers, between points in Wisconsin on and east of a line beginning at the Wisconsin-Illinois State line and extending along U.S. Highway 69 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin Highway 23, thence along Wisconsin Highway 23 to Lake Michigan, on the one hand, and, on the other, points in Wisconsin on and east of a line beginning at the Tennessee-Kentucky State line and extending along U.S. Highway 76 to junction U.S. Highway 120, thence along U.S. Highway 120 to the Wyoming-Montana State line, the purpose of this filing is to eliminate the gateways of Sterling, Ill., and points in Kansas.

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No. MC 113459 (Sub-No. E122), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73110. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Metal tubing and pipe, the transportation of which, by reason of size or weight, requires the use of special equipment, between points in Kansas, on the one hand, and, on the other, the points in Georgia on and south of a line beginning at the Georgia-Alabama State line and extending along the Georgia-Arkansas State line and extending along U.S. Highway 8 to junction Interstate Highway 20, thence along Interstate Highway 20 to the Georgia-South Carolina State line (except Atlanta, Ga.). The purpose of this filing is to eliminate the gateway of Tulsa, Okla.

No. MC 113439 (Sub-No. E124), filed May 6, 1974. Applicant: H. J. JEFFRIES TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73110. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Earth retaining and pipe, concrete mixing equipment materials, supplies and pipe, the transportation of which, by reason of size or weight, requires the use of special equipment, incidental to, used in, or in connection with (a) the transportation, installation, removal, operation, repair, servicing, maintenance, and dismantling of drilling machinery and equipment, (b) the completion of holes or wells drilled, (c) the production, storage and transmission of commodities resulting from drilling operations at well or hole sites and (d) the injection or removal of commodities into or from holes or wells, between points in Bullitt, Hardin, Meade, Breckinridge, Hancock, Daviess, Henderson, Union, Webster, McLean, Crittenden, Hopkins, Ohio, Grayson, Edmonson, Warren, Washington, Muhlenberg, Logan, Todd, Christian, Trigg, Simpson, Lyon, Caldwell and Jefferson Counties, Ky., on the one hand, and, on the other, the points in Alaska. The purpose of this filing is to eliminate the gateway of points in Illinois south of U.S. Highway 36.

No. MC 113843 (Sub-No. E509) (Correction), filed May 19, 1974, published in the Federal Register on September 1, 1974, published, as corrected, this issue. Applicant: TRUCK LINE, INC., P.O. Box 94850, Oklahoma City, Okla. 73109. Applicant's representative: Robert Fisher (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Bennington and St. Joseph, Mich., to points in Delaware, those in Maryland on and east of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 15 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Interstate Highway 495, thence along State Highway 495 to the Maryland-Virginia State line, and the District of Columbia. The purpose of this filing is to indicate the correct territorial description.

No. MC 113843 (Sub-No. E480) (Partial Correction), filed May 19, 1974, published in the Federal Register issue of September 1, 1974, and republished, as corrected, this issue. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Lawrence T. Shells (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, from Bennington, Vt., and Burlington, Vt., to those points in New York on and north of a line beginning at Lake Ontario and extending along U.S. Highway 14, and those points on, north, and west of a line beginning at Lake Ontario and extending along New York Highway 104 to junction U.S. Highway 11, thence along U.S. Highway 11 to junction New York Highway 68, thence along New York Highway 68 to the St. Lawrence River. The purpose of this filing is to indicate the correct territorial description.
Highway 33 to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Oklahoma Highway 99, thence along Oklahoma Highway 99 to junction U.S. Highway 377, thence along U.S. Highway 377 to the Oklahoma-Texas State line, to points in South Carolina on and east of a line beginning at the North Carolina-South Carolina State line and extending along U.S. Highway 55 to junction U.S. Highway 521, thence along U.S. Highway 521 to the Winyah Bay. The purpose of this filing is to eliminate the gateways of the plant site and warehouse facilities of the Abilith Corporation near Roaring River, N.C. and the plant site and warehouse facilities of the Celotex Corporation in Wayne County, N.C.

No. MC 119702 (Sub-No. E10), filed May 31, 1974. Applicant: STAHLY CARTAGE CO., P.O. Box 486, Edwardsville, Ill. 62025. Applicant's representative: E. Stephen Hicsley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum products, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, from Hartford, Roxana and Wood River, III., to points in Iowa (except Clinton, Jackson, and Scott Counties, Iowa). The purpose of this filing is to eliminate the gateway of the terminal of the Great Lakes Pipe Lines Company located near Palmyra, Mo.

No. MC-119767 (Sub-No. E2) (Correction), filed June 4, 1974, published in the Federal Register issue of March 31, 1974, and republished, as corrected, this issue. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: Henry E. Seaton, 915 Pennsylvania Building, 425 Thirteenth St., NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared foodstuffs (except commodities in bulk, frozen foods and meats and meat products), from points in Clark, Scott, Jennis, Ripley, Dearborn, Jefferson, Ohio and Switzerland Counties, Ind., to points in Iowa on and north of U.S. Highway 69 and to points in the Upper Peninsula of Michigan on and west of a line beginning at Lake Superior near Trout Bay and extending along County Route H-13 to Lake Michigan at or near Nahma, Mich. The purpose of this filing is to eliminate the gateway of Water town, Wis.

No. MC-119767 (Sub No. E14) (Correction), filed June 4, 1974, published in the Federal Register issue of March 31, 1976, and republished, as corrected, this issue. Applicant: BEAVER TRANSPORT CO., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: Henry E. Seaton, 915 Pennsylvania Building, 425 Thirteenth St., NW., Washington, D.C. 20004. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prepared foodstuffs (except commodities in bulk, frozen foods and meats and meat products), from points in Indiana on and west of a U.S. Highway 31 and points in Illinois on and east of U.S. Highway 45, thence along U.S. Highway 45 to points in Iowa on and north of U.S. Highway 20 and points in the Upper Peninsula of Michigan (except points in Luce, Mackinac, and Chippewa Counties, Mich.). The purpose of this filing is to eliminate the gateway of Water town, Wis.

By the Commission.

Robert L. Osvald.
Secretary.

[FR Doc.76-27777 Filed 9-21-76; 8:45 am]
PART II:

DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

MAJOR URBAN MASS TRANSPORTATION INVESTMENTS
DEPARTMENT OF TRANSPORTATION

Urban Mass Transportation Administration

MAJOR URBAN MASS TRANSPORTATION INVESTMENTS

Statement of Policy

The purpose of this notice is to issue a Statement of Federal Policy with respect to decisions on urban mass transportation investments assisted under the Urban Mass Transportation Act of 1964, as amended. The need for such a Statement has resulted from the growing complexity of the UMTA capital program and the increasing demands placed upon the available funds.

At the outset of the urban mass transportation assistance program in 1964, the $75 million annual budget was directed toward the preservation of urban transit service in selected cities through the conversion of failing private transit companies to public ownership. A decade later UMTA's annual capital assistance budget exceeds $1 billion, and is primarily devoted to modernizing existing transportation systems. An analysis of the magnitudes and duration of Federal transit investments increased and changed significantly but the number of potential recipients. The interplay of competing demands requires the Department of Transportation to ensure that the available Federal resources are utilized in the most prudent and effective manner.

In the interest of making all urban areas aware of the procedures which are followed and the issues considered in Federal decisions to participate in the financing of locally initiated major mass transportation investments, the Department of Transportation is promulgating this Statement of Federal Policy. The policy represents a process-oriented approach designed to allow each urban area to take into account its unique characteristics in the planning, design and implementation of transportation improvements. As a condition of eligibility for Federal aid, the Department requires that alternative investment strategies be considered in order to determine which investment best serves the locality's transportation needs, promotes its social, economic, environmental and urban development goals, and supports national aims and objectives. The policy stresses the need to consider combinations of transit modes and technologies appropriate to the service requirements of specific corridors, and requires major fixed guideway systems to be implemented incrementally, with priority given to those most immediate needs of the locality.

This Statement of Policy has been developed in concert with Federal, State and local transportation and planning officials, transit operators, public interest groups and other parties potentially affected by the Policy. Comments and opinions from these diverse groups have been sought by UMTA through individual solicitations, through interest groups such as the American Public Transit Association (APTA), and through two major UMTA-sponsored consultative conferences (Airline House Conference and Hunt Valley Conference).

The Policy Statement was first issued for public comment on August 1, 1975 (FR, Vol. 40, No. 149). Sixty-eight responses were received from local, State and transit agencies, reponding organizations and other interested parties. These comments led to a revision of the Statement and the addition of a description of the procedural approach. By the time of this publication the procedures by which it makes major capital grant decisions, UMTA hoped to increase its own accountability and add a measure of predictability to the discretionary grant award process.

The revised Statement of Policy was discussed at a working conference held under the auspices of the Transportation Research Board at Hunt Valley, Maryland on March 29 through April 1. In arriving at this final Statement of Policy, UMTA has taken careful account of the views and comments expressed at that conference and throughout the 20-month consultative process.

The following significant changes have been made from the initially proposed text of the Statement as issued in the Federal Register on August 1, 1975.

1. The section entitled "Extent of Federal Commitment" which appeared in the earlier version of the Policy Statement has been deleted. The proposition that Federal decisions to participate in the financing of locally initiated major mass transportation investments increased and changed significantly but the number of potential recipients. The interplay of competing demands requires the Department of Transportation to ensure that the available Federal resources are utilized in the most prudent and effective manner.

2. Some comments, interpreted the original conception of "Long Range Plan" and "Incremental Development" now bring out more clearly these considerations.

3. A number of respondents felt that the initial approach was not consistent with an incremental approach designed to allow each urban area to take into account its unique characteristics in the planning, design and implementation of transportation improvements. As a condition of eligibility for Federal aid, the Department requires that alternative investment strategies be considered in order to determine which investment best serves the locality's transportation needs, promotes its social, economic, environmental and urban development goals, and supports national aims and objectives. The policy stresses the need to consider combinations of transit modes and technologies appropriate to the service requirements of specific corridors, and requires major fixed guideway systems to be implemented incrementally, with priority given to those most immediate needs of the locality.

4. Several comments expressed doubt about the feasibility of the incremental approach to transit system implementation because of the need to offer benefits more or less simultaneously to the entire region. UMTA agrees that there must be some geographic equity in transit development. But the incremental approach is not inconsistent with an equitable distribution of transit benefits. An "increment" of the plan may contain a package of projects designed to benefit an entire metropolitan area. For example, the incremental portion of the plan may include express bus service in exclusive lanes, new fringe parking facilities, improved feeder services in suburban communities, as well as the first calibrated segment of a fixed guideway system.

5. The original conception of requiring Transportation System Management improvements in the operation of the existing transportation system as an alternative to the construction of new facilities was felt by many observers to be too confining. The policy now distinguishes between two concepts: the need to increase the potential of low-cost alternatives (e.g. express bus service in reserved lanes) as a discrete option to more capital intensive alternatives and the need to ensure that the necessary types of Transportation System Management actions to support and complement (but not substitute for) the proposed fixed guideway investments.

6. A more precise definition of a "major investment in mass transportation investment" was urged by several respondents. This point has been clarified by bringing under the coverage of the policy all Federal, State and local transportation and planning officials, transit operators, public interest groups and other parties potentially affected by the Policy. Comments and opinions from these diverse groups have been sought by UMTA through individual solicitations, through interest
epts involving new construction or ex-
estension of existing fixed guideway sys-
tems, except projects identified by UMTA
as part of a demonstration program
(such as the proposed "Downtown People
Mover" demonstrations). Projects in-
volving rehabilitation or modernization of
existing facilities are not within the
scope of the alternatives analysis re-
quirement. Fixed facilities by nature of
their permanence and irreversibility have
potentially the greatest impact upon the
urban area in terms of land use, finan-
cial burden, and urban growth. For the
concerning construction of new fixed
facilities, therefore, deserve particular
care, regardless of their financial scope.

5. Questions were raised concerning the
relationship of the Environmental
Impact Assessment to the analysis of al-
ternatives. The Policy now explicitly in-
tegrates the two processes and calls for
the circulation of a final Environmental
Impact Statement prior to a decision on
the project's accessibility and conven-
ience, regardless of their financial scope.

6. Federal support should be flex-
ible, relying heavily on local ability to
safeguard against a capital in-
vestment in urban mass transportation.
In the years ahead, as more and more
communities seek Federal financial aid
to improve and expand their mass trans-
portation systems, it is more essential
than ever that Federal funds be effec-
tively and efficiently utilized.

Since each metropolitan area has dif-
erent characteristics, Federal mass
transportation assistance cannot be
based on standardized prescriptions.
Rather, Federal support should be flex-
ible, relying heavily on local ability to
safeguard against a capital in-
vestment in urban mass transportation.
In the years ahead, as more and more
communities seek Federal financial aid
to improve and expand their mass trans-
portation systems, it is more essential
than ever that Federal funds be effec-
tively and efficiently utilized.

The Federal Government does, how-
ever, have a strong interest in ensuring
that Federal funds available for mass
transportation investments be used pru-
dently and with maximum effectiveness.
While there are no simple or standard
procedures that will guarantee this out-
come, a careful and systematic anal-
ysis of the implications of alternative
processes of action in advance of a Federal
commitment should improve the quality
of decisions. To this end, analysis of
transportation alternatives and the fil-
ing of a final Environmental Impact
Statement will be required as a condition
of eligibility for Federal assistance for
a major mass transportation invest-
ment. Federal support will be available
only for those alternatives which the analysis
has demonstrated to be cost-effective, where
effectiveness is measured by the degree to
which an alternative meets the locality's
transportation needs, promotes its social,
economic, environmental and urban de-
development goals, and supports national
aims and objectives.

A major mass transportation invest-
ment is any project which involves new
construction or extension of a fixed guide-
way system (rapid rail, light rail, com-
muter rail, automated guideway transit)
within a corridor, except where such project
is determined by the Administrator to be
of importance as a demonstration of ad-
vanced technology. Rehabilitation and
modernization projects are not included
in the scope of the definition.

The analysis of alternatives shall be
carried out as part of a comprehensive
transportation planning process in ac-
cordance with the following principles:

A. LONG RANGE PLAN

Proposals for major mass transporta-
tion investments shall be consistent with
an urban system's long range plan which articulates the over-
all direction for metropolitan develop-
ment and identifies major transportation
corridors. The long range plan should reflect an awareness that different levels and types
of transportation service may be needed
in different portions of the metropolitan
area. Each major corridor should be con-
sidered individually to determine the
level and type of service that will best
meet its projected requirements.

The long range plan should further recognize the need for local community-
level transit service as well as for
express line-haul connections that foster
region-wide accessibility.

As an example, a comprehensive trans-
portation plan may call for the construc-
tion of a rail rapid transit line in a cor-
ridor of heavy demand, a "people mover"
to facilitate local circulation in the cen-
tral business district, a light rail network
or busways to serve intermediate capac-
ity corridors, and a network of distribu-
tion lines to serve feeder services and
paratransit vehicles acting as feeders and
"distributors to the higher capacity line-
haul systems and providing neighbor-
hood circulation service in the local com-
unities within the metropolitan region.

The long range plan should be reass-
essed and revised periodically as part of
a continuing transportation planning
process to reflect changes in local goals,
priorities and long range forecasts; to re-
son to new land development and trav-
el patterns; to adapt to new technologies
as they are developed; and to adjust to the
impact of previously implemented actions.

B. INCREMENTAL DEVELOPMENT

Where an area's comprehensive long
range transportation plan calls for the
creation of a fixed guideway system, the
system should be proposed for imple-
dmentation in accordance with the fol-
lowing guidelines. Initial segments of
the system should be proposed in corridors which can justify the need
for fixed guideway service within 15
years of the date of the analysis. Each segment should be capable of justification on its
own merits.

Corridors which cannot justify fixed
guideway transit service within 15
years of the date of the analysis should be pro-
vided with levels and types of service appropri-
ate to their needs, with that level of service being
gressively upgraded as demand
develops. Incremental developmental
aims to ensure that high priority corri-
dors are identified and appropriate balance is maintained between
the transportation requirements of the
total region and those of local commun-
ities within the region, and between long
run and short term needs. Incremental
transportation improvements; that flexibility is preserved to respond to changing tech-
nology, land use patterns and growth ob-
jectives; and that the fiscal burden is
spread over a long period of time.

C. EVALUATION OF ALTERNATIVES

In the interest of improving the qual-
ity of the local planning and investment
decisions, any metropolitan area which
intends to apply for Federal assistance
for a major mass transportation invest-
ment must undertake an analysis of
the project's accessibility and conven-
ience, regardless of their financial scope.

This analysis should consider the
feasibility of the alternatives, including
improvements involving better manage-
ment and operation of the existing
street and highway network e.g., through
provision of reserved lanes for buses and
other high occupancy vehicles.

7. This analysis should assess each
alternative's capital and operating costs;
ridership attraction; capital and oper-
ating efficiency and productivity; effects
on modal choice, level of automobile use,
environmental impacts and energy con-
sumption; impact on land use and de-
velopment patterns; extent of neighbor-
hood disruption and displacement; job
creation impact; and such other factors as
are considered important by the local
community.

The analysis should also compare the
relative costs and effectiveness of each
transportation, whereas effectiveness as
measured by the degree to which the alter-
native meets the locality's transportation
needs, promotes its social, economic,
environmental and urban development
goals, and supports national aims and
objectives.

As part of the analysis of alter-
atives, a draft Environmental Impact
Statement shall be prepared jointly by
UMTA and the applicant, in accordance
with published guidelines.

D. TRANSPORTATION SYSTEM MANAGEMENT

Plans for a fixed guideway project
should include transportation system
management (TSM) actions to enhance
the project's accessibility and conven-
ience and to improve the quality of
transportation service in other parts of
the metropolitan area which will not
be served by the fixed guideway project.
Supportive TSM actions shall include
the provision of adequate bus and paratran-
sit service and related facilities at transit
stations, and may include

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other measures aimed at increasing transit ridership and reducing unnecessary use of private automobiles within the transit corridor.

E. PUBLIC INVOLVEMENT

There should be full opportunity for the timely involvement of the public, local elected officials, and all levels of government in the alternatives analysis process. This involvement should be initiated early, so that all affected groups have an opportunity to influence the process in a timely and constructive fashion, particularly as to the alternatives to be considered, measures of effectiveness to be used, actions to be taken to minimize or avoid adverse effects and priority actions for implementation.

After completion of the draft Environmental Impact Statement a formal public hearing shall be held as required by the Urban Mass Transportation Act of 1964, covering both the analysis of alternatives and the draft Environmental Impact Statement.

PROCEDURES

This section states the procedures which UMTA will normally follow in reviewing the alternatives analysis, in implementing the Environmental Policy Act of 1969, and in making funding commitments to support major mass transportation investments.

1. The initial phase of the alternatives analysis process shall involve a preliminary analysis leading to the development of a citizen involvement mechanism, the choice of appropriate demand forecasting techniques and cost-effectiveness analysis methodology, the designation of a priority corridor(s), and the selection of a small set of promising transportation alternatives for analysis. UMTA must concur in these elements of analysis before the applicant may proceed with a detailed evaluation of the alternatives.

2. After obtaining UMTA's concurrence, the applicant shall proceed with the alternatives analysis and the preparation of a proposed draft Environmental Impact Statement (EIS). The proposed draft EIS shall be combined in a single document with the results of the alternatives analysis and shall be prepared jointly by UMTA and the applicant in accordance with published UMTA guidelines. Each alternative selected for study shall be presented at the same level of detail.

The applicant shall designate, in a separate document to be submitted simultaneously, the preferred cost-effective alternative which he recommends for implementation, and state a rationale for his choice. The recommended alternative shall be described in terms of its corridor location, length of initial segment(s), technology, horizontal and vertical alignment, grade separation, station location and other relevant factors. This document shall clearly state that any recommendation is solely that of the applicant and that UMTA's judgment is reserved until the environmental process is complete.

Upon receipt of the combined alternatives analysis and proposed draft Environmental Impact Statement, UMTA will undertake a review of the document to ensure that the analysis has been carried out in conformance with UMTA policy and UMTA guidelines. This review will normally be completed within 90 days of the receipt of the draft alternatives analysis and proposed draft EIS.

4. After the consolidated alternatives analysis and proposed draft Environmental Impact Statement has been found in conformance with UMTA guidelines, UMTA will circulate it for comment. During the circulation period the applicant will hold a public hearing on the document and may, at applicant's option, include in such hearing consideration of any application for a grant for preliminary engineering on the applicant's preferred alternative.

5. At the end of the circulation period UMTA and the applicant will address the questions and comments received, correct any deficiencies in the analysis, and begin preparation of a final Environmental Impact Statement on a recommended alternative. The final EIS shall be prepared at the same level of detail as the draft EIS.

The final Environmental Impact Statement may also incorporate UMTA's decision with respect to a preliminary engineering grant, subject to the condition of satisfactory completion of the 30-day circulation period required for the final Environmental Impact Statement. This decision will be based upon a comparison of projects emerging from the alternatives analysis process.

UMTA may admit projects into preliminary engineering where combined cost exceeds available Federal contract authority. This will be done in anticipation of any of several possibilities: the withdrawal of projects as a result of changing local priorities; a local decision to use non-Federal resources to finance more than 20 percent of total cost; or changing conditions such as the availability of detailed cost estimates which might lead to a later decision that a particular project cannot be Federally financed.

6. During the execution of preliminary engineering, the applicant will be expected to complete all the steps which must precede a full Federal commitment of capital grant funds to the project. These steps include providing evidence of firm commitment of the non-Federal capital share, providing evidence of State and/or local consensus regarding the financing of operating deficits, and planning for and gaining financial commitment to necessary supportive actions to promote effective utilization of the proposed fixed guideway system.

7. Upon completion of the preliminary engineering phase, the applicant may prepare a capital project application for the construction (including final engineering and right of way acquisition) of the proposed project, and shall hold a public hearing thereon.

8. A definite funding commitment by UMTA for construction in a specific dollar amount will be made upon review of the capital grant application, the transcript of the public hearing and the detailed cost estimates emerging from preliminary engineering. The decision will be based upon a comparison of projects then pending.

[F.R. Doc. 76-27567 Filed 9-21-76; 8:45 am]
PART III:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

Assurance of Completion Requirements
Title 24—Housing and Urban Development
CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING—FEDERAL HOUSING COMMISSIONER
[Docket No. H-76-371]

MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

Assurance of Completion Requirements

Notice was given on January 23, 1976, at 41 FR 3481 that the Department of Housing and Urban Development was proposing amendments to Parts 207, 213, 221, 232, 241, 242 and 244 of Title 24 to change the assurance of completion requirements for multifamily housing projects (including rehabilitation projects) and 236 through 238 (rehabilitation projects) and 236 through incorporation by reference.

These amendments establish the minimum requirements with respect to certain agreements (i.e., joint and cash deposits to secure completion assurance agreements). Agreements controlling the disbursement of construction funds coupled with a full guaranty of performance and a full purpose of completing the construction contract have been eliminated as an acceptable form of assurance of completion because of unsatisfactory prior experience in this area. Interested persons were given 30 days view, and suggestions with respect to the proposed regulations. Sixteen comments were received. Thirteen of the comments were negative; the remaining three comments contain suggestions toward improving or strengthening the proposed requirements. Six of the negative comments were given a negative comment that the proposed amendments would eliminate the existing authority for a mortgagee to accept an unconditional irrevocable letter of credit as security for the completion of a project. The letter of credit must be adequate and contain a guaranty of completion in lieu of the cash deposit required under the amended regulations. The letter of credit requirement in the various regulations was unaffected by the amendments except for the hospital program where completion assurance agreements are not utilized. See Sections 207.19(c)(7), 213.27 (g), 221.542(b), 232.56(b), 241.140(b), and 244.95(b). Four of the negative comments raised the general objection that the existing requirements were adequate to protect the Government's interests and that the imposition of strengthened requirements would tend to penalize the small builder and slow construction. Two negative comments advocated a lesser separate standard for nonprofit builders. HUD has determined that more stringent requirements for assurance of completion are necessary to protect the Government's interest based upon the experience of the Department with projects which are not properly completed and, therefore, cause loss to the Department as an insurer of the mortgage loan.

The personal indemnity agreement has been retained to afford relief to small builders, nonprofit builders, and contractors as will be explained further below. Three negative comments maintained that the controlled disbursement agreement was an acceptable and workable mechanism which should not be eliminated. One negative comment did not alter the position of the Department that the mechanism has not been proved in the experiments therewith and that too little private interest has been demonstrated in the controlled disbursement agreement to justify developing regulations and handbook rules, procedures and forms for nationwide implementation.

Three negative comments raised the issue of adverse impact of the strengthened requirements through elimination of minority contractors. It should be emphasized that the mechanism of the personal indemnity agreement is not an acceptable form of assurance of completion was devised initially and has been retained for the express purpose of facilitating the participation of small contractors, nonprofit builders, and, particularly, minority contractors. It is believed that not many small contractors will undertake construction of multifamily projects in excess of $500,000. One negative comment was adverse to personal indemnity agreement and stated that such agreements were not worth the paper upon which they were written.

The Department has determined that an Environmental Impact Statement is not required with respect to this rule. The Finding of Inapplicability, in accordance with HUD's environmental procedures handbook (HUD Handbook 13901) is available for public inspection during regular business hours in the Office of the Docket Clerk, Room 10141, Department of Housing and Urban Development, 451 Seventh Street, S.W., Washington, D.C.

Accordingly, the proposed regulations are hereby adopted without change and are set forth below.

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

1. Section 207.19(c)(6) is revised to read as follows:

§ 207.19 Required supervision of private mortgagee.

(c) ... . . .

(6) The mortgagee shall furnish assurance of completion of the project in the form of a personal indemnity agreement with corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(i) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(ii) Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (c)(6)(ii) or (iii) of this section.

(iii) Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(iv) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

PART 212—COOPERATIVE HOUSING MORTGAGE INSURANCE

2. Section 212.27(e) is revised to read as follows:

§ 212.27 Assurances of completion.

(e) The mortgagee shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(i) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(ii) Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (c)(6)(ii) or (iii) of this section.
executed, the assurance shall be as set forth in paragraph (a) (2) or (3) of this section.

(2) Where the structure contains an elevator and is four stories or more, assurance shall be corporate surety bonds for payment and performance, each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be corporate surety bonds for payment and performance, each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

4. Section 232.56(a) is revised to read as follows:

§ 232.56 Assurance of completion.

(a) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(1) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor.

(2) Where the estimated cost of construction or rehabilitation is more than $500,000 and a personal indemnity agreement is not executed, the assurance of completion will be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

(1) Where the estimated cost of construction or rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor.

(2) Where the estimated cost of construction or rehabilitation is more than $500,000 and a personal indemnity agreement is not executed, the assurance of completion shall be as set forth in paragraph (a) (2) or (3) of this section.

(3) Where the structure contains an elevator and is four stories or more, assurance shall be corporate surety bonds for payment and performance, each in the amount of 15 percent of the amount of the construction contract.

(4) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements of this section.

PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

5. Section 241.140(a) is revised and a new paragraph (c) is added as follows:

§ 241.140 Assurance of completion.

(a) The borrower shall furnish assurance of completion of the project in the following minimum forms and amounts:

(1) Where the estimated cost of construction of the improvements is $500,000 or less, the borrower shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(b) Where the estimated cost of construction of the improvements is more than $500,000, the borrower shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(2) Where the estimated cost of construction of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(c) Supplemental loans, incurred solely for the purpose of purchasing equipment in a nursing home or a group practice facility, are exempt from the above assurance of completion requirements.

PART 242—MORTGAGE INSURANCE FOR HOSPITALS

6. Section 242.61 is revised to read as follows:

§ 242.61 Funds and finances—insured advances—assurance of completion.

(a) Where the estimated cost of construction or rehabilitation is $500,000 or less and a Hill Burton grant or HED guaranteed loan is not involved, the mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(b) Where the estimated cost of construction or rehabilitation is more than $500,000, the borrower shall furnish assurance of completion of the project in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor.

(c) Supplemental loans, incurred solely for the purpose of purchasing equipment in a nursing home or a group practice facility, are exempt from the above assurance of completion requirements.
ment and performance each in the minimum amount of 50 percent of the accepted bid price (100 percent of bid price if a Hill Burton grant or HEW guaranteed loan is involved).

(c) All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies executing a bond and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner.

(d) A mortgagee may prescribe more stringent requirements for assurance of completion than the minimum requirements provided for above in this section.

PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES [TITLE XI]

7. In § 244.95 paragraph (a) is revised, paragraphs (b) and (c) are deleted and paragraph (d) is redesignated as paragraph (b) and revised as follows:

§ 244.95 Funds and finances—insured advances—assurance of completion.

(a) The mortgagor shall furnish assurance of completion of the project in the form of a personal indemnity agreement, corporate surety bonds for payment and performance, or a completion assurance agreement secured by a cash deposit. All types of assurance of completion shall be on forms approved by the Commissioner. All surety companies issuing bonds and all parties executing a personal indemnity agreement must be satisfactory to the Commissioner. The minimum requirements for assurance of completion are as follows:

1. Where the estimated cost of construction of rehabilitation is $500,000 or less, the assurance of completion will be accepted in the form of a personal indemnity agreement executed by the principal officers, directors, stockholders, or partners of the entity acting as the general contractor, or by the individuals operating as the general contractor. Where the estimated cost of construction or rehabilitation is more than $500,000 or where such cost is less than $500,000 and a personal indemnity agreement is not executed, the assurance shall be as set forth in paragraph (a) (2) or (3) of this section.

2. Where the structure contains no elevator, or where the structure contains an elevator and is three stories or less, assurance shall be by corporate surety bonds for payment and performance each in the amount of 25 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 15 percent of the amount of the construction contract.

3. Where the structure contains an elevator and is four stories or more, assurance shall be by corporate surety bonds for payment and performance, each in the amount of 50 percent of the amount of the construction contract, or a completion assurance agreement secured by a cash deposit in the amount of 25 percent of the amount of the construction contract.

(b) The lender may accept, in lieu of a cash deposit required by paragraph (a) of this section, a letter of credit meeting the requirements of § 244.85(b).

(Sec. 7(d), Department of HUD Act, 42 U.S.C. 3535(d).)

Effective date: This amendment is effective on September 22, 1976.

It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A-107.

JAMES L. YOUNG,
Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc.76-27754 Filed 9-21-76;8:45 am]
NOTICES

FEDERAL ELECTION COMMISSION

ADVISORY OPINIONS

Requests

Pursuant to 2 U.S.C. 437f(c) and the procedures reflected in Part 112 of the Commission's Notice of Proposed Rulemaking, published on May 26, 1976 (41 FR 21590), advisory opinion requests 1976-79 through 1976-82 have been made public at the Commission. Copies of AOR 1976-79 were made available on September 9, 1976; and copies of AOR 1976-80 through 1976-82 were made available on September 13, 1976. These copies of advisory opinion requests were made available for public inspection and purchase at the Federal Election Commission, Public Records Division, at 1325 K Street, N.W., Washington, D.C. 20463.

Interested persons may submit written comments on any advisory opinion request within ten days after the date the request was made public at the Commission. These comments should be directed to the Office of the General Counsel, Advisory Opinion Section, at the Commission. Persons requiring additional time in which to respond to any advisory opinion requests will normally be granted such time upon written request to the Commission. All timely comments received by the Commission will be considered before the Commission issues an advisory opinion. Comments on pending requests should refer to the specific AOR number of the requests and statutory references should be to the United States Code citations rather than to the Public Law citations.

A descriptive listing of each of the requests recently made public as well as the identification of the requesting party follows hereafter:

AOR 1976-79: Whether the political action committee of the National Right to Work Committee may solicit active and supporting members of the National Right to Work Committee.

Requested by Alan P. Dye of Webster and Chamberlain for the Employee Rights Campaign Committee, Washington, D.C.

AOR 1976-80: Whether a political committee supporting one party's candidates which is not formed, directed, or controlled by the State party is part of the official party structure if it receives funds from the State party; whether a political committee is "authorized" by a candidate if the candidate's principal campaign committee contributes funds to it or if the candidate requests supporters to contribute to the committee; whether a candidate's county campaign coordinator is an agent of the candidate.

Requested by Bob L. Thomas, Chairman, Democrats United, Waco, Texas.

AOR 1976-81: Whether the present principal campaign committee of an independent presidential candidate may be treated as a political party for public financing and party-related expenditure and contribution limitation purposes; whether a separate political committee may be established to replace the candidate's principal campaign committee for contribution and expenditure limitation purposes.

Requested by John Rogard Tabori and Mary Meehan, McCarthy '76, Washington, D.C.

AOR 1976-82: Whether a congressional candidate's principal campaign committee which purchases brochures containing a picture of the candidate with Jimmy Carter must include a disclaimer in the brochure to the effect that Jimmy Carter did not finance it.

Requested by Glenn Miller, Campaign Manager, Walgren for Congress Committee, Pittsburgh, Pennsylvania.

Dated: September 17, 1976.

Vernon W. Thomson, Chairman for the Federal Election Commission.

[FR Doc.76-27772 Filed 9-21-76; 8:45 am]
PART V:

COMMISSION ON FEDERAL PAPERWORK

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

FEDERAL COMMUNICATIONS COMMISSION

PRIVACY ACT OF 1974

Systems of Records
COMMISSION ON FEDERAL PAPERWORK

PRIVACY ACT OF 1974

Notice of Systems of Records

This document is to give notice that the systems of records identified in the notice published in the Federal Register at 40 FR 52974 continue in effect.

Frank Horton,
Chairman.

CFP—1
System name: General Personnel Files—CFP
System location: Commission on Federal Paperwork
1111 20th St., NW., Suite 200
Washington, D.C. 20036.

Categories of individuals covered by the system: Past and present employees of the Commission; Commissioners of the Commission; experts and consultants who have been employed on an intermittent or temporary basis.

Categories of records in the system: Informal personnel information, including; social security number, home address, home phone number, age, biographical data, resumes, letters of reference, and other documents.

Authority for maintenance of the system: An Act to create a Commission on Federal Paperwork, Sec. 6, Pub. L. 93-556, 88 Stat. 1789.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Appendix.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper records stored in file folders
Retrievability: Retrieved manually, by name of individual
Safeguards: Records are stored in locking metal file cabinets in secured premises; access is limited to those whose official duties require access.

Retention and disposal: Records retained indefinitely

System manager(s) and address:
Administrative Officer
Commission on Federal Paperwork
1111 20th St., NW., Suite 200
Washington, D.C. 20036.

Notification procedure: Address inquiries to Administrative Officer, at above address.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom records pertain; supervisors; official personnel records.

CFP—2
System name: General Financial Records—CFP

System location: System location: General Services Administration, Central Office; copies held by the Commission. (GSA holds records for the Commission under agreement.)

Categories of individuals covered by the system: Commission employees; Commissioners; experts and consultants who have been employed on an intermittent or temporary basis.

Categories of records in the system: Categories of records in the system: SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by mission and GSA employees to maintain adequate payroll information; time; leave data; retirement records. Records are used by the Commission and GSA employees to maintain adequate payroll information for Commission employees who have a need for the record in the performance of their duties.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix. Records are also released to the General Accounting Office for audits; to the Internal Revenue Service for investigation; and to private attorneys, pursuant to a power of attorney.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Paper and microfilm.
Retrievability: Social Security Number.
Safeguards: Stored in guarded building; released only to authorized personnel.

Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).

System manager(s) and address:
Administrative Officer
Commission on Federal Paperwork
1111 20th St., NW., Suite 200
Washington, D.C. 20036.

Notification procedure: Address inquiries to Administrative Officer, at above address.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual to whom records pertain; the Commission.

Systems exempted from certain provisions of the act: None

Appendix—CFP

(1) In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant
records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

(2) A record from this system of records may be disclosed as a "routine use" to a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract or the issuance of a license, grant, or other benefit.

(3) A record from this system of records may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

(4) A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator, or other duly authorized official engaged in investigation or settlement or a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

(5) A record from this system of records may be disclosed to officers and employees of a federal agency for purposes of audit.

(6) A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

(7) A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record.
COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED
PRIVACY ACT OF 1974
Systems of Records

The purpose of this document is to give notice that the system of records identified in notices published in the Federal Register at 40 FR 44759, 40 FR 44760 and 41 FR 9587 continues in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(c)(4) as added by Section 3 of the Privacy Act of 1974.

C. W. Fletcher,
Executive Director.

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CBH—1 General Personnel File
CBH—2 General Financial Records
CBH—3 Payroll Records

CBH—1
System name: General Personnel File for Committee for Purchase from the Blind and Other Severely Handicapped—CBH—1.
Categories of individuals covered by the system: Committee members and employees (past and present).
Categories of records in the system: General personnel information, including, among other data, photographs, applications, position description, request for notification of personnel action, training records, security clearances, titles, service computation date, date of birth, grade, salary, employment history, home address, age, marital status, social security number, home telephone number, resume, letter of recommendation, and short biographical sketches. System contains copies of Civil Service Commission personnel forms including, among others: data for nonsensitive or noncritical-sensitive position, and payroll change slip. Information is used by authorized Committee employees in the performance of their duties.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.
Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: Paper
Retrievability: Manual and by name.
Safeguards: Files locked in office; records are available to authorized persons only.
Retention and disposal: In accordance with General Records Schedule FPMR 101-11.4.
System manager(s) and address: Executive Director, 2009 14th Street North, Suite 610, Arlington, Virginia 22201.
Notification procedure: Contact individual listed above.
Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.
Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.
Record source categories: The subject individual, the Committee.

CBH—2
System name: General Financial Records for Committee for Purchase from the Blind and Other Severely Handicapped—CBH—2.
System location: General Services Administration, Central Office, copies held by the Committee. (GSA holds records for Committee under contract.)
Categories of individuals covered by the system: Committee employees.
Categories of records in the system: SF 1038, Application and account for advance of funds; Vendor register and vendor payment tape. Information is used by accounting technicians to maintain adequate financial information and by other officers and employees of GSA and the Committee who have a need for the record in the performance of their duties.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.
Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: Paper and tape.
Retrievability: Manual and by name.
Safeguards: Stored in guarded building; released only to authorized personnel.
Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).
System manager(s) and address: Executive Director, 2009 14th Street, North, Suite 610, Arlington, Virginia 22201.
Notification procedure: Contact system manager listed above.
Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and the dates of the activity. For personal visits, the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.
Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.
Record source categories: The subject individual, the Committee.

CBH—3
System name: Payroll records for Committee for Purchase from the Blind and Other Severely Handicapped—CBH—3.
System location: General Services Administration, Region 3 Office; copies held by the Committee (GSA holds records for Committee under contract).
Categories of individuals covered by the system: Past and present Committee employees.
Categories of records in the system: Varied payroll records, including, among other documents, time and attendance cards, pay- ment vouchers, comprehensive listing of employees, health benefits records, requests for deductions, tax forms, W2 forms, overtime requests, leave data, retirement records. Records are used by Committee and GSA employees to maintain adequate payroll information for Committee employees and otherwise by Committee and GSA employees who have a need for the record in the performance of their duties.
Authority for maintenance of the system: 31 U.S.C, generally.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See appendix.
Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: Paper and microfilm.
Retrievability: Social Security Number.
Safeguards: Stored in guarded building, released only to authorized personnel.
Retention and disposal: Disposition of records shall be in accordance with the HB GSA Records Maintenance and Disposition System (OAD P 1820.2).
System manager(s) and address: Executive Director, 2009 14th Street, North, Suite 610, Arlington, Virginia 22201.
Notification procedure: Contact system manager listed above.
Record access procedures: Requests from individuals should be addressed to the Executive Director of the Committee staff. Requests may also be made in person. For written requests, the individual should provide full name, address, telephone number, and
the dates of the activity. For personal visits the individual should be able to provide some acceptable identification such as driver's license or employee identification card. Only general inquiries may be made by telephone.

Contesting record procedures: Rules for access to records and for contesting the contents and appealing initial determinations have been promulgated in 41 CFR 51-8.

Record source categories: The subject individual; the Committee.

APPENDIX (CBH)

In the event that a system of records maintained by this agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute of particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation, or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the issuing of a contract or the issuance of a license grant or other benefit.

A record from this system of records may be disclosed to a federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the issuing of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision in the matter.

A record from this system of records may be disclosed to an authorized appeal grievance examiner, formal complaints examiner, equal employment opportunity investigator, arbitrator of other duly authorized official engaged in investigation or settlement of a grievance, complaint, or appeal filed by an employee. A record from this system of records may be disclosed to the United States Civil Service Commission in accordance with the agency's responsibility for evaluation and oversight of federal personnel management.

A record from this system of records may be disclosed to officers and employees of a federal agency for purpose of audit.

A record from this system of records may be disclosed to officers and employees of a federal agency for purpose of audit.
The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 40068, 46075, 49566, 51176 and 41 FR 26953 continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by Section 3 of the Privacy Act of 1974.

August 30, 1976,

Vincent J. Mullins, 
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

PRIVACY ACT OF 1974

Systems of Records

Figure 4-1

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FCC/BCB-1

System name: Broadcast Station Ownership Interest File-FCC/BCB


Categories of individuals covered by the system: Owners of all licensed broadcast stations and officers, directors, and stockholders of corporate owners.

Categories of records in the system: Forms 323 and 323E Ownership and disposing of records in the system:

Records are retained approximately years and are then sent to Archives.

Notification procedure: Same as above.

Record access procedures: Same as above.
403 of the Communications Act of 1934, as amended. Licenses; employees of broadcast stations.

Categories of records in the system: Complaints filed by the public. Commission responses to such correspondence. Authority for maintenance of the system: Sections 303(m), Section 401 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff attorneys in the Broadcast Bureau to make a determination as to the seriousness of the complaint; to decide whether any cause exists, based on a complaint filed, for investigation or delaying a renewal, transfer, or assignment request. If the records indicate a possible violation of law, they may be referred to the appropriate agency charged with the responsibility of prosecuting the violation and enforcing the applicable statute or rule.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Record source categories: Licensees.

**FCC/BCB—2**

System location: 1919 M Street, N.W., Washington, D.C. 20554. Category of individuals covered by the system: Individual broadcast licensees; partners, owners; directors and officers of corporate licensees; employees of broadcast stations.

Categories of records in the system: Complaints filed by the public. Commission responses to such correspondence. Authority for maintenance of the system: Sections 303(m), Section 401 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff attorneys in the Broadcast Bureau to make a determination as to the seriousness of the complaint; to decide whether any cause exists, based on a complaint filed, for investigation or delaying a renewal, transfer, or assignment request. If the records indicate a possible violation of law, they may be referred to the appropriate agency charged with the responsibility of prosecuting the violation and enforcing the applicable statute or rule.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Record source categories: Licensees.

**FCC/BCB—4**

System location: 1919 M Street, N.W., Washington, D.C. 20554. Category of individuals covered by the system: All employees and former employees of the Broadcast Bureau, professional and non-professional.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birthdate, service computation date, emergency telephone number; memoranda in support of promotions or grade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards; internal classification and management records.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 2006, Section 2121, Section 2301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief—to provide personal data and career history; to support requests for personnel actions: e.g., appointment, separation, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and quality awards and to justify disapproval of same; to define and improve bureau and division organization.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Record source categories: Employee who is the subject of the record.
FEDERAL COMMUNICATIONS COMMISSION

System name: Employee Activity Report—FCC/CTB


Categories of individuals covered by the system: All employees of the Cable Television Bureau, professional and non-professional.

Categories of records in the system: The total number of hours devoted to specified areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Summary report sent to Budget Office for their use in computing manpower hours; to report to the Commission total number of hours put forth in a specific area of work; individual reports to document how an employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Individual activity records are retrieved by employee name and by reporting period. Summary activity reports by name of Division and by reporting period.

Safeguards: Records are kept in locked file cabinets in the office of the Bureau and Division Chiefs which are secured at the close of each business day.

Retention and disposal: Records are kept a minimum of two years, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee name and by reporting period.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee Supervisors, other bureau personnel.

FCC/CTB—4

System name: Staff Travel Records—FCC/CTB


Categories of individuals covered by the system: Staff members who have taken trips for the Bureau.

Categories of records in the system: Name of traveler, date of trip, where, and for what purpose.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by Administrative personnel as an up-to-date list of those who have represented the Bureau at Conferences and meetings thereby making it easier to distribute future trips on the basis of experience and subject matter expertise among staff members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Travel report is kept in the locked desk drawer of the Bureau Chief, the Bureau Chief’s office is secured at the end of each business day.

Retention and disposal: The length of retention has not been determined yet.

System manager(s) and address: Chief, Cable Television Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record access procedures: Same as above.

Record source categories: Information for the report is gathered from the Bureau’s secretaries who keep all travel information for their particular Division or Branch.

FCC/CTB—5

System name: Cable Operator Ownership File (AOR)

System location: 1919 M St. NW., Washington, D.C.

Categories of individuals covered by the system: For each corporate owner of a cable television system or each corporation owning 25 percent or more of the stock of such a corporate operator: (A) Officers, (B) Directors, (C) Stockholders owning 3 percent or more of the stock.

Categories of records in the system: (A) Owner Record—consisting of information furnished on FCC Annual Report of Cable Television Systems form 325, Schedule 3, blocks 1 thru 6.

(B) Controlling Person Record—consisting of information furnished on FCC Annual Report of Cable Television Systems form 325, Schedule 3, block 7, and Schedule 4.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: (A) Commission staff—utilize records to monitor communications media ownership configurations and monopolies which are not in the public interest.

Records are routinely reviewed during processing of authorizations to ascertain that the record is current and that the applicant for the authorization is entitled under the Commission’s Rules to its grant.
Members of the public—pursuant to Commission rule, members of the public are allowed to access data system file listings or the source forms, if necessary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Permanent magnetic tape file, temporary magnetic disc file, and temporary physical file for FCC 325 source forms.

Retrievability: Data system records are retrievable by any specified characteristic, any data field or character. FCC 325 source forms are retrievable alphabetically by owner or controlling person name.

Safeguards: Not applicable. Files are available for public inspection.

Retention and disposal: Magnetic tape files are kept permanently. FCC 325 source forms are transferred to WNRC after 3 years and destroyed 10 years later.

System manager(s) and address:
Chief
Cable Television Bureau
1919 'M' St., NW.
Washington, D.C. 20554.

Record source categories: Cable television operators who file FCC Form 325; individuals named in Schedules 3 and 4 of Form 325.

FCC/COMM—1

System name: Applicant for Position—FCC/COMM


Categories of individuals covered by the system: Applicants for positions with the staff of a Commissioner.

System manager(s) and address: Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee; Personnel Division.

FCC/CCB—1

System name: Alphabetical Complaint and Inquiry File—FCC/CCB


Categories of individuals covered by the system: Individuals who have made complaints or inquiries.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Complaints and subject carriers.

FCC/CCB—2

System name: Applicant for position—FCC/CCB


Categories of individuals covered by the system: Applicants who seek employee positions with the Bureau.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Previous employers, personal and business references.
**FCC/CCB—3**

System name: AT&T Witness file—FCC/CCB


Categories of individuals covered by the system: Persons chosen by the Bell system for particular expertise in various aspects of telecommunication whose testimony is presented at the current AT&T rate hearings.

Categories of records in the system: Printed or typed testimony; resume’s; attorney notes, internal memoranda, and correspondence; witness background information, e.g., papers written, career history.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by members of the AT&T Task Force to prepare cross-examination materials and, in general, to keep up to date with the current rate proceedings.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Material is retrieved by name of witness, by date testimony was offered into evidence.

Safeguards: Material is kept in filing cabinets or desk drawers in offices which are secured at the end of each working day. The AT&T Task Force is a small staff and only they have cause to access the information contained in the system. Therefore, unauthorized examination of the material would be readily detected.

Retention and disposal: The will be retained until the close of the AT&T rate proceedings, then transferred to the National Archives.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: AT&T Task Force.

**FCC/CCB—4**

System name: Contracts for Personal Services—FCC/CCB


Categories of individuals covered by the system: Professional people who bid or are recommended as experts, and whose services are requested for a specific study or case.

Categories of records in the system: Background histories, resumes of previous services provided the Commission, work contracts, salary requests, internal memoranda.

Authority for maintenance of the system: Section 4(g) of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record is used by administrative personnel and the AT&T Task Force staff to secure qualified persons to serve as expert witnesses or as consultants.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Information in this system is retrieved by name.*

Safeguards: Records are kept in file cabinets in the bureau administration office and in the offices of the AT&T Task Force. These offices are locked at the close of each business day.

Retention and disposal: These records are retained until their administrative need has ended, then destroyed.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: FCC procurement office, previous employers, college or university officials. *In order to expedite the processing of requests for notification, those individuals who have served as expert witnesses at the request of the AT&T Task Force should communicate this fact in the request.

**FCC/CCB—5**

System name: Correspondence Associated with Docketed Matters—FCC/CCB


Categories of individuals covered by the system: Individuals with whom the bureau’s staff trial section corresponds while the docket remains open.

Categories of records in the system: All correspondence to and from individuals concerning a specific docketed matter, e.g., information requests, intercounsel correspondence, correspondence to gather information for use in hearing proceedings.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Trial Staff for reference during the course of the proceeding. The records may be referred to, as a routine use, to the appropriate agency charged with the responsibility of implementing or enforcing applicable statutes or rules or charged with investigating some aspect of a docketed matter.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are first retrieved by docket or file number, then by individual name.*

Safeguards: Stored in unlocked files and secured in office after working hours.

Retention and disposal: These records are maintained until the Docket is closed. The records are then turned over to Dockets Office which retains them indefinitely.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: *Individuals seeking access to records in this system should associate a docket or file number with the request.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: None.

**FCC/CCB—6**

System name: Employee Records—FCC/CCB


Categories of individuals covered by the system: All employees and former employees of the Common Carrier Bureau.

Categories of records in the system: Personal data of a factual nature: e.g., education, career history, birth date, service computation date, life insurance and retirement coverage, telephone number; recommendations and memoranda in support of promotions, in grade increases and awards including recommendations for outstanding or unsatisfactory performance rating; requests and notices of personnel actions: job descriptions: performance evaluations: supervisor’s complaints: discrimination complaints and other employee-filed grievances: nominations for employee training courses; time and attendance reports including special working hours.

Authority for maintenance of the system: 5 U.S. Code, Section 631, Section 1101, Section 2001, Section 2061.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Use by staff supervisors and administrative personnel office of Bureau chief—to provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, and annual performance rating: to provide a ready reference for employee job descriptions, award nominations, and training recommendations: to determine the days and hours during which annual or sick leave is taken, to keep track of paid overtime being worked in the Bureau, and to document work schedules that differ from normal duty hours.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders or card files.

Retrievability: All records are retrievable by name, some records are retrieved by the date employee is eligible for promotion or within grade increases or by course title (in the case of training records).*
Safeguards: Records are maintained in file cabinets or desk drawers, all Bureau offices are locked at the close of each business day.

Retention and disposal: Most records in this system are retained until the administrative need is completed, then destroyed by tearing. Performance ratings and time and attendance reports are retained for one year, then destroyed; records of personnel actions are retained for three years, then destroyed by tearing.

System manager(s) and address: Chief, Common Carrier Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Record source categories: Employees of the Bureau, employees of the Field Operations Bureau.

System name: Employment Discrimination Complaints Against Common Carriers—FCC/CCB

Categories of records in the system: Complaint letters, responses for training should identify the specific training courses of interest by title and year of offering.

Notification procedure: (Same as in above record systems.)

Safeguards: None, records are open to public inspection.

Retention and disposal: Records are kept in a filing cabinet in the Bureau administrative office which is secured at the close of each business day.

System name: Employee Records—FCC/FOB

Categories of records in the system: Performance appraisals and reviews, recommendations for awards, time and attendance reports, position descriptions, training records.

Authority for maintenance of the system: Section 403 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by administrative personnel to authorize official travel by Bureau personnel and to document monies spent from travel budget.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in a filing cabinet in the Bureau administrative office which is secured at the close of each business day.

Retention and disposal: Records are kept on file for a period of two years, then destroyed by tearing.

System name: Staff Travel Records—FCC/CCB

Categories of individuals covered by the system: All Common Carrier Bureau personnel authorized to travel on government business.

Categories of records in the system: Name of traveler, number of days travel time authorized, departure date, destination, purpose for travel, mode of travel, cost of travel, and any other information pertinent to the trip.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record is used by administrative personnel to authorize official travel by Bureau personnel and to document monies spent from travel budget.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folder.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in a filing cabinet in the Bureau administrative office which is secured at the close of each business day.

Retention and disposal: Records are destroyed after service is terminated, then destroyed by shredding.

System name: Government Employees—FCC/CCB

Categories of individuals covered by the system: All Federal Communications employees.

Categories of records in the system: Vacancy list; personnel data, as determined by the individual, for personal use.

Authority for maintenance of the system: Section 307 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Bureau Chief and in the various field installations—to provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to generate and document recommendations for training courses, incentive and high quality awards and to justify approval or disapproval of such recommendations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in a filing cabinet in the Bureau administrative office which is secured at the close of each business day.

Retention and disposal: Records are retained in accordance with the FCC records control system, destruction occurs one year after the departure of the employee.
FEDERAL COMMUNICATIONS COMMISSION

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supervisors.

FCC/FOB—2

System name: Radio Operator Records—FCC/FOB


Categories of individuals covered by the system: Individuals who have applied for radio operator licenses.

Categories of records in the system: Applications for radio operator licenses, examination papers, records of documents issued, correspondence, etc.

Authority for maintenance of the system: Geneva Radio Regulations; 47 U.S.C. Section 303(i), and (m), 318.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in connection with the administration of the Commission's radio operator program including examinations, applications, and determinations of license applicant qualifications. Limited file material concerning licensed radio operators is forwarded to the Office of Executive Director for inclusion of the material in the agency's central computer facility. If the records maintained indicate a possible violation of law, they may be referred, as routine use, to the General Counsel and to the appropriate agency charged with the responsibility of investigating or prosecuting such violation.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, microfilm (applicants' names only).

Retrievability: All records in this system are retrievable by applicant name.

Safeguards: All records are kept in file cabinets, in offices that are secured at the close of each business day.

Retention and disposal: Applications are retained for a period of six years, transferred to the Federal Records Center for an additional five years, then destroyed. (Exception: Restricted Permits have been subjects of FCC Field enforcement actions (monitoring, and Regulations, or International Radio Treaties.

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: FOB field employees engaged in radio operator application processing.

Systems exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to Section (k)(2) of the Act.

FCC/FOB—3

System name: Violators File (records kept on individuals who have been subjects of FCC field enforcement actions)—FCC/FOB


Categories of individuals covered by the system: Individuals who have been subjects of FCC Field enforcement actions (monitoring, inspection, investigation) for violations of radio law, FCC Rules and Regulations, or International Radio Treaties.

Categories of records in the system: Inspection reports, complaints, monitoring reports, investigative cases, referral memos, correspondence, discrepancy notifications, warning notices, etc.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For use in connection with the Commission's field enforcement programs to determine levels of compliance among radio users; to issue marine certificates of compliance; to prepare requests for sanction action. Where sanctions are requested, file material is forwarded to appropriate offices within the Commission. If the records indicate a possible violation of law, they may be referred, as a routine use, to the appropriate agency charged with the responsibility of investigating or prosecuting such violation or charged with enforcing the applicable statutes or rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: All records in this system are retrievable by name and by FCC issued call sign.

Safeguards: All records are kept in file cabinets, in offices which are secured at the close of each business day.

Retention and disposal: All violation notices are maintained for a period of four years, then destroyed (classified material is destroyed by burning or shredding).

System manager(s) and address: Chief, Field Operations Bureau, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to Section (k)(2) of the Act.

FCC/OALJ—1

System name: Employee Activity Report—FCC/OALJ


Categories of individuals covered by the system: All employees of the Office of Administrative Law Judges, professional and non-professional.

Categories of records in the system: Summaries of the total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The Budget Office uses the report to compute manpower hours, the Commission uses it to record the total number of hours put forth in a specific category of work; the office uses it to document how an individual used his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name and reporting period.

Safeguards: Records are kept in a locked file cabinet in an office which is secured at the end of each business day.

Retention and disposal: Records are kept for three years, then destroyed.

System manager(s) and address: Office of Administrative Law Judges, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the records are maintained.

FCC/OALJ—2

System name: Employee Records—FCC/OALJ


Categories of individuals covered by the system: All employees and former employees of the Office of Administrative Law Judges, professional and non-professional.

Categories of records in the system: Personal data of factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of
promotion or ingrade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

**System name:** Employee Activity Report—FCC/OCE

**System location:** 1919 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** All employees of the Office of Chief Engineer, professional and non-professional.

**Categories of records in the system:** Summaries of the total number of hours devoted to specific areas of work, number of hours on business.

**Authority for maintenance of the system:** None.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** The Budget Office uses the reports to determine manpower needs. The Commission uses it to record the total number of hours per month in a specific category of work; the Office uses it to document how an employee uses his time during a two-week period.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage: File folders.

**Approval and disposal:** Records are retained for three years, then destroyed.

**System manager(s) and address:** Office of Chief Engineer, Room 714, 2025 M Street, N.W., Washington, D.C. 20554.

**Notification procedure:** Same as above.

**Record access procedures:** Same as above.

**Record source categories:** Individual on whom the record is maintained.

**FCC/OCE—2**

**System name:** Employee Records—FCC/OCE

**System location:** 2025 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** All employees and former employees of the Office of Chief Engineer, professional and non-professional.

**Categories of records in the system:** Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotion or in-grade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

**Authority for maintenance of the system:** 5 U.S. Code, Section 631, Section 2001, Section 2061, Section 2121, Section 2301.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by staff supervisors and certain administrative personnel to provide personnel data and career history; to support requests for personnel actions: e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and high quality awards and to justify disapproval of same.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage: File folders.

**Record access procedures:** Same as above.

**Record source categories:** Personal data of a factual nature: e.g., education, career history, birth date, service computation date, emergency telephone number; memoranda in support of promotion or in-grade increases or for documentation of adverse actions; performance evaluations of various kinds; time and attendance reports; training records; recommendations for awards.

**FCC/OCE—3**

**System name:** Experimental Radio Station License—FCC/OCE

**System location:** 2025 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** All Experimental Radio Station License holders.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by staff supervisors and certain administrative personnel to provide personal data and career history; to support requests for personnel action: e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine employee productivity; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and high quality awards and to justify disapproval of same.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:** Storage: File folders.

**Record access procedures:** Same as above.

**Record source categories:** Experimental Radio Station License holders.
Categories of records in the system: Technical and administrative information regarding the operation, location of the experimental operation and the equipment to be used.

Authority for maintenance of the system: Sections 301, 303 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff engineers and application examiners to determine if a license applicant is qualified and if the experimental station's technical operation is in the public interest.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- **Storage:** File folders.
- **Retrievability:** Information is retrieved by applicant or licensee name, then by application number.
- **Safeguards:** Records are maintained in locked file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Records are retained for a period of 2 years after the expiration of the license, then sent to the National Archives.

System manager(s) and address: Office of Chief Engineer, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

FCC/OED—1

System name: Activity Reporting System—FCC/OED

System location: 1919 M Street, N.W.; 2025 M Street, N.W.; and 1229 20th Street, N.W., Washington, D.C. 20554.

Categories of individuals covered by the system: All employees whose bureau or office is a participant in the system.

Categories of records in the system: Individual activity reporting forms containing a person's name, social security number, organization code, activity code and number of hours spent working on the reported activity during a semimonthly reporting period. Monthly reporting forms listing total Bureau/Office output of selected production measures.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Bureau and Office management personnel use data to measure time expended on various programs, services or activities and productivity at Divisional or Bureau level. Financial Management Division used data to develop future budget estimates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- **Storage:** 5 inches by 8 inches and 8 inches by 10 inches original forms are stored in file cabinets by reporting period and organizational unit. Data is also contained on magnetic tapes stored in computer room.
- **Retrievability:** Forms and tapes are maintained by semimonthly or monthly reporting period to facilitate aggregation for monthly report. Error listings from the computer are indexed by social security number to facilitate correction on an individual basis. Data is not retrieved for an individual, only for various organizational levels and program, service or activity codes. Forms will be filed in each participating bureau to facilitate location for correction purposes only.
- **Safeguards:** Records are maintained in file cabinets in an office that is locked at the end of each business day. Access to tapes is controlled by computer room personnel.

Retention and disposal: Original forms are retained for three months and then destroyed by tearing into pieces. The only purpose in maintaining the original input document for three months before destruction is to facilitate correction of error listings. Tapes are retained for up to two years.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual Activity Reports of employees participating in the system. Monthly Output Measures Reports from Bureau/Office management personnel.

FCC/OED—2

System name: Alcoholism and Drug Abuse Case Files—FCC/OED


Categories of individuals covered by the system: FCC employees who seek guidance and counseling through the agency Alcoholism and Drug Abuse Program.

Categories of records in the system: Personal history as it relates to the employee's problem. Records on employees referred for counseling.

Authority for maintenance of the system: FPM 792.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Reference material for the use of the Program Administrator and Counselors.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- **Storage:** Records are stored in locked metal cabinets in the Program Administrator's Office.
- **Retrievability:** Records are filed and retrieved by name of employee.
- **Safeguards:** Records are maintained in an office that is locked when not occupied by the Program Administrator. They are maintained in strict confidence and are accorded the same security and accessibility restrictions provided for medical records.

Retention and disposal: Records are kept indefinitely or until the employee leaves the FCC, at which time they are destroyed by tearing into pieces.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employee, employee's supervisor, and counselors.

FCC/OED—3

System name: Docket History Cards—FCC/OED


Categories of individuals covered by the system: Licensees whose applications have been designated for hearing and Petitioners who request an amendment of Commission's Rules.

Categories of records in the system: Docket History cards and cross-reference cards.

Authority for maintenance of the system: Section 0.45c of the Commission's Rules.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Commission employees and general public use records to locate pleadings that have been filed, pertinent dates, and Commission actions that are filed in the public reference room.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

- **Storage:** 5 inches by 8 inches history card file cabinets; 3 inches by 5 inches alphabetic card file cabinets.
- **Retrievability:** History cards are maintained by numerical docket numbers; and cross-reference cards are maintained alphabetically. Cross-reference cards contain the name of an individual and the docket number thus permitting access to the docket history card.
- **Safeguards:** Public access is controlled by Commission employees who provide necessary reference services.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is secured from pleadings and actions taken by Commission officials.

FCC/OED—4

System name: Employee Relations Case File—FCC/OED

Categories of individuals covered by the system: FCC employee.

Categories of records in the system: Correspondence of an employee relations nature including debt complaints and supervisory generated warnings or other forms of admonishment regarding disciplinary matters.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by the Employee Relations Officer for reference and the development of an effective employee relations program.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folder.

Retrievability: Records are stored alphabetically and retrieved by name of employee.

Safeguards: Records are maintained in a file located in the office of the Employee Relations Officer, Personnel Division. The office is locked at the end of each business day.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Supervisors, employees, private citizens.

FCC/OED—5

System name: Financial Disclosures by Employees—FCC/OED


Categories of individuals covered by the system: All Commission regular and special employees.

Categories of records in the system: Confidential Statements of Employment and Financial Interests required to be filed by all Commission regular and special employees (Section 19.733-403, FCC Rules and Regulations) initially upon employment, and subsequently each year thereafter. Correspondence with the employee, the General Counsel, or research documents concerning any holdings requiring clarification as to their compatibility with Government employment.

Authority for maintenance of the system: Executive Order 11222; Chapter 735, Federal Personnel Manual (Section 1-5).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is reviewed by designated employees to establish proper compliance with the Executive Order and FCC Rules and Regulations. The General Accounting Office may require access to these records. As determined for good cause shown, referral may be made to the Civil Service Commission and to the Department of Justice.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders.

Retrievability: Records are filed and retrieved by name of employee.

Safeguards: Records are held in confidence in an access-controlled and alarmed area, with access restricted to reviewing officials (Section 19.733-405, FCC Rules and Regulations) and processing personnel of the Security Office. Access by other Commission officials is limited to those who are required to provide a legal opinion or interpretation.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: The records may contain data extracted from financial publications or obtained directly from companies or corporations whose stock is held by the employee. Submitting employee.

FCC/OED—6

System name: Index of Commission Agenda Items—FCC/OED


Categories of individuals covered by the system: When an agenda item pertains to an individual, an index card is made out in the name of that person.

Categories of records in the system: Index cards contain name of individual, agenda item number(s), dates, minute numbers and a digest of action taken by the Commission on the subject matter.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used by employees to determine when a particular matter was considered by the Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file cabinets.

Retrievability: Records are filed alphabetically when the name of an individual is mentioned in a Commission Agenda item, it is filed alphabetically and is accessible.

Safeguards: Information in these records is available to the public. Commission employees, however, maintain control over access and provide necessary reference service. Records are maintained in file cabinets in an office that is locked at the end of each business day.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is secured from Commission Agendas, Notices and Minutes by Commission employees.

FCC/OED—7

System name: National Industry Advisory Committee (NIAC) Membership—FCC/OED


Categories of individuals covered by the system: Members of the National Industry Advisory Committee and its Subcommittees.

Categories of records in the system: Information showing individual name, business address, business and home telephone numbers, title and occupation.

Authority for maintenance of the system: Public Law 92-463, October 6, 1972, Federal Advisory Committee Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to distribute information to members of the committee, convene meetings, and conduct general committee business.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of committee members.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained indefinitely while individual is a member of the committee; when member resigns or retires from business, individual file material is destroyed.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Committee member.

FCC/OED—8

System name: Personnel Investigations of Employees—FCC/OED


Categories of individuals covered by the system: All Commission regular and special employees.

Categories of records in the system: Reports of investigations conducted pursuant to Executive Order 10430 by the U.S. Civil Service
Commission, FBI, or other authorized government agency; results of National Agency Check and Inquiries (NACI); suitability information as defined in Chapter 731, Federal Personnel Manual; results of investigations conducted pursuant to Section 19.735-107, FCC Rules and Regulations (Employee Responsibilities and Conduct), and the results of inquiries conducted in the administration of the FCC's Merit System. Certificates of Clearance issued for the individual's access to classified information. Card Index.

**Authority for maintenance of the system:** Executive Order 10450. 18 U.S.C. 203, 205, 208, and 209.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information is used to establish qualification for government employment and to determine whether employee should be permitted access to classified information. As necessary, referral is made to law enforcement authorities for investigation and possible criminal prosecution, or to the Civil Service Commission in the case of suitability matters under its jurisdiction. Referral may be made to the following agencies when there is need for the granting of access to classified information in their custody or to briefings including classified matters; Defense Communications Agency, Interagency Communications System, Department of State, Secret Service, Central Intelligence Agency.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:** File folders, card index.

**Retrievability:** Records are filed and retrieved by name of employee.

**Safeguards:** Records are maintained within a secure, access-controlled area, and stored in approved security containers. Access is limited to cleared Security Office personnel and to Commission officials on a "need to know" basis when required to take decisional action on the records.

**Retention and disposal:** Records are retained during employment; records are returned to investigating agencies after employment terminates.

**System manager(s) and address:** Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

**Notification procedure:** Same as above.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Previous employers; listed and developed character and credit references; neighbors; educational institutions; law enforcement agencies; birth records; fellow employees.

**Systems exempted from certain provisions of the Act:** Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act because they embody investigatory material pursuant to sections 3(k)(2) and 3(k)(5) of the Act as applicable.

**FCC/OED—9**

**System name:** Personnel Investigations of Members of Advisory Committee. (Maritime Communications Subcommittee, National Industry Advisory Committee)—FCC/OED

**System location:** 1919 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** Members of the Maritime Communications Subcommittee of the FCC National Industry Advisory Committee (NIAC).

**Categories of records in the system:** Reports of investigations conducted pursuant to Executive Order 10450 by the U.S. Civil Service Commission, FBI, or other authorized government agency; results of National Agency Checks and Inquiries (NACI).

**Authority for maintenance of the system:** Executive Order 10450.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information is reviewed by cleared personnel to determine an individual's qualifications for access to classified information.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** File folders.

**Retrievability:** Records are filed and retrieved by name of individual.

**Safeguards:** Records are maintained within a secure, access-controlled area, and stored in approved security containers. Access is limited to cleared Security Office personnel and to Commission officials on a "need to know" basis when required to take decisional action on the records.

**Retention and disposal:** Records are retained as long as the individual is a member of the committee; when no longer connected with the committee, the records are returned to the issuing agency.

**System manager(s) and address:** Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

**Notification procedure:** Same as above.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Previous employers; listed and developed character and credit references; neighbors; educational institutions; law enforcement agencies; birth records; fellow employees.

**Systems exempted from certain provisions of the Act:** Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act because they embody investigatory material pursuant to sections 3(k)(2) and 3(k)(5) of the Act as applicable.

**FCC/OED—10**

**System name:** Project Management of the Data Automation Division—FCC/OED

**System location:** 1919 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** All Data Automation Division employees.

**Categories of records in the system:** A description of tasks performed by Division employees, coded and filed in a Task File. A description of individuals assigned to the Division by pay rate, number of normal work hours, job classification, and supervisor, coded and filed in a Resource File.

**Authority for maintenance of the system:** None.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Information is used by Division supervisory employees to monitor expenditure of hours and dollars by employees on various tasks and projects, and to plan scheduling of employees on projects.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Permanent disk and magnetic; punched card input data is retained for backup.

**Retrievability:** Computer print-outs are prepared as needed and are distributed within the Division.

**Safeguards:** Access to data is limited to division employees and it is controlled by a project management system coordinator; all information is retained within the division.

**Retention and disposal:** Computer print-outs are destroyed when no longer needed. Other information is retained indefinitely.

**System manager(s) and address:** Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

**Notification procedure:** Same as above.

**Record access procedures:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Information is obtained from Division supervisory employees and individuals to whom the information pertains.

**FCC/OED—11**

**System name:** State and Operational Areas Emergency Communications Committees—FCC/OED

**System location:** 1229 20th Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** Chairman and Vice Chairman of State and Operational Area Emergency Communications Committees.

**Categories of records in the system:** Information showing individual name, business address, business telephone number and title.

**Authority for maintenance of the system:** None.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used to forward appropriate information to State Committee members, each broadcast station in the State and to Federal, State and local government officials for Emergency Communications planning.
Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed by state and by name of committee member within the state.

Safeguards: Records are destroyed at the end of each business day.

Retention and disposal: Records are destroyed indefinitely while the individual is a member of the committee; when member resigns, individual file material is destroyed.

System manager(s) and address: Executive Director, Office of Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. Name of state must be provided with any request for information.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Committee member.

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Retention and disposal: Records are maintained for varying periods of time from one year to permanently. Disposal is by shredding.

System manager(s) and address: Executive Director, Office of the Executive Director, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above. It is necessary to furnish the following information in order to identify the individual whose records are requested:

- Full name
- Date of birth
- Social Security Number
- Mailing address to which the reply should be mailed.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is provided by management officials and by the individual on whom the record is maintained.
FCC/OGC—4

**System name:** Attorney Applicants File—FCC/OGC

**System location:** 1919 M Street, N.W., Washington, D.C. 20554.

**Categories of individuals covered by the system:** Third year law students and attorneys seeking employment with the Commission.

**Categories of records in the system:** Law School transcripts, resumes, standard Form 171; interviewee’s or Attorney Rating Board report.


**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Used by recruiting staff in connection with the Commission’s attorney hiring process; e.g., as a source of information for use during personal interviews; as a means to evaluate attorney applicants who interview with Commission recruiters or appear before the Board. Information contained in file is occasionally circulated to individual offices or bureaus in order to fill an attorney vacancy. This system of records may also be disclosed to the appropriate agency maintaining enforcement or pertinent information if necessary to obtain information relevant to the hiring of an attorney in a sensitive position only.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

- **Storage:** File folders, 3 inches by 5 inches and 5 inches by 8 inches card files.
- **Retrievability:** Information is maintained by applicant’s name.
- **Safeguards:** Information is kept in locked file cabinets in Commission offices that are secured at the close of each business day.

**System manager(s) and address:** Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

**Notification procedure:** Same as above.

**Contesting record procedures:** Same as above.

**Record source categories:** Applicant; interviewer; Attorney Rating Board.

**System location:** 1919 M Street, N.W., Washington, D.C. 20554.

**Authority for maintenance of the system:** 5 U.S.C. Code Section 500(d)(2).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Any attorney who appears in a representative capacity before the FCC and who is being charged with attorney misconduct.

**Categories of records in the system:** Correspondence, briefs, related Commission agenda items, ABA recommendations, investigative findings, complaints of attorney misconduct, memoranda.

**Authority for maintenance of the system:** 5 U.S.C. Code Section 500(d)(2).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** Any attorney who appears in a representative capacity before the administrative law judge and the Commission. Record information may be referred, as a routine use, to the appropriate agency charged with the responsibility of enforcing any Commission penalties imposed.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

- **Storage:** File folders.
- **Retrievability:** Records are retrieved by the name of the attorney charged with misconduct.
- **Safeguards:** Records are kept in file cabinets in offices that are secured at the end of each business day. Since only one or two staff persons routinely access this record system, unauthorized examination during business hours would be easily detected.

**Retention and disposal:** At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives, destruction shall take place 3 years later.
System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Same as above.

Systems exempted from certain provisions of the Act: This system of records is exempt from Subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from Sections 0.554-0.557 of the Commission's Rules because it is maintained for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—6

System name: Communications Interception-Section 605—FCC/OGC


Categories of individuals covered by the system: Anyone against whom a complaint is registered.

Categories of records in the system: Communications Act reports, DOJ rulings and interpretations.

Authority for maintenance of the system: Section 605 of the Communications Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Attorneys use for reference purposes when assigned a similar case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrieval: The records are chronologically indexed.

Safeguards: Records are maintained within steel file cabinets without locks. The office is locked at 4:30 each night.

Retention and disposal: Records date from 1953 to present. No records have been destroyed.

System manager(s) and address: General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual complaints, FBI reports, DOJ rulings and interpretations.

Systems exempted from certain provisions of the Act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 552(a), and from Sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to subsection (k)(2) of the Act.

FCC/OGC—7

System name: Conflicts of Interest by Commission Employees and Prospective Employees—FCC/OGC


Categories of individuals covered by the system: Commission employees and prospective Commission employees.

Categories of records in the system: Correspondence, FBI reports, memos, research relating to job performance.

Authority for maintenance of the system: Section 605 of the Communications Act, as amended; 18 U.S.C. Sections 205 and 190.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by General Counsel attorneys to determine whether a potential conflict of interest situation exists among Commission employees and prospective employees, and whether the subject interest is sufficiently substantial so as to affect job performance. Record information may also be used for reference in similar cases.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrieval: Records are retrieved by name of the individual with the potential conflict of interest.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the close of each business day.

Retention and disposal: At the present time the records in this system are maintained permanently. However, when the file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Brokers are occasionally contacted for information regarding over-the-counter stocks.

FCC/OGC—8

System name: Contracts For Personal Services—FCC/OGC


Categories of individuals covered by the system: Individuals with specialized skills who bid or are recruited to serve as consultants or experts.

Categories of records in the system: Recommendations to grant/deny a proposed contractual agreement; copies of contracts, agreements; memoranda, letters; news releases, pamphlets, booklets.

Authority for maintenance of the system: Federal Property and Administrative Services Act of 1949, 40 U.S. Code Section 471; Section 4(g) of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by personnel of the office of General Counsel: to review proposed contracts for legality; to determine whether a contractor had been hired previously by Commission; occasionally to advise and act on certain breaches of contract.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrieval: Records are maintained by the name of the individual making the bid or recruited for the contract.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the end of each business day. Since only one or two of the staff routinely access this system, unauthorized examination would be easily detected.

Retention and disposal: At the present time records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: None.

FCC/OGC—9

System name: Convicted Felon Licensees and Suspensions—FCC/OGC


Categories of individuals covered by the system: Individual licensees and former licensees who have been suspended.


Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Counsel attorneys use the record system for information purposes when working on Commission related assignments.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrieval: The records are accessible by name.

Safeguards: Records are maintained in unlocked steel file cabinets and secured in the office after working hours.

Retention and disposal: The records are permanently retained.
System manager(s) and address: General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: FOB Investigative Case Report and other materials; Public Notices; News Releases.

FCC/OGC—10
System name: Employee Claims For Reimbursement—FCC/OGC
Categories of individuals covered by the system: Any Commission employee who files a reimbursement claim for injury to personal property.

Categories of records in the system: Tort claims voucher of damage or injury, voucher for payment, repair receipts, agenda items, documenting FOB reports, memoranda, and correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Staff attorneys review claims for completeness and recommend either the grant or denial of the claim based on information collected in the system. This recommendation is reviewed by the Executive Director’s office and the Finance Branch before a final determination is made.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Records are retrieved by the individuals name making the claim.

Safeguards: Records are kept in an unlocked file cabinet in an office that is secured at the close of each business day.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.
Notification procedure: Same as above.
Record access procedures: Same as above.
Contesting record procedures: Same as above.
Record source categories: Staff attorneys in the General Counsel’s office in pre-hearing settlement negotiations with opposing parties; records are also used in support of personnel action, e.g., appointment, separation, promotion, and annual performance rating; to log and document recommendations for training courses, incentive and high quality awards, and to justify disapproval of such recommendations; to determine the days and hours during which annual or sick leave is taken.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.
Retrievability: Information is retrieved by employee name.

Safeguards: Records are maintained in file cabinets in offices that are secured at the close of each business day.

Retention and disposal: Most records in this system are maintained while the individual is employed with the Commission and destroyed 2 years after the employee’s departure. Some information is kept for 5 years then destroyed.
who has a miscellaneous case before any District Court and disposing of records in the system:

Categories of records in the system: Letters, Memoranda, Briefs, Bankruptcy papers.

Authority for maintenance of the system: Section 402 of the Communications Act of 1934, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by Commission attorneys to update information or furnish additional data for the Government Agency handling the case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are maintained by the individual's name filing the claim.

Safeguards: Records are maintained in unlocked file cabinets in an office that is secured at the end of each business day.

Retention and disposal: The records are maintained for three years and then sent to the National Archives. The General Counsel recommends to the Record Center that these files be retained for three years before disposition.

System manager(s) and address: Office of the General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Justice Dept., U.S. Attorneys, Other Federal Agencies.

**FCC/OGC—14**

System name: Parties With Pending Civil Cases Before Any District Court That Affect the Commission—FCC/OGC


Categories of individuals covered by the system: Any individual who files a tort claim and the Commission.

Categories of records in the system: Accidents reports, tort claim correspondence, memoranda.

Authority for maintenance of the system: Section 409 of the Communications Act of 1934.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record information is used by staff attorneys to determine whether or not to grant a request for appearance and to determine when an employee is repeatedly requested.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrieval: Records are maintained by the name of the individual who filed the claim.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the end of each business day. Since only one office personnel is authorized to access the system, unauthorized examination during business hours might be easily detected.

Retention and disposal: Records are maintained for up to 3 years, then sent to National Archives; if they are disposed of, then destroyed by the end of the 3-year retention period.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Witnesses, General Counsel, Executive Director.

**FCC/OGC—16**

System name: Recess and Interim Appointments of Employees—FCC/OGC


Categories of individuals covered by the system: Commissioners and other employees who have been considered for short term or long term appointments.

Categories of records in the system: Memoranda, letters.

Authority for maintenance of the system: Sections 4(f)(1) and (2) and (g) of the Communications Act of 1934, as amended; 5 U.S. Code Section 56.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by General Counsel Attorneys and the Chairman's office for reference purposes when working on a similar case.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in file cabinets in offices that are secured at the end of each business day.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and files older than 3 years will be sent to National Archives. Destruction will occur 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

**FCC/OGC—17**

System name: Witness Appearance Request File—FCC/OGC


Categories of individuals covered by the system: Commission employees requested to appear as witnesses and to testify on Commission matters or to testify on knowledge obtained through Commission work.

Categories of records in the system: Witness subpoenas, orders, other demands, memoranda; investigative reports; official notices of violations; copies of licenses.

Authority for maintenance of the system: Section 409 of the Communications Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Record Information is used by staff attorneys to determine whether or not to grant a request for appearance and to determine when an employee appears.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name.

Safeguards: Records are kept in unlocked file cabinets in an office that is secured at the end of each business day. Certain members of the secretarial staff are always present in this office; thus, unauthorized examination of records would be easily detected.

Retention and disposal: At present, records are maintained permanently. When file becomes too bulky to maintain on a permanent basis, it will be broken and information older than 3 years will be sent to National Archives. Destruction shall take place 3 years later.

System manager(s) and address: Office of General Counsel, 1919 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Witnesses, General Counsel.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Chief: to provide personal data and career history; to support requests for personnel actions, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and high-quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card files.

Retrievability: All records are retrievable by employee name.

Safety: Records are kept in a locked file cabinet in the office of the Chief which is locked at the close of each business day.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by staff supervisors and administrative personnel in the Office of Chief: to provide personal data and career history; to support requests for personnel actions, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine the days and hours during which annual or sick leave is taken; to log and document recommendations for training courses, incentive and high-quality awards and to justify disapproval of same.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders, card files.

Retrievability: All records are retrievable by employee name.

Safety: Records are kept in a locked file cabinet in the office of the Chief which is locked at the close of each business day.

Retention and disposal: Records in this system are retained until the administrative need for them is completed, then destroyed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of applicant involved in the transaction.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for two years, then forwarded to Federal Records Center.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

 Contesting record procedures: Same as above.

Record source categories: Original applications and supplemental material submitted by applicants; correspondence from complainants; inspection reports, application processors.

FCC/SSRSB—3

System name: Conditional Amateur Licensees—FCC/SSRSB


Categories of individuals covered by the system: Conditional amateur licensee subject to recall for a Commission supervised examination because of failure to appear for or fail to pass a Commission supervised examination.

Categories of records in the system: Name, address, date of birth (if known) and authorization code of staff member who placed name in the file; license record information.

Authority for maintenance of the system: Title 47, U.S.C. Sections 301, 303 and 309(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A computer print-out is used as a reference by selected staff employees at Commission headquarters and field installations to determine whether an applicant for an amateur license is eligible under Section 97.35(a) of the Commission's Rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: On magnetic tape and computer print-out.

Retrievability: Information is filed alphabetically by name of individual in a computer and is retrieved periodically through computer print-out.

Safeguards: Control is exercised over information entered in the computer; computer print-outs are available to selected staff personnel and are maintained on division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: The previous computer print-out is destroyed by tearing into pieces when a new list is distributed. Individual names on this list may be retained for a maximum of six years.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information is obtained by Commission personnel from the applicant.

FCC/SSRSB—4

System name: Current Projects File (Applications that may not comply with rules)—FCC/SSRSB


Categories of individuals covered by the system: Applicants and licensees under Parts 89, 91, and 93 of the Rules whose communication systems may not be in compliance with FCC Rules; and applicants for rule waivers.

Categories of records in the system: Pleadings, letters of complaint, correspondence, technical information, annual reports, and supporting documentation relating to the communication system and its operation.

Authority for maintenance of the system: Section 308(b) of the Communications Act of 1934, and amendments.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by Commission employees to resolve whether the system is in compliance with FCC Rules.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed and retrieved by name of applicant or licensee involved.

Safeguards: Records are maintained on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for two years after decision is reached, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.
System name: Employee Records—FCC/SSRSB


Categories of individuals covered by the system: All employees of the Bureau.

Categories of records in the system: The total number of hours devoted to specific areas of work, number of hours absent, number of hours on business.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Individual reports compiled by Divisions into monthly totals. Report of totals (without names) is sent to Budget Office for their use in computing manpower hours; to report to the Commission total number of hours put forth in a specific category of work; to document how an employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are retrieved by employee name and by reporting period.

Safeguards: Records are kept in locked file cabinets in the offices of Bureau and Division Chiefs which are locked at the close of each day.

Retention and disposal: Records are kept during the current fiscal year then destroyed.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above, 12

Record source categories: Bureau employee.

Record access procedures: Same as above.

Record source categories: Bureau employee.

FCC/SSRSB—5

System name: Employee Activity Report—FCC/SSRSB


Categories of individuals covered by the system: All employees of the Bureau.

Categories of records in the system: Personal data of a factual nature; e.g., education, career history, birth date, service computation period, telephone number; letters of reference written on behalf of each employee.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To provide personal data and career history; to support requests for personnel action, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine productivity in a variety of job assignment categories; to provide models for writing letters of reference; to determine the days and hours during which annual or sick leave is taken (such records are transferred to the Payroll Office for use in computing pay); to document a work schedule that differs from normal duty hours; to provide a record of employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Safeguards: Records are maintained in a computer data base and to obtain additional information in response to the complaint.

Notification procedure: Same as above.

Record access procedures: Same as above.

Record source categories: Bureau employee.

FCC/SSRSB—6

System name: Employee Records—FCC/SSRSB


Categories of individuals covered by the system: All employees and former employees of the Safety and Special Radio Services Bureau.

Categories of records in the system: Personal data of a factual nature; e.g., education, career history, birth date, service computation period, telephone number; letters of reference written on behalf of employees, or concerning them; memoranda in support of personnel action, e.g., appointment, separation, promotion, reassignment; to evaluate job performance for purposes of retention, promotion, and annual performance rating; to determine productivity in a variety of job assignment categories; to provide models for writing letters of reference; to determine the days and hours during which annual or sick leave is taken (such records are transferred to the Payroll Office for use in computing pay); to document a work schedule that differs from normal duty hours; to provide a record of employee uses his work time during a two-week period.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders or card files.

Retrievability: All records are retrievable by name; some records are also retrievable by the date employee is eligible for promotion or within grade increase.

Safeguards: Records are maintained on a bureau and division level in file cabinets in offices which are locked at the close of each business day.

Retention and disposal: Most records in this system are retained until the administrative need is completed, then destroyed by tearing into pieces; certain performance records are retained temporarily at the Bureau, then forwarded to the Personnel Division, Office of Executive Director; time and attendance records are maintained at the Bureau until the Payroll Office conducts the annual audit, verifying totals and so notifying the Bureau, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employees, supervisors, Personnel Division, and Financial Management Division, Office of Executive Director.

FCC/SSRSB—7

System name: Employee Travel Records—FCC/SSRSB


Categories of individuals covered by the system: All bureau employees who have traveled to conduct official FCC business.

Categories of records in the system: Name of traveler, date of trip, where, for what purposes, and related travel information.

Authority for maintenance of the system: None.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records are used by administrative personnel as a reference for planning and approving current travel requests and in preparing budget estimates.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: File folders.

Retrievability: Records are filed by Fiscal Year but can be retrieved by employee name.

Safeguards: Records are maintained by administrative personnel on a division level in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: Records are retained for a two year period, then destroyed by tearing into pieces.

System manager(s) and address: Chief, Safety and Special Radio Services Bureau, 2025 M Street, N.W., Washington, D.C. 20554.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Employees on enforcement cases to document, to evaluate, to impose sanctions, and to maintain appropriate records for reference. Selected information is maintained in a computer data base and a computer print-out is used as a reference by bureau employees.
Commission headquarters and field installations to determine whether applications should be granted or set for hearing.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: In file folders, card files, microfilm, magnetic tape and computer print-out.

Retrieval: Records are filed and retrieved by name of licensee or unlicensed individual. Information in the computer is printed periodically for staff use.

Safeguards: Records are maintained on a division level in appropriate file cabinets in offices which are locked at the end of each business day. Computer print-outs at field installations are maintained in file cabinets in offices which are locked at the end of each business day.

Retention and disposal: The documentation portion of these records is retained in active files for no more than 2 years, and are retained in the Federal Records Center for five years, after which they are destroyed. The case history card portion of these records is retained for 25 years and then destroyed when no longer useful. Microfilm and computer print-out portions of the records are reproduced periodically and the older superseded material is useful. Microfilm and computer print-out portions of the records are retained in active files for no more than 2 years, and are periodically for staff use.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Information originates from various sources: FCC Field Engineers; private citizens; Department of Justice; other Commission personnel.

System exempted from certain provisions of the act: Parts of this system of records are exempt from subsections (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f) of the Privacy Act of 1974, 5 U.S.C. 522(a), and from sections 0.554-0.557 of the Commission's Rules because such parts contain investigatory material compiled solely for law enforcement purposes pursuant to Section 552(k)(2) of the Act.

APPENDIX A
FEDERAL COMMUNICATIONS COMMISSION, FIELD OPERATIONS BUREAU
The sequential number below refers to the District Number assigned by the Field Operations Bureau.

1 BOSTON, Massachusetts, 1600 Customhouse, India and State Streets 02109. Phone: (617) 223-6608.
2 NEW YORK, New York, 201 Varick Street 10014. Phone: (212) 670-5745.
4 BALTIMORE, Maryland, 819 Federal Building, 31 Hopkins Plaza 21201. Phone: (301) 962-7277.
5 NORFOLK, Virginia, Military Circle, 870 North Military Highway 23502. Phone: (804) 461-4000.
6 ATLANTA, Georgia, 1602 Gas Light Tower, 235 Peachtree Street, N.E., 30330. Phone: (404) 526-6381. Sub-office: SAVANNAH, Georgia, P.O. Box 8004, Room 238, Federal Building and Courthouse 31402. Phone: (912) 323-7602.
9 HOUSTON, Texas, New Federal Office Building, 515 Rusk Avenue, Room 5636, 77002. Phone: (713) 226-4306. Sub-office: SAN DIEGO, California, Fox Theatre Building, 1245 Seventh Avenue 92101. Phone: (713) 293-3460.
10 DALLAS, Texas, Earle Cabell Federal Building, U.S. Courthouse, Room 13E7, 1100 Commerce Street 75202. Phone: (214) 794-3243.
11 LOS ANGELES, California, Room 1758 U.S. Courthouse, 310 No. Spring Street 90012. Phone: (213) 688-3276/3277. Sub-office: SAN DIEGO, California, Fox Theatre Building, 1245 Seventh Avenue 92101. Phone: (714) 293-3460.
12 SAN FRANCISCO, California, 323-A Customhouse (555 Battery Street) 94111. Phone: (415) 556-7700.
13 PORTLAND, Oregon, 1220 S.W. 3rd Avenue, 1782 Federal Office Building 97204. Phone: (503) 221-3097.
14 SEATTLE, Washington, 3256 Federal Building, 915 Second Avenue 98174. Phone: (206) 442-7653.
15 DENVER, Colorado, 504 U.S. Customhouse, 19th Bet. California and Stout Streets 80202. Phone: (303) 837-4053.
16 ST. PAUL, Minnesota, 691 Federal Building and U.S. Courthouse, 316 North Robert Street 55101. Phone: (612) 725-7819.
17 KANSAS CITY, Missouri, 1701 Federal Building, 601 East 12th Street 64106. Phone: (816) 374-5526.
18 CHICAGO, Illinois, 230 S. Daerborn Street 60604. Phone: (312) 533-5388.
20 BUFFALO, New York, 1305 Federal Building, 111 West Huron Street 14202. Phone: (716) 842-3216.
21 HONOLULU, Hawaii, 502 Federal Building, P.O. Box 1021, 96808. Phone: (808) 546-5640.
22 SAN JUAN, Puerto Rico, SPO Box 2987, 322-323 Federal Building 00903. Phone: (809) 722-4562.
23 ANCHORAGE, Alaska, Room 63-U.S.P.O. and Courthouse Building, P.O. Box 644, 99510. Phone: (907) 272-1822.
24 WASHINGTON, D.C., 1919 M Street, N.W., Room 411, 20554. Phone: (202) 632-7000.

APPENDIX B
FEDERAL COMMUNICATIONS COMMISSION
DESCRIPTION OF ORGANIZATIONAL ABBREVIATIONS USED IN THE FEDERAL COMMUNICATIONS COMMISSION SYSTEM OF RECORDS.

BCB—Broadcast Bureau
CCB—Common Carrier Bureau
COMM—Commission
CTB—Cable Television Bureau
FOB—Field Operations Bureau
OALJ—Office of Administrative Law Judges
OCE—Office of Chief Engineer
OED—Office of Executive Director
OCC—Office of General Counsel
OOR—Office of Opinions and Review
OPP—Office of Plans and Policy
RB—Review Board
SSRSB—Safety and Special Radio Services Bureau

[FR Doc.76-25986 Filed 9-1-76;2:48 pm]
PART VI:

SECURITIES AND EXCHANGE COMMISSION

PRIVACY ACT OF 1974

Systems of Records
SECURITIES AND EXCHANGE COMMISSION
PRIVACY ACT OF 1974

Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 4329, 40 FR 3518, 40 FR 11631 continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552(a)(4) as added by section 3 of the Privacy Act of 1974. By the Commission. August 30, 1976.

George A. Fitzsimmons, Secretary.

SEC—1


System status: In use by the Securities and Exchange Commission, Washington, D.C. 20549. Duplicate copies may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information on officers, directors, principal shareholders, and certain other persons having a relationship with or a transaction with a registrant.

Categories of records in the system: The records describe the individual's relationship to a registrant and other relevant material business information about the individual.

Authority for maintenance of the system: Title 15, United States Code, Sections 79e, 77f, 77g, 77h and 77j; 781, 78m, 78n, 78o(d), 78p, and 80a-8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC staff in the processing of registration statements and periodic reports filed with the Commission under provisions of the Federal securities laws; may also be used to respond to inquiries from Members of Congress and the public concerning registrants and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriateness agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State, or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for clerical, personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with the Commission's enforcement or regulatory functions under the Freedom of Information Act or to locate specific individuals involved in enforcement proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities, records identified in SEC—1 may be used by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 200.10(j).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. When necessary to obtain information relevant to an agency decision concerning the pending action or proceeding or as a result of an agreement between the parties in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

2. When necessary to obtain information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

3. Record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

4. Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records identified by name and/or file number assigned to registration statement. Individual name access is available through the Commission's Name-Relationship Index system.

Safeguards: Records contain public information and are available through Public Reference Section. Records are maintained in the Central records office, which is locked at night. Buildings where records are maintained has a 24-hour security guard.

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SECURITIES AND EXCHANGE COMMISSION

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual and, if so, to gain access to or contest the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from registration statements that are filed with the Commission under the Securities Act of 1933, Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, and the Investment Company Act of 1940.

SEC–2


System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained in the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on broker-dealers and investment advisers and officers, directors, certain shareholders, general and limited partners, and other associated persons of broker-dealers, investment advisers and investment companies.

Categories of records in the system: Records contain information pertaining to the individual’s relationship to and transactions with the registrant, past securities violations, and business and financial data. Also may contain some personal data such as name, date of birth, and social security number of individuals.

Authority for maintenance of the system: Title 15, United States Code, Sections 78o(b), 80a-6, 80b-3, and 80b-61.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel in processing applications for registration and applications for exemption from the registration requirements under the Securities Exchange Act of 1934, Investment Advisers Act of 1940, and Investment Company Act of 1940 and by SEC personnel for the purpose of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of the law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, or order, or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State, or local licensing association for possible disciplinary action.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent the information is relevant and necessary to the agency’s decision on the matter.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the Commission for which the records are compiled, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personal research or other personnel management functions.

7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

9. To respond to requests from Members of Congress and the public for information concerning whether an individual is registered with the Commission or is exempt from registration.

In connection with their regulatory and enforcement responsibilities, as provided by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and associations for personnel research or other personnel management functions.

The records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related thereto, and that such matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by similar Federal, State, or local governmental authorities for personnel research or other personnel management functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Retains and practices in a filing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and stored on shelving.

Retrievability: Records are accessed by name and/or file number assigned to applicant. Individual name access is available through the Commission's Name-Relationship Index. Assigned to applicant. Individual name access is available through Public Reference Section. They are maintained in central records office, which is locked at night, and the building where the records are maintained has a 24-hour security guard.

Safeguards: Records contain public information and are available through Public Reference Section. They are maintained in central records office, which is locked at night, and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Applications and Notifications for registration or exemption, which are filed under the applicable Federal securities act.

SEC—3

System name: Notification of Exemption from Registration under the Securities Act of 1933—SEC.

System location: These records are maintained in the Commission's Regional and Branch Offices for the geographical areas covered by those offices. Duplicate copies also may be maintained in the headquarters office in Washington, D.C.

Categories of records covered by the system: Records include information on officers, directors, principal shareholders, and certain other persons having a relationship with or a transaction with a registrant that has utilized one of the exemptions, such as Regulations A, B, E and F under the Securities Act of 1933.

Categories of records in the system: The records describe the individual, the registrant or filing person, and other relevant material business information about the individual.

Authority for maintenance of the system: Title 15, United States Code, Section 77(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
1. By SEC personnel in processing registration statements and periodic reports and other documents required to be filed with the Commission under provisions of the Federal securities laws; may also be used in responding to inquiries from Members of Congress or the public concerning a registrant and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute, or by particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, or foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority, or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with any inquiry or investigation conducted by the Commission concerning the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in the proceeding, records in this system of records may be disclosed to national securities exchanges and national securities associations that have registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78ff(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that have registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel or other individual or entity that is specifically designated to perform particular functions with respect to, or as a necessary part of, any proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related thereto, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typist, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission, to be used solely and exclusively in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be
subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and are stored on shelving.

Retrievability: Records are accessed by name and/or file number assigned to applicant. Individual name access is available through the Commission's Name-Relationship Index system. Records are periodically sent to the SEC staff to verify information contained in other Federal securities regulatory or law enforcement agencies or organizations, records in this system of records may be disclosed to national securities regulatory or law enforcement agencies or organizations, state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a "routine use" to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or conducting an enforcement action, or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. When considered appropriate, records in this system may be referred to a bar association, a Federal, State or local licensing authority for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to the Federal, State or local governmental authority managing law enforcement, civil, criminal or other regulatory or administrative enforcement or order issued pursuant thereto.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the request.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may be used to generate reports for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

10. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities, records maintained under the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of an inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person to whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to...
perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and are stored on shelving.

Retrievability: Records are accessed by name and/or file number assigned to registrant. No individual name access is provided, although the Commission’s Name-Relationship Index System cross-indexes names of individuals with registrants.

Safeguards: Records contain public information and are available through Public Reference Section. Records are maintained in central records office, to which access is limited to authorized personnel. That office is locked at night and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests for determination whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is from reports that are required by statute to be filed with the Commission.

SEC—5


Categories of individuals covered by the system: Records contain information on individuals who are required by statute or rule to file reports concerning their beneficial ownership of certain securities and changes in that ownership.

Categories of records in the system: The records contain the initial information and changes regarding beneficial ownership of the securities of certain issuers. Such information includes the name of the reporting person, the insider control number assigned to him, the relationship of the reporting person to the issuer of the security, the social security number of the reporting person, the nature of the ownership, and financial transaction data with regard to the securities holdings of the reporting person.

Authority for maintenance of the system: Title 15, United States Code, Sections 78p, 79q, 80a-9, 80a-10, 80a-16, 80a-17, and 80a-30.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To prepare for publication on a monthly basis the Commission’s “Official Summary” of security transactions of insiders which is made available for purchase by individuals that identify short-selling trading, late reporting, and ownership histories.

2. To prepare special reports which identify short-swing trading.

3. To respond to requests by Members of Congress and the public for information concerning insider trading with respect to federal securities.

4. By SEC personnel for use in processing filings and other documents filed with the Commission.

5. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

6. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a “routine use” to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit to the requesting agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general information requests from the media, academic institutions, the Federal Reserve Board, the Securities Investor Protection Corporation, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory organizations, regulatory authorities, or other governmental authorities for summary descriptive statistics.

11. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

12. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations which are registered with the Commission, the Municipal Securities Rulemaking Board, the Municipal Securities Rulemaking Board, the Federal Reserve Bank, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory organizations, regulatory authorities, or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other official or entity that is appointed to or on behalf of a court of competency or jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's...
records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommentations to the Commission or to the Congress, to be used solely in connection with their official, designatied functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form and on magnetic tape and cards.

Retrievability: Records are accessed by name and/or file number assigned to registrant. Individual name access may be gained in computer listings, through the Commission's Name-Relationship Index system.

Safeguards: Records contain public information and are made available to the public through the Official Summary, which is published monthly. Access to the underlying records is limited to authorized personnel. The records are kept in an office that is locked at night and in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information for these records is extracted from reports required to be filed by beneficial owners and corporate insiders pursuant to the applicable sections of the various securities acts and regulations adopted pursuant thereto.

SEC—6


System location: Securities and Exchange Commission, Washington, D.C. 20549. Records may also be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information concerning officers, directors and certain shareholders of the companies required to file periodic reports with the Commission.

Categories of records in the system: The records describe lawsuits, shareholdings, business transactions, relationships to the issuer and other relevant material business information about the individual.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following purposes:

1. By SEC staff in the processing of filings.

2. Records may be made available to the public by the Commission in accordance with the Freedom of Information Act or to locate specific information (without personal identification of individuals) for personnel research or other personnel management purposes; may also be utilized to respond to general requests for statistical data; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) for personnel research or other personnel management purposes.


4. When there is an involvement of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether aiding in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority, in response to a request, in connection with the hiring or retention of an investigation by the Commission of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an investigation by the Commission of an employee, the issuance of a security clearance, the reporting of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management purposes.

9. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff, parties or others have an interest in the matter.

10. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters,
records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government. Records in this system may be disclosed as a routine use to any trustee, receiver, marshal, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with administrative or judicial proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, marshal, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission’s staff or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related thereto, and those matters appeared to be relevant at the time to the subject matter of the inquiry. A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typ- ing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission. Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely by such committees, and to any person who is or has agreed to be so designated by such committees.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to a request from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessible by name and/or file number assigned to registrant. No individual name access is provided, although the Commission’s Name-Relationship Index system cross-indexes the names of individuals with registrants.

Safeguards: Records contain public information and are available through the Public Reference Section. Records are maintained in central records office, which is locked at night and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. After approximately three years they are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, Washington, D.C. 20549, or by written request to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Periodic reports filed by registrants under the applicable Federal securities laws.

SEC—7

System name: Proposed Sale of Securities Records Filed Under the Securities Act of 1933

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records contain information on persons for whose account securities are proposed to be sold pursuant to Rules adopted by the Commission such as Rules 144, 236, 237 and 240 under the Securities Act of 1933.

Categories of records in the system: These records contain information about individuals who propose to sell a specific number of securities, and include information on the class of securities, the name of the issuer, the name of the seller, and the seller’s relationship to the issuer, including, if applicable, a lien on securities or other security interest in the securities, and the date of the sale.

Authority for maintenance of the system: Title 15, United States Code, Sections 77c(b), 77d(1); 17 CFR 230.144; 17 CFR 230.236(c); 17 CFR 230.237(a); 17 CFR 220.400(b).

Routine uses of records maintained in the system, including categories of users and purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid the Commission’s staff in reviewing documents filed with the Commission and for verification and checking of block sales of securities, may also be used to respond to requests by Members of Congress or the public concerning sales of securities and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or self-regulatory agency charged with the responsibility of investigating or prosecuting such violation or enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a ‘‘routine use’’ to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, or after pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local government authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the licensing of an employee, the testing of a contractor, the issuance of a license, grant, or other benefit by the request agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

7. As a data source for management information for production of periodic governmental statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personal research or other personnel management functions.
SECURITIES AND EXCHANGE COMMISSION

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign or other laws, the records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the National Association of Securities Dealers, the Federal Reserve System, federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory authorities or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed to, or referred to any person, in connection with connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

9. By SEC personnel for purposes of investigating possible violations of the Federal securities laws, or of any state or foreign law regulating securities or other related matters, or of any rule or order issued pursuant thereto.

6. A record from this system of records may be disclosed to a Federal, State, or local governmental authority to the appropriate agency, whether Federal, State, local, foreign or other, in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may be disclosed to, or referred to any person, in connection with inquiries or investigations conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photography, or other means, any record or information in this system of records for the purpose of preparing, printing, or reproducing the record or information.

Records or information in records contained in this system may be disclosed to, or referred to, the records of a Federal, State, local, foreign, or other governmental or nongovernmental body, or to a Federal Records Center for storage.

Contesting record procedures: See Record access procedures above.

Record source categories: Notices of proposed sale of securities filed under Rules 144, 236, 237 and 240 which have been promulgated under the Securities Act of 1933.

SEC—8


System location: Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549. Duplicate copies may be maintained in SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records include information on officers, directors and certain stockholders of an issuer and persons other than management who are required to file proxy soliciting material with the Commission in advance of its use.

Categories of records in the system: The records describe business relationships and transactions of directors, lawsuits, investigations, and other relevant personal and business information about the individual that is material to the use of the proxy soliciting materials.

Authority for maintenance of the system: Title 15, United States Code, 78n, 791 and 80a-20.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel in connection with the processing of proxy statements and proxy soliciting materials; may also be used to respond to requests from Members of Congress or the public concerning proxy contests and the necessity for accurate proxy materials and in preparing no-action letters.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. Records from this system may be referred, as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if enforcing or implementing information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. Records from this system of records may be referred to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a 24-hour security guard.
license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of staff reports, descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to requests for making individual information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission in connection with the official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21d(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessed by name and/or file number assigned to registrant. No individual name access is provided, although the Commission's Name-Relationship Index system crossindexes individuals with registrants.

Safeguards: The records contain public information and are available through Public Reference Section. The records are maintained in central records office, which is locked at night and the building where the records are maintained has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from proxy solicitation material filed with the Commission under the Federal securities laws.

SEC—9

System name: Administrative Audit System—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on all individuals, companies, or other agencies indebted to the Commission for such violations, or otherwise in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typewriting, photocopy or other means, any record within this system for use by the Commission in connection with the official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21d(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Appropriate accounting data is shown in computer printouts supported by the originals of hard copy (purchase orders, memorandum for subsidiary ledgers, and other miscellaneous invoices and other documents).

Retrievability: These records (original hard copies) are indexed by name of individuals, companies, and other agencies in alphabetical sequence.

Safeguards: Only those people authorized by the Office of the Comptroller and certain governmental agencies approved by law, are given access to any of these records.

Retention and disposal: The records are maintained and disposed of by appropriate GSA records schedules.

System manager(s) and address: Comptroller, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C. 20549.
Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The sources for the records are purchase orders, vouchers, invoices, contracts, and other miscellaneous documents, submitted to this Office by employees, vendors and other miscellaneous sources, including claims filed by witnesses in SEC actions.

SEC—10

System name: Administrative Law Judge Assignments and Dispositions of Administrative Proceedings—SEC


Categories of individuals covered by the system: Records are maintained on Administrative Law Judges.

Categories of records in the system: The records identify each proceeding in which the requesting Administrative Law Judge, to whom it is assigned. They also contain statistical data relating to number of assignments and the time involved in disposition of assignments.

Authority for maintenance of the system: Title 15, United States Code, Section 78d; P.L. 87-592, 76 Stat. 394; 17 CFR Sections 200.30-9, 200.30-10.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records and the information in the records may be used as follows:

1. To determine workload and accomplishment of each administrative law judge.
2. To aid the Chief Administrative Law Judge in determining appropriate assignments to administrative proceedings.
4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Disclosure may be made to a congressional office from the records in this system in response to inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders and are compiled in typewritten form.

Retrievability: The system is indexed by the name of administrative law judge.

Safeguards: The records are stored in private office of the Chief Administrative Law Judge. Physical security is provided by a 24-hour security guard at the main entrance to the building.

Retention and disposal: Records are maintained for at least a ten (10) year period, after which they are disposed of by shredding.

System managers and address: Chief Administrative Law Judge, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from orders issued by the Chief Administrative Law Judge and from information reports submitted to Chief Administrative Law Judge by individual administrative law judges.

SEC—11

System name: Administrative and Litigation Release System—SEC


Categories of individuals covered by the system: Records are maintained on persons who have been named as respondents or defendants in administrative, civil or criminal proceedings involving allegations of violations of the Federal securities laws or related statutes.

Categories of records in the system: Releases pertaining to administrative proceedings are limited essentially to an identification of the respondents, a brief reference to the general nature of the underlying charges, and when appropriate, an identification of the particular securities involved. Releases pertaining to litigation matters relate to court enforcement actions brought under the Federal securities laws.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used for the following:

1. Giving public notice of the institution and disposition of an administrative, civil, or criminal proceeding brought under the Federal securities laws or related statutes.
2. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
4. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining a civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(f) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-6(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board of the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.
Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:


Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the appropriate agency, whether Federal, State, local, foreign or otherwise.

Retrieval systems may be classified as

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization chartered with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
4. When considered appropriate, records in this system may be referred to a bar association or a similar organization or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the termination of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information prepared for a government agency under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
7. To aid in responding to inquiries from Members of Congress, the press and the public.
8. In connection with the processing of registration statements and other filings made with the Commission.

In connection with their regulatory and enforcement responsibilities, records in this system may be disclosed to a congressional office from the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: See Record access procedures above.

Record source categories:

SEC—12

System name: Administrative Proceedings—SEC


Categories of records in the system:

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization chartered with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
4. When considered appropriate, records in this system may be referred to a bar association or a similar organization or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
5. A record from this system of records may be disclosed to a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement, investigation or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information prepared for a government agency under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
7. To aid in responding to inquiries from Members of Congress, the press and the public.
8. In connection with the processing of registration statements and other filings made with the Commission.

In connection with their regulatory and enforcement responsibilities, records in this system may be disclosed to a congressional office from the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: See Record access procedures above.

Record source categories: Official files of Federal and State court and administrative proceedings.

SEC—12

System name: Administrative Proceedings—SEC


Categories of records in the system: Records include pleadings, transcripts of testimony, documentary evidence and other relevant documents, and correspondance relating to the proceeding.

Authority for maintenance of the system: Title 15, United States Code, Sections 77a, 78v, 78s, 80a-40 and 808-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses.

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization chartered with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
4. When considered appropriate, records in this system may be referred to a bar association or a similar organization or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
5. A record from this system of records may be disclosed to a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement, investigation or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
6. Records or information from records in this system may be used by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to an advisory committee that is created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information contained in this system may be disclosed to an advisory committee that is created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information contained in this system may be disclosed to an advisory committee that is created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information contained in this system may be disclosed to an advisory committee that is created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.
SECURITIES AND EXCHANGE COMMISSION

Retrievability: Individual name access is provided through the SEC Name-Relationship Index system.

Safeguards: Most of the files compiled in connection with public administrative proceedings are available to the public. Access to other records is limited to authorized personnel only. Physically, the records are maintained in a building that has 24-hour security.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 I Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information for these records is obtained from pleadings, transcripts of testimony, documents, including evidence introduced in the proceeding and correspondence relating to the proceeding.

SEC—13

System name: Administrative Proceedings Record Cards—SEC


Categories of records in the system: Records contain names and addresses of persons who are parties, respondents, and witnesses in SEC administrative proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77a, 78b, 79a, 80s-40, and 80b-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To identify individuals who are involved in administrative proceedings so that they can be served with documents filed in the proceeding and to record all actions taken in the proceeding.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise in an official capacity.

4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

6. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

7. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a license; grant or other benefit.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(b) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 5x8 inch cards and stored in filing boxes.

Retrievability: Individual name access for parties and witnesses provided through computer search of the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 I Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Administrative Proceedings service list, notices of appearance, transcripts of testimony.

SEC—14

System name: Applications for Relief From Disqualification Filed Under the Securities Act of 1933 and the Commission's Rules of Practice


Applications for relief from disqualification under Regulation A may be maintained by the SEC Regional and Branch Offices.
Categories of individuals covered by the system: The records contain information with respect to attorneys, accountants, and other professionals who have appeared or are appearing before the SEC or attorneys or accountants who have or are suspending or permanently disqualifying from appearing or practicing before the SEC or imposing some other sanction or requirements under the Commission's Rules of Practice and Information concerning directors, officers, principal shareholders, principal underwriters, and other persons associated with the registrant who are seeking to vacate or modify any disqualification imposed by the Commission.

Categories of records in the system: Records contain information pertaining to SEC orders which temporarily or permanently disqualify impose sanctions by the Commission. Also contain the information in these records may be used for the following:

1. By the Commission's staff to process requests for relief from SEC orders or disqualification or disqualifications imposed by or from provisions of applicable Federal securities laws and rules promulgated thereunder.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities, the records are covered by Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any employee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g), or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that reason appears to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photostat or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form in individual files.

Retrievability: Records are accessed by name of individual or issuer or registrant.

Safeguards: The records are maintained under adequate security safeguards, including but not limited to, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

System manager(s) and address:
1. Applications for relief from disability under Regulations A and E of the Securities Act of 1933 are made available to the public. Information regarding Rule 26(e) of the Commission's Rules of Practice is non-public.
2. A record from this system of records may be disclosed to any employee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g), or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that reason appears to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photostat or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form in individual files.

Retrievability: Records are accessed by name of individual or issuer or registrant.

Safeguards: The records are maintained under adequate security safeguards, including but not limited to, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

System manager(s) and address:
1. Applications for relief from disability under Regulations A and E of the Securities Act of 1933 are made available to the public. Information regarding Rule 26(e) of the Commission's Rules of Practice is non-public.
2. A record from this system of records may be disclosed to any employee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g), or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that reason appears to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photostat or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form in individual files.

Retrievability: Records are accessed by name of individual or issuer or registrant.

Safeguards: The records are maintained under adequate security safeguards, including but not limited to, the Board of Governors of the Federal Reserve System, the Board of Directors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.
Categories of records in the system: Written statements or comments, including transcriptions of statements. Records in this system are maintained by the Commission based on proposed or adopted rules or changes in rules.

Authority for maintenance of the system: Title 5, United States Code, Section 553.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To assist the Commission in developing regulatory and enforcement policies designed to carry out its functions under the Federal securities laws and to assist it in fulfilling its oversight function with respect to securities self-regulatory organizations.

2. In any proceeding where the Federal securities laws are in issue, in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters.

Records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or records or enforcement agencies of a foreign government.

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form.

Retrieval: Records maintained in official file designated by the user under consideration such as the rule number.

Safeguards: These comments are public information. They are maintained in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely.

System manager and address: Records Officer, 1100 I Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record-access procedures above.

Record source categories: Letters and other statements received from public commentators.

SEC—16

System name: Complaint Processing System (CPS)—SEC


Categories of individuals covered by the system: Records are maintained of members of the public and others making complaints to the Commission against broker-dealers and others who are subject to the Commission's jurisdiction.

Categories of records in the system: Records contain the name of the complainant, the name of the entity involved in the complaint, the type of complaint, and the dates relating to the disposition of the complaint.

Authority for maintenance of the system: Voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to analyze and compile data relating to, among other things, the frequency of complaints against particular entities or individuals. This data is reported to the Division of Enforcement for consideration.

2. To respond to inquiries from Members of Congress, the press or the public concerning the status of particular complaints.


4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue, in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the issuance of a contract, or the granting of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. In connection with proceedings by the Commission pursuant to Rules of Practice, 17 CFR 201.2(e).

10. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

11. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.
Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape or cards and accessed by special computer programs on a periodic or "on request" basis.

Retrievability: No individual name access is provided but the reports are in alphabetical sequence by the name of the subject of the complaint, or the complainant's name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are maintained in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Office of Reports and Information Services, Securities and Exchange Commission, 1101 I Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is received from individuals through letters, telephone calls, or personal visits to headquarters or regional offices.

SEC—17

System name: Correspondence Files Pertaining to Registered Broker-Dealers—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also are maintained in the SEC Regional and Branch Offices.

Categories of individuals covered by the system: Individuals who are registered with the Commission as broker-dealers and persons associated with a registered broker-dealer.

Categories of records in the system: Records contain information relating to an individual's activities and transactions as a registered broker-dealer and information concerning the relationship of other persons to the broker-dealer.

Authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. These records are used to maintain a continuity within the SEC as to each registered broker-dealer and to provide the SEC staff with the background and results of earlier examinations of registered broker-dealers as well as an insight into current regulatory problems, if any, concerning each registrant.

2. To aid in responding to requests from Members of Congress and their public relations staff with the background and results of earlier examinations of registered broker-dealers.


4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding in which the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or related personnel or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or statute or foreign laws, regulating securities, or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Ratings Board, the Securities Investor Protection Corporation, the federal
banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, or securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by copying, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or other support functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority generally granted under the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission to investigate such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the records in this system if the staff has reason to believe in connection with the administration and enforcement of the Federal securities laws by a State securities regulatory authority or by a securities self-regulatory organization involving one more of its members.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form and bound in file folders.

Retrievability: Information is indexed by name of registrant. Information regarding individuals may be obtained through the use of index systems.

Safeguards: These records generally are available for inspection by the public in the Public Reference Room. Except for such public disclosure only authorized persons are given access to the raw files. Records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the registered broker-dealer and the Commission, these files include copies of staff examination reports; information also is received from various segments in the industry and securities self-regulatory organizations.

SEC—18

System name: Correspondence Files Pertaining to Registered Investment Advisers—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also are maintained by the SEC's Regional and Branch Offices.

Categories of individuals covered by the system: Investment advisers registered with the Commission and persons associated with registered investment advisers.

Categories of records in the system: Records contain information relating to an investment adviser, his business, his compliance with provisions of the Federal securities laws. Records also include information on persons associated with investment advisers.

Authority for maintenance of the system: Title 15, United States Code, Sections 78d, 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to determine whether a registered investment adviser is complying fully with applicable requirements.
2. To aid in responding to requests from Members of Congress and the public concerning the status of a registered investment adviser.


4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility for investigating such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or any of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the making of a contract, or the issuance of a license, grant or other benefit.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the making of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained.
or for related personnel management functions or manpower studies; may also be used to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individual or for related personnel management functions.

Records in connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records are related to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office, made in the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in paper form and bound in a file folder.

Retrievability: Information is indexed by name of the registrant. Information regarding individuals may be obtained through the Commission's Name-Relationship Index system.

Safeguards: These records generally are available for inspection by the public in the Public Reference Room. Except for public disclosure only authorized persons are given access to the raw files. The records are maintained in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the investment adviser and the Commission, these files include copies of staff examination reports, information registered and variable annuity sales force industry, including the financial press and other items pertaining to each individual investment adviser or to any complex of investment companies with which it is affiliated.

SEC—19

System name: Correspondence Files Pertaining to Registered Investment Companies—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records are also maintained by SEC Regional and Branch Offices.

Categories of individuals covered by the system: Individuals associated with registered investment companies.

Categories of records in the system: Records contain information relating to an individual's relationships and transactions with a registered investment company.

Authority for maintenance of the system: Title 15, United States Code, Sections 78dd(b) and 80a-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to monitor compliance with the provisions of the Investment Company Act of 1940.
2. To aid in responding to requests from Members of Congress and the public relating to particular registered investment companies.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local government authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the recruitment of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained.

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System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room; at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: In addition to containing correspondence between the registered investment company and the Commission, these files include copies of staff examination reports, information received from various segments of the industry, including the financial press and other items pertaining to each individual investment company or to the complex of investment companies with which it is affiliated.

SEC—20

System name: Defendant Index—SEC


Categories of individuals covered by the system: Records are maintained on persons involved in legal actions with the SEC or in which violations of the Federal securities laws are alleged. These include injunctive, subpoena enforcement, civil and criminal and contempt actions.

Categories of records in the system: Records contain information regarding all legal actions filed by the SEC and information regarding all legal actions filed by the SEC and information regarding all legal actions filed by the SEC.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to locate and identify a particular court case.
2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies.
3. To respond to requests from Members of Congress or the public for information concerning litigation matters.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)), or the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.
rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Practice, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the records in individuals in response to a request from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 3 x 5 inch index cards and stored in filing boxes.

Retrievability: Records are indexed by name.

Safeguards: Records are maintained in locked steel cabinets that are kept in a locked office and in a building having a 24-hour security guard.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the Records and Reading Room at 1000 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Legal documents filed in civil, administrative and criminal proceedings.

SEC—21

System name: Division of Corporate Regulation Bankruptcy Act System—SEC


Categories of individuals covered by the system: Records are maintained on attorneys for debtors, trustees, attorneys for trustees, United States District Court judges, and United States Bankruptcy judges.

Categories of records in the system: The records contain the following types of information: addresses, information contained in court pleadings, memoranda regarding findings of SEC investigations, SEC staff memoranda regarding various aspects of court proceedings.

Authority for maintenance of the system: Title 11, United States Code, Sections 572, 608, 665a and Chapter XI Rule 11-6, Official Form Nos. 11-F1 and 11-F2 promulgated by the United States Supreme Court under 28 U.S.C. Section 2075.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses, the records and the information contained and the systems affected by such routine uses are as follows:

1. By SEC staff in preparation for participation in all phases of Chapter X and XI debtor relief proceedings, including court hearings and meetings with trustees, counsel, presiding judges, and with other interested parties. Files also are used in responding to inquiries of Congressmen, public investors, and other agencies with respect to pending or terminated bankruptcy proceedings.

2. In any proceeding where the federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

3. By SEC personnel for purposes of investigating possible violations of the federal securities laws.

4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities performed by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission's staff in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that such information is apparent to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, to copy, to index, to scan, to photostat, or to reproduce in any other manner the record within a system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

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Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept in hard copy form in filing cabinets.

Retrievability: The records are indexed by case name or company name and case number. Information on individuals may be retrieved from the securities files, Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The office where records are maintained is locked at night and a 24-hour security guard limits access to building.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Corporate Regulation, 1100 I Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of records in this system or to contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are sent to SEC by courts and attorneys. Personnel made at the request of that individual.

Categories of individuals covered by the system: Records are maintained on officers, directors, shareholders, and other persons having relationships with registrants.

Categories of records in the system: The information in the system generally includes material concerning registrants filed with the SEC under the Securities Act of 1933, 15 U.S.C. 77e et seq., and the Securities Exchange Act of 1934 and may describe relationships or transactions named individuals may have with such registrants.

Authority for maintenance of the system: Title 15, United States Code, Sections 77e, 77g, 77h and 77j; 78j, 78m, 78n, 78o(d), and 78p; 77ee.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To process registration statements, proxy statements, periodic reports and other reports required by statute or rule to be filed with the Commission.

2. To aid in responding to inquiries from Members of Congress, the press and the public regarding registrants.


4. Where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a self-regulatory organization, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

5. In any proceeding where the federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a federal, state or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that disclosure of the record is necessary to protect the public interest from any further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person to whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).
Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the SEC Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is, or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** The records are maintained in hard copy form and stored on shelving.

**Retrievability:** The records are indexed by the name of the registrant. The Commission's Name-Relationship Index system, however, cross-indexes names of individuals with the names of registrants.

**Safeguards:** Access to these files is limited to authorized persons. The records are maintained in a building that has a 24-hour security guard.

**Retention and disposal:** These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

**System manager(s) and address:** Director, Division of Corporation Finance, Securities and Exchange Commission, 50 North Capitol Street, Washington, D.C. 20549.

**Notification procedure:** All requests to determine whether this system of records contains a record pertaining to the requesting individual must be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Record access procedures:** Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Contesting record procedures:** See Record access procedures above.

**Record source categories:** The information is obtained through informal meetings and conversations with registrants and their representatives; documents that are filed with the Commission; communications from other members of the Commission's staff; publications; notes and letters from registrants, their counsel, and other interested persons, including shareholders, investors, and individuals including where practicable those to whom the information relates, and internal working papers prepared by members of the staff.

SEC—23

**System name:** Division of Corporation Finance Index for Filings on Schedule 13D and Filings under Regulations A and B—SEC

**System location:** Securities and Exchange Commission, Washington, D.C. 20549.

**Categories of individuals covered by the system:** The categories of individuals on whom records are maintained in the system are (1) all persons filing a Schedule 13D, and (2) all persons filing as registrants under Regulations A or B.

**Categories of records in the system:** The information in this system indicates whether individuals have filed a Schedule 13D and if so for what registrants. It also indicates whether or not such individuals have filed as registrants in offerings under Regulation A or B.

**Authority for maintenance of the system:** Title 15, United States Code, Sections 77(c)(b), 78m(d) and 78n(d).

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records and the information contained in these records may be used as follows:

1. By SEC personnel to maintain a control system over such filings; to determine whether certain persons have made such filings; and to verify information concerning such filings, as such information may be disclosed in other filings.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. By SEC personnel to determine whether there is a reasonable indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or other issued pursuant thereto, the relevant record in this system may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with compliance with or implementation of the statute, rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the granting of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. To aid in responding to requests for information from Members of Congress, the press and the public concerning such filings andings.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, SEC personnel may be requested to determine whether this system of records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Municipal Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or in the result of an agreement between the parties in connection with legal and litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission's staff, or in
 connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records:

Storage: The records are maintained on index cards.

Retrieval: The record for schedule 13D is indexed alphabetically both by name of the bidder and the registrant. The Regulation A and B records are indexed by the name of the registrant. The SEC Name-Relationship Index system cross-indexes the names of individuals with the names of registrants.

Safeguards: Access to and use of these records are limited to personnel whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are maintained in a building that has a 24-hour security guard.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Corporation Finance, Securities and Exchange Commission, 100 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information is extracted from Schedule 13D filings and Regulation A and B filings, which are required by regulation to contain specified information concerning certain individuals.

SEC—24

System name: Division of Enforcement Investigative Working Files—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch Offices with respect to investigations conducted by those Offices.

Categories of individuals covered by the system: Records are maintained on individuals, corporations, partnerships, and other entities that engage in activities which may involve violations of the Federal securities laws or the rules of securities self-regulatory organizations. These records also may contain information concerning investors or other individuals who become involved in Commission investigations.

Categories of records in the system: The information in this system is derived from many sources, including documents filed with the Commission, court records, articles published, published financial data, information from corporations, securities brokers, banks, public utilities, credit agencies and Federal, State, local and foreign law enforcement and securities self-regulatory organizations. Information also may be gathered from individuals, including, where practicable, the individual under investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 79uu, 80a-41; 80b-9; 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or otherwise responsible for enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff or former or present employees of the SEC may be involved, the making available of any information contained in this system is authorized.

7. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

8. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions; or for research studies; or may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.


In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national secu-
rities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the federal securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the record and that the information may appear to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission has contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be closed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq. or otherwise, where such person or individual is authorized by the Commission to perform such functions to assist in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise, for use in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained in file folders, binders and index cards and in separate notebooks.

Retrievability: The system is indexed only by the name of the case. Although indices on regarding an individual can often be obtained through use of the Commission’s Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Physical security is primarily obtained by limitation of access to the building in which the records are maintained.

Retention and disposal: The records are generally maintained until the case has been closed, at which time the originals are sent to the records center. Any file or record portion of the documents in the formal file may be maintained by the person working on the case for some period of time thereafter. These personal files on closed cases are generally destroyed when the person maintaining them leaves the Commission’s employ.
request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee or entity, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.


8. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

10. As a data source for management information for production, management, and competency studies mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities associations and securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's Rules of Practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the information related to the inquiry or investigation may be relevant to possible future enforcement action at the time the records cease to be relevant, they are destroyed.

System manager(s) and address: Director, Division of Enforcement, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person having a 24-hour security guard.

Retrievability: The system is indexed by the name of the person or entity to which the file primarily relates. Cross-reference to the individual is possible through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are kept in a building having a 24-hour security guard.

Retention and disposal: If a formal investigation is opened the records generally are transferred to the person having responsibility for the investigation. If no formal investigation is opened, the records are usually maintained as long as the information contained therein appears to be relevant to possible future enforcement action. Then records cease to be relevant, they are destroyed.

System name: Division of Enforcement Preliminary Market Surveillance Inquiries—SEC


Categories of individuals covered by the system: Broker-dealers and persons associated with them and other persons involved in the trading of securities; individuals associated with companies whose securities are traded and individuals trading securities on national securities exchanges or over-the-counter.

Categories of records in the system: The system contains information filed with the SEC, articles from publications, market price-volume information, market trading data, corporate information, securities brokerage firm data, and other information relating to particular securities.

Authorization for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uu, 80a-1, and 80b-9 and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records of this system are as follows:

1. By SEC personnel for purposes of obtaining possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and
whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. When considered appropriate, records in this system may be referred, as a "Routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

4. A record from this system of records may be disclosed as a "Routine use" to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that such information is relevant and necessary to the requesting agency's decision on the matter.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, states securities regulatory or law enforcement agencies, or organizations, or regulatory or law enforcement agencies, who assist in the investigation by the Commission of violations of the Federal securities laws or the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq.

8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

9. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or State or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies, who assist in the investigation by the Commission of violations of the Federal securities laws or the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1) et seq., or otherwise, where such trust, receivership, or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with a request for information from the public, if the person to whom the record is disclosed has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to produce any typewritten, recorded, or other written report or any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in file folders, binders, index cards and notebooks.

Retrievability: The system is indexed by the name of the security that is the subject of the inquiry, but access to individual information may be gained through use of the Commission's Name-Relation index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Physical security is primarily provided by security guards who limit access to the building in which the records are maintained.

Retention and disposal: If a formal investigation is opened the records are transferred to the person having responsibility for the investigation. If no formal investigation is opened, after 3 years the records are usually sent to the formal files or destroyed.

System manager(s) and address: Director, Division of Enforcement, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system contains records a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from SEC filings, findings and orders, publications, or self-regulatory organizations, securities brokerage firms, corporations, individuals, including where practicable those to whom the records relate, market transaction information provided by financial reporting services and other miscellaneous sources.

SEC—27

System name: Division of Investment Management Regulation Correspondence and Memoranda Files—SEC


Categories of individuals covered by the system: The records concern individuals who have requested "no-action" or interpretive advice and general correspondence from investment advisers and persons associated with them or investment companies.
Categories of records in the system: The records contain information concerning the hiring or retention of an employee, the issuance of a license, the letting of a contract, or the issuance of a registration or other benefit. They are maintained in a building having 24-hours security guards. Cross-indexing to individuals is available through the Commission’s Management Regulation, 500 North Capitol Street, Washington, D.C. 20549.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. They are maintained in a building having 24-hours security guards.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Division of Investment Management Regulation, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, NW., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Retention access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.
Telephone number of each current SEC employee.

Categories of individuals covered by the system: All current employees of the SEC.

Categories of records in the system: Name and photograph of each SEC employee.

Authority for maintenance of the system: 41 CFR 101-20.301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To identify current SEC employees for internal agency purposes or to assist other governmental agencies in determining whether an individual is a current employee of the Commission.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the disclosure of the record is required by law or is necessary for the performance of official duties. The record may further provide information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from a congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Photographs are attached to index cards.

Retrievability: The system is alphabetically indexed by name of employee.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are maintained in a lockable office with limited access. The building has a security guard present on a 24-hour basis.

Retention and disposal: Records are destroyed upon termination of employment.

System manager(s) and address: Service Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from each employee and/or the administrative assistant of his Office or Division within the SEC.

SEC—29

System name: Employees Current Card File—SEC


Categories of individuals covered by the system: All current employees of the SEC.

Categories of records in the system: Name, Social Security number, SEC identification number, office room number, and telephone number of each current SEC employee.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used as follows:

1. The records compose the master file from which the SEC telephone directory is periodically compiled.

2. These records also are used for reference purposes in reissuing SEC identification cards.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Information is maintained on index cards.

Retrievability: The system is alphabetically indexed by name of employee.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Individual cards are destroyed when employment with the SEC is terminated.

System manager(s) and address: Service Officer, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is obtained from each employee and/or the administrative assistant of his Office or Division within the SEC.

SEC—30

System name: Equal Employment Opportunity Complaints—SEC


Categories of individuals covered by the system: Records are maintained of SEC employees making equal employment opportunity complaints and employees involved in the investigation of such complaints.

Categories of records in the system: Records contain information pertaining to employee discrimination complaints and the results of investigations into those complaints.

Authority for maintenance of the system: Executive Order 11478.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used for the following:

1. To process employment discrimination complaints.

2. As a data source for management information for production of summary descriptive statistics and analytical studies; in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. These records may be used by the SEC in any litigation or administrative action by an employee or others in which the SEC's Equal Employment Opportunity program activities are in issue.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are kept in paper form in file folders and filing cabinets.

Retrievability: The records are indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. The records are kept in a building having a 24-hour security guard.

Retention and disposal: The records are kept indefinitely.

System manager(s) and address: Executive Director, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from persons in the executive and legislative branches of the Federal government and in some cases persons in State governments.

System name: Freedom of Information Act Requests—SEC

SEC—32

System name: Freedom of Information Act Requests—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records may also be maintained by SEC Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on persons requesting files, documents or other information from the Commission pursuant to provisions of the Freedom of Information Act, 5 U.S.C. 552 et seq., as amended.

Categories of records in the system: Records identify the individual requesting access to information, and the information sought and also may describe the individual's reasons for seeking the information.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel to process requests made under the Freedom of Information Act, as amended.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. In connection with any litigation challenging or seeking to join actions by the Commission under the Freedom of Information Act, as amended.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21 of the Securities Exchange Act of 1934, 15 U.S.C. 78u-1(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained in hard copy form.

Retrievability: These records are indexed by name. Access to and use of these Records is limited to those persons whose duties require such access.

Safeguards: These records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Office of Reports and Information Services, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

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of these records may contact or address their inquiries to the Secu-
rities and Exchange Commission, Public Reference Section, 
Washington, D.C. 20549.

Contesting record procedures: See Record access procedures
above.

Record source categories: Communications from individuals for
information pursuant to the Freedom of Information Act, as
amended.

SEC—33

System name: General Correspondence Files—SEC

System location: Securities and Exchange Commission, Wash-
ington, D.C. 20549. Each SEC Regional and Branch Office may retain
its own general correspondence file system.

Categories of individuals covered by the system: Records are main-
tained on persons who write to the Commission seeking informa-
tion, registering complaints or just making known their views.

Categories of records in the system: The records contain only in-
formation that is volunteered by the individual who wrote it.

Authority for maintenance of the system: Voluntary.

Routine uses of records maintained in the system, including cate-
gories of users and the purposes of such uses: These records and the
information contained in these records may be used for the follow-
ing:
1. By SEC personnel to respond to the inquiry, complaint or
statement.
2. By SEC personnel for purposes of investigating possible viola-
tions of the Federal securities laws.
3. Where there is an indication of a violation or potential viola-
tion of the law, whether civil, criminal or regulatory in nature, and
whether arising by general statute or particular program statute, or
by regulation, rule or order issued pursuant thereto, the relevant
records in the system of records may be referred, as a routine use,
to the appropriate agency, whether Federal, State, local, foreign or
a securities self-regulatory organization charged with the responsi-
bility of investigating or prosecuting such violation or charged with
enforcing or implementing the statute, or rule, regulation or order
issued pursuant thereto.
4. When considered appropriate, records in this system may be
referred to a bar association or similar Federal, State or local,
licensing authority for possible disciplinary action.
5. In any proceeding where the Federal securities laws are in
issue in or which the Commission or past or present members of
its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings
by a State securities regulatory authority or by a securities self-
regulatory organization involving one or more of its members.
7. As a data source for management information for production of
summary descriptive statistics and analytical studies in support of
the function for which the records are collected and maintained
or for related personnel management functions or manpower stu-
dies, and may also be utilized to respond to general requests for statisti-
cal information (without personal identification of individuals)
under the Freedom of Information Act or to locate specific in-
dividuals for personnel research or other personnel management
functions.
8. To compile monthly statistical reports indicating the numbers
of complaints received with respect to particular entities which are
referred to the Division of Enforcement and, where appropriate,
other Federal agencies or securities self-regulatory organizations.
9. To respond to requests from Members of Congress relating to
constituent inquiries.
10. In connection with their regulatory and enforcement responsibil-
ities mandated by the Federal securities laws (as defined in section
21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or
state or foreign laws regulating securities or other related matters,
records in this system of records may be disclosed to national secu-
rities exchanges and national securities associations that are re-
gistered with the Commission, the Municipal Securities Rulemaking
Board, the Securities Investor Protection Corporation, the federal
banking authorities, including but not limited to, the Board of
Governors of the Federal Reserve System, the Comptroller of the
Currency, and the Federal Deposit Insurance Corporation, state secu-
rity regulatory authorities, enforcement agencies or organizations,
or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any
trustee, receiver, master, special counsel, or other individual or en-
tity that is appointed by a court of competent jurisdiction, or as a
result of an agreement between the parties in connection with litiga-
tion, arbitration or other enforcement proceedings involving allega-
tions of the Federal securities laws (as defined in section 21(g) of
the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's
rules of practice, 17 CFR 202.1 et seq. or otherwise, where such
trustee, receiver, master, special counsel or other individual or en-
tity is specifically designated to perform particular functions with
respect to, or as a result of, the pending action or proceeding or in
connection with the administration and enforcement by the Com-
mision of the Federal securities laws or the Commission's Rules of
Practice.

Records in this system may, in the discretion of the Commis-
sion's staff, be disclosed to any person during the course of any
inquiry or investigation conducted by the Commission in con-
nection with civil litigation, if the staff has reason to believe
that the person to whom the record is disclosed may have further
information about the matters related therein, and those matters ap-
peared to be relevant at the time to the subject matter of the in-
quiry or investigation.

A record or information in this system may be disclosed to any
person with whom the Commission contracts to reproduce, by typ-
ing, photocopy or other means, any record within this system for
use by the Commission and its staff in connection with their offi-
cial duties or to any person who is utilized by the Commission to
perform clerical or stenographic functions relating to the official
business of the Commission.

Records or information in the records in this system may be
disclosed to members of advisory committees that are created
by the Commission or by the Congress to render advice and recom-
endations to the Commission or to the Congress, to be used solely
in connection with their official duties.

Records or information in the records in this system may be
disclosed as a routine use to any person who is or has agreed to be
subject to the Commission's Rules of Conduct, 17 CFR 202.7851 et
seq. and who assists in the investigation by the Commission of
possible violations of Federal securities laws (as defined in section
21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in
the preparation or conduct of enforcement actions brought by the
Commission for such violations, or otherwise in connection with
the Commission's enforcement or regulatory functions under the
Federal securities laws.

Disclosure may be made to a congressional office from the
record of an individual in response to an inquiry from the congres-
sional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retain-
ing, and disposing of records in the system:

Storage: Records are maintained in hard copy form and stored on
shelving.

Retrieveability: Records are indexed by name.

Safeguards: Access to and use of these records are limited to
those persons whose official duties require such access. Physically,
the records are kept in a locked office in a building having a 24-
hour security guard.

Retention and disposal: These records are retained indefinitely.
While no formal schedule exists, these records periodically are sent
to a Federal Records Center for storage.

System manager(s) and address: Records Officer, Securities and
Exchange Commission, 1100 L Street, N.W., Washington, D.C.
20549.

Notification procedure: All requests to determine whether this
system of records contains a record pertaining to the requesting in-
dividual may be made in person during normal business hours at
the SEC Public Reference Room at 1100 L Street, N.W., Washin-
gton, D.C., or by mail addressed to the Securities and Exchange

Record access procedures: Persons wishing to obtain informa-
tion on the procedures for gaining access to or contesting the contents
of these records may contact or address their inquiries to the Secu-
rity and Exchange Commission, Public Reference Section, Wash-
ington, D.C. 20549.

Contesting record procedures: See Record access procedures
above.

Record source categories: Information is derived from letter and
other communications received by the Commission from individuals
who generally are seeking information, registering complaints or
making a statement.

SEC—34

System name: Hearings, Proceedings and Studies—SEC

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Category of records covered by the system: Records are maintained on persons against whom the SEC has authorized an investigation or enforcement action.

Categories of users and the purposes of such uses: These records and the information in these records may be used as follows:

1. To assist the SEC in developing regulatory and enforcement policies to carry out its functions under the Federal securities laws.
2. To assist the SEC in preparing studies and analyses to be transmitted to the Congress and make public concerning matters within the SEC’s jurisdiction.
3. In connection with investigations by the SEC into possible violations of the Federal securities laws.
4. In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters.
5. When considered appropriate, records in this system may be disclosed to any person during the course of any inquiry or investigation conducted by the SEC or, in connection with civil litigation, if the SEC has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the investigation.
6. As a data source for management information for production and other submissions made to the SEC.

SEC Name-Relationship Index system.

System location: SEC—35

System name: Investigations and Actions Index System—SEC


Categories of individuals covered by the system: Records are maintained on persons against whom the SEC has authorized an investigation or enforcement action.

Categories of records in the system: Records include transcripts of testimony and documents filed by witnesses and others in such hearings or proceedings.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used as follows:

1. To assist the SEC in developing regulatory and enforcement policies to carry out its functions under the Federal securities laws.
2. To assist the SEC in preparing studies and analyses to be transmitted to the Congress and make public concerning matters within the SEC’s jurisdiction.
3. In connection with investigations by the SEC into possible violations of the Federal securities laws.
4. In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters.
5. When considered appropriate, records in this system may be disclosed to any person during the course of any inquiry or investigation conducted by the SEC or, in connection with civil litigation, if the SEC has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the investigation.
6. As a data source for management information for production and other submissions made to the SEC.
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Categories of records maintained in the system: The system contains information gathered by the Commission's staff in connection with investigations by it into possible violations of the Federal securities laws. Such information may be derived from materials filed with the Commission, court records, articles from publications, published financial data, corporate information, securities brokerage firm data, bank information, telecommunication records from securities self-regulatory organizations, information supplied by individuals and Federal, State, local and foreign law enforcement organizations, and from other sources. This record also contains the work product of SEC personnel involved in the investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80a-41, 80b-9; and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. In any proceeding where the Federal securities laws are in issue, or in which the Commission, past or present members of its staff is a party or otherwise involved in an official capacity.
3. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving possible violations of Federal securities laws.
4. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

5. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the enforcement of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, to provisions of the Federal securities laws as provided in 15 U.S.C. 78u(a), in connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the other individual is engaged or for related personnel management functions or manpower studies; may also be utilized to respond to public requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate data for personnel research or other personal management functions.

10. To respond to inquiries from Members of Congress which relate to specific matters that the Commission has investigated.


In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g), or
Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., or to any other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission or in connection with the course of inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appear to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typ¬ing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed to persons subject to, or as a result of, the pending action or proceeding or in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or microform.

Retrievability: Records are accessed by individual name through computer search of the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Files are maintained in buildings that have 24-hour security guards.

Retention and disposal: Records are retained in the Commission's files or periodically sent to a Federal Records Center for storage. They are destroyed after twenty-five years.

System manager(s) and address: Director, Division of Enforcement, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notice of record access procedures: All requests to determine whether this system of records contains records pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 1st Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Requests without fee for access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities or persons during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—37

System name: Investor Service Complaint Index—SEC


Categories of individuals covered by the system: Records are maintained on persons registering complaints with the SEC.

Categories of records in the system: Records contain the name of the complainant and the disposition of the complaint.

Authority for maintenance of the system: Voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To process complaints received from the public.
2. To aid in responding to inquiries from Members of Congress, the press and the public regarding the status of complaints.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility for investigating such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of

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Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules and Regulations, 17 CFR 201.2(e) or, otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders, binders and filing cabinets.

Retrieval: Records are indexed by name.

System manager(s) and address: Director, Office of Reports and Information Services, 1100 L. Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L. Street, N.W., Washington, D.C. 20549, or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Complaints received from various sources relating to matters that may be under the jurisdiction of the Commission.

SEC—38

System name: Litigation Files (Civil and Criminal)—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Duplicate files may be maintained in the SEC Regional and Branch Offices which conducted the litigation.

Categories of individuals covered by the system: Records are maintained on individuals involved in civil and criminal actions.

Categories of records in the system: Records include transcripts of testimony, documents and other evidentiary matter, pleadings and other documents filed in court and orders issued by the court and correspondence relating to such matters.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79r, 77uuu, 80u-41, and 80b-9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them are used for the following:

1. By SEC personnel and the personnel of other agencies of the Federal government, including the Department of Justice, to prosecute civil and criminal actions for, among other things, violations of the Federal securities laws; may also be used by these personnel to prepare appeals from court orders in such cases.

2. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

3. In connection with investigations or disciplinary proceedings by other governmental regulatory or law enforcement agencies of a foreign government.

4. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

5. Where there is an indication of a violation of potential violation of Federal securities laws, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or regulatory or law enforcement agencies of a foreign government.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request in connection with its decision concerning the hiring or retention of a Federal, State, local, foreign or regulatory or law enforcement agencies of a foreign government.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, state regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.
Records in this system may be disclosed as a routine use to any trustee, receiver, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

- Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

**Storage:** Records are maintained in hard copy form or microform.

**Retrievability:** Records are accessed by individual name through the Commission's Name-Relationship Index system.

**Safeguards:** Information contained in these records is public in nature and personal information was filed in a public court proceeding (unless the court ordered otherwise).

**Retention and disposal:** These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

**System manager(s) and address:** Records Officer, Securities and Exchange Commission, 1100 1st Street, N.W., Washington, D.C. 20549.

**Notification procedure:** All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Record access procedures:** Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Contesting record procedures:** See Record access procedures above.

**Record source categories:** Information in this system is derived from documents, litigation, transcripts of testimony, evidence introduced into court, orders entered by a court and correspondence relating to litigation.

**System name:** Mailing Address Labels (MAL)—SEC

**System location:** Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

**Categories of individuals covered by the system:** These records and the information contained in these records may be used as follows:

1. To facilitate and expedite the mailing of SEC material utilizing the computer and automated addressing equipment. Listings of address labels for particular categories of recipients are produced daily as required.

2. To provide statistical information on the number of persons receiving materials on a regular basis.

**Disclosure** may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** These records are stored on magnetic tape.

**Retrievability:** The records are indexed alphabetically.

**Safeguards:** All data files are maintained in the tape and disk library area in the Office of Data Processing. Access to the computers is limited to authorized members of the staff, and access to the library is limited to the librarian and authorized supervisory personnel of the Office of Data Processing. During non-working hours, both doors leading into the computer operations area are locked, and periodic checks of the area are made by a government guard assigned to the SEC. Master data files are stored in a fireproof safe. Tape and disk files can be obtained only through the librarian or chief of operations, who make the files available only to authorized members of the staff of the Office of Data Processing authorized to use them.

**Retention and disposal:** Only current address label files are kept. No historical files on out-of-date address information is retained.

**System manager(s) and address:** Director, Office of Data Processing, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

**Notification procedure:** All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Record access procedures:** Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Contesting record procedures:** See Record access procedures above.

**Record source categories:** Registration Statements under the various securities acts as submitted by the registrants, survey questionnaires, and annual reports filed by the registrants. The requests by individuals to be placed on the courtesy mailing lists.

**System name:** Manpower Reporting System (MFR)—SEC

**System location:** Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

**Categories of individuals covered by the system:** Past and current SEC employees.

**Categories of records in the system:** The records are computerized and contain information about Commission employees including the employee's name, employee identification number, and work activity classification for each pay period.

**Authority for maintenance of the system:** Applicable sections in chapters 21 through 89 of Title 5 of the United States Code.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records and the information contained in the records may be used:

1. As a data source for management information for production of summary descriptive statistics and analytical studies reflecting the Commission's allocations of cost and man-hours by budget activity. Reports generated by this system are used by the Commission and the staff to substantiate requests to Congress and others for SEC budget allocations or other request information; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
2. For any court litigation or administrative action involving review of personnel action.
3. For responding to requests from Members of Congress or the Executive branch or other agencies for statistical information concerning manpower utilization and needs.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the Congress.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are maintained on magnetic tape on a permanent basis. Tape and disk files on which data is stored are available only through the librarian or chief of operations of the Office of Data Processing. Back-up master files on type tape are stored in the Federal Record Center in Suitland, Maryland.

System manager(s) and address: Comptroller, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system or records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The data sources are the bi-weekly manpower reporting forms submitted by the individual employees of the SEC. The Pay-Time-Leave System is accessed for the compensation information relating to the employee.

SEC-41

System name: Minutes Regarding Action Taken by the Commission-

-SEC


Categories of individuals covered by the system: Individuals who are the subject of official action taken by the SEC, including individuals who are named defendants or respondents in civil actions or administrative proceedings brought by the Commission.

Categories of records in the system: Records are maintained on official matters that are considered by the SEC and action taken thereon. They describe the matter presented, any recommendations of the staff, and identify the Commissioners present and voting.

Authority for maintenance of the system: Title 15, United States Code, Section 78(b)(h).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in the records may be used as follows:

1. In response to requests from Members of Congress, other Federal or State or local governmental authorities or securities self-regulatory organizations to institute the official action of the Commission on a particular matter.

2. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

3. They are distributed to senior supervisory personnel on the Commission’s staff for informational purposes.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banks or bank holding companies, or other regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission or by the appropriate authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic cards and in a Bowne Word One System.

Retrievability: These records are indexed by name.

Safeguards: Minutes are kept in locked safe. Index cards are kept in locked card files in the building in which these records are located has a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.
Record source categories: Records are compiled at meetings of the Commission.

SEC—42
System name: Name-Relationship Index System (NRS)—SEC

Categories of individuals covered by the system: Records are maintained on principals and other individuals listed in filings by corporate issuers of securities; principals and other individuals listed in applications for registrations and amendments thereto filed by broker-dealers and investment advisers; individuals who are required to file ownership reports as corporate insiders; individuals, including defendants, respondents and witnesses, named in investigations and enforcement actions relating to securities violations; individuals on the organized crime list established by the Department of Justice.

Categories of records in the system: The records are computerized and contain information that relates the name of the individual or firm to the commission or other relevant enforcement information in these records may be used as follows:

1. By authorized SEC personnel in connection with their official functions including, but not limited to, the processing of documents filed with the Commission; the conduct of investigations into possible violations of the Federal securities laws; and other matters relating to the Commission's regulatory and law enforcement functions.
2. To conduct name searches upon the request of authorized individuals in other governmental agencies (Federal, State, local or foreign) or self-regulatory organizations for purposes of carrying out their designated functions.
3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local governmental authority for possible disciplinary action.
7. If a record from this system may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring of another individual or entity or as a result of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.
8. A record from this system may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, and to be utilized in connection with scientific studies involving statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
10. To aid in responding to inquiries from Members of Congress, the press and the public concerning matters that are within the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Federal Reserve Bank of New York, the General Services Administration, the Board of Governors of the Federal Reserve System, the Federal Reserve Bank of New York, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government. Records in this system may be disclosed to an agency, commission, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such transaction or proceeding, or such other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Information or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The records are maintained on magnetic tape and disc.

Retrievability: Information is retrieved by the name of the individual. Access for inquiry purposes is by special request forms that are then keypunched and processed daily.
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SECURITIES AND EXCHANGE COMMISSION

Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The sources include filings made by issuers, broker-dealers, investment advisers, investors, and others; documents relating to enforcement actions; and organized crime lists furnished by the Justice Department. The enforcement documents are comprised of SEC opinions and orders, recommendations from SEC enforcement officials for institution of docketed proceedings, court pleadings and findings and orders issued by State and Federal courts, State securities boards, national securities associations, and the National Association of Securities Dealers, and individuals, including the individual to whom the information relates, and persons retained from other State, local or foreign law enforcement or regulatory organizations.

SEC—43

System name: No-action and Interpretative Letters—SEC


Categories of individuals covered by the system: Records are maintained on persons requesting interpretive advice from the Commission's staff and on persons seeking information from the Commission, or on matters affecting individuals that the Commission's staff will not recommend any enforcement action based on the facts presented.

Categories of records in the system: Records contain interpretations of the Federal securities laws as they apply to a set of facts that have been presented by an individual or company. The facts given may describe the individual's relationships with the company or his role in the transaction or give other details concerning individuals.

Authorization for maintenance of the system: Information is voluntarily submitted by the person requesting the no-action or interpretative letter.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to process requests for no-action or interpretative letters.
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. Where there is an indication of a violation or potential violation of Federal securities laws, a record or regulatory action in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign, or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (such as number of requests, persons, or organizations) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization or proceedings involving a party or otherwise involved in any proceeding before securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system of records may be disclosed to any recipient, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustor, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.753-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system of records:

Storage: Records are maintained as part of the general files of the Commission in hard copy form.

Retrievability: Individual name access is provided in cross-reference index maintained in the Classification Unit of the Office of Records.

Safeguards: No-action and interpretative letters are generally made available to the public (See 17 CFR 200.81) and are available.
through the Commission's Public Reference Section. Except for public disclosure, access to these records is limited to authorized individuals and the records are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Communications sent to the Commission's staff requesting interpretations or no-action position.

SEC—44

System name: Office of the Chief Accountant Working Files—SEC


Categories of records covered by the system: Accountants and accounting firms.

Categories of records in the system: The records contain information pertaining to accounting practices, problems, and opinions and accounting firms.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To assist that Office in performing the functions assigned to it by the Commission (See 17 CFR 200.22) including the formulation of accounting policies to be applicable in the case of documents required to be filed with the Commission.
2. To respond to inquiries from Members of Congress, the press and the public concerning accounting matters.
4. Where there is an indication of a violation or potential violation of the Commission's Rules of Practice, 17 CFR 202.1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory agencies or other regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity to which the Commission or past or present members of the Commission for such violations, or otherwise in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority contained in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records include:

Storage: File index cards and file folders.

Retrievability: Alphabetically by individual, subject, and firm. Information with respect to individuals is available through the Commission's Name-Relationship Index system.

Safeguards: Records are kept in locked filing cabinets and maintained in a building which has a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

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SECURITIES AND EXCHANGE COMMISSION

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System manager(s) and address: Chief Accountant, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information contained in the system is derived from official SEC records, letters and inquiries from the public, SEC staff memoranda, which may include information derived from investigations, litigation, and other submissions, and professional auditing and accounting literature and information received from individuals including where practicable to whom the records relate.

SEC—45

System name: Office of General Counsel Work Files—SEC


Categories of individuals covered by the system: Records are maintained on persons who are subjects of SEC investigations, persons involved in administrative proceedings, persons involved in litigation with the SEC, persons involved in administrative proceedings, persons involved in litigation of interest to the SEC, persons communicating with the SEC, SEC personnel against whom complaints have been lodged by others.

Categories of records in the system: Records contain information relevant to SEC investigations, court proceedings, documents, and orders filed in civil, administrative and criminal proceedings; letters detailing requests, complaints, and other topics of interest to the person writing; investigative material regarding allegations of possible staff misconduct; and other memoranda gathered and prepared by staff in performance of their duties.

Authority for maintenance of the system: Title 15, United States Code, Section 78d(b).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the staff of the Office to render legal advice concerning SEC investigations, court proceedings, documents, and orders filed in civil, administrative and criminal proceedings; letters detailing requests, complaints, and other topics of interest to the person writing; investigative material regarding allegations of possible staff misconduct; and other memoranda gathered and prepared by staff in performance of their duties.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, order or other issuance pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule or order, pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity, the relevant records in the system of records may be disclosed to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, other pertinent regulatory authority, other persons necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority or for possible disciplinary action.

6. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, other pertinent regulatory authority, other persons necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities as mandated by the Securities Exchange Act of 1934, 15 U.S.C. 78u(g), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and associations, securities clearinghouses, clearing agencies, other regulated persons or associations registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is specifically designated to perform particular functions with respect to, or as a result of, an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters.

Records or information in this system may be disclosed to members of advisory committees that are established under the Securities Exchange Act, 15 U.S.C. 78u(g)) or state or foreign laws regulating securities or other related matters.

Records or information in this system may be disclosed to the prepare or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.
Disclosure may be made to a congressional office from the record in connection with pending reviews of administrative decisions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in paper form in file folders, binders and filing cabinets.

Retrievability: Records may be accessed by relevant name, although there is no documented method by which the name of a particular individual can be accessed.

Safeguards: The records are generally retained in the files of the attorney assigned to the particular matter. They are kept in a building that has a 24-hour security guard.

Retention and disposal: These records are retained indefinitely, while no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: General Counsel, Securities and Exchange Commission, 300 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission; Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from administrative and court pleadings, transcripts, documents, and orders; SEC personnel, other SEC files; communications to the SEC; evidence gathered in connection with any matter within the jurisdiction of the SEC and from individuals, including where practicable, those to whom the records relate.

SEC—46

System name: Office of Opinions and Review Working Files—SEC


Categories of individuals covered by the system: Records are maintained on individuals who were or are respondents in administrative proceedings instituted by the Commission.

Categories of records in the system: These records include duplicated records contained in files and records in administrative proceedings brought before the SEC and internal memoranda prepared by the staff of the Office of Opinions and Review in the course of the decision making process in administrative proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77u, 78v, 79s, 77ttt, 80a-39, and 80b-12.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used as follows:

1. By SEC personnel to prepare opinions for the Commission in connection with pending reviews of administrative decisions.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charge with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. Where considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information in the possession of such agency concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. To respond to requests from Members of Congress or the public regarding the status or result of an administrative proceeding.

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. In proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

10. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

11. In connection with investigations or disciplinary proceedings by any securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typewriting, copying, or other reproduction process, any record or information, or for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 etc., to perform any act as assistants to investigators or audits of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular
Information can be acquired through use of the Commission's Name-Relationship Index system. Records are maintained in filing cabinets. -

Storage*: These records are maintained in file folders which are stored in filing cabinets.

Safeguards: Access to and use of these records are limited to those individuals whose official duties require such access. Physical security is provided by a 24-hour security guard at the entrance to the building.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, Office of Opinions and Review, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20540.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by the parties in the administrative proceeding before the SEC, their counsel, and administrative law judges.

SEC—47

System name: Office of Personnel Code of Conduct and Employee Performance Files—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Such records also may be maintained in other Offices and Divisions in the Commission and Regional and Branch Offices.

Categories of individuals covered by the system: SEC employees, past and present.

Categories of records in the system: The system of records includes information in the following categories of records: (a) Initial performance evaluations; (b) Employee questionnaire; (c) Reports on employees completing their probationary year of employment; (d) Award recommendations; (e) Adverse action cases, regulatory appeals, grievances, and complaints relating to an employee; (f) Computer conduct files—established under SEC employee conduct regulations (17 CFR 200.735-1 et seq.); Rule 2—Outside employment material; Rule 3—Employee securities transactions; Rule 4—Actions in cases of personal interest; Rule 5—Negotiations for private employment; Rule 6—Practice for former members and employees of the SEC; Rule 7—Employee debts; Rule 9—Statements of employment and financial interest (GS 15's and above); Rule 10—Statements of employment and financial interest (Special Employees); (g) Investigatory materials gathered in connection with the individual's initial appointment to the agency as well as materials gathered in connection with investigations into allegations of employee misconduct.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these files may be used for the following:

1. SEC staff uses records in category (a) above to identify problems, poor placements, and training needs.

2. SEC staff uses records in category (b) above to identify employee placement problems; if problems exist, an Office of Personnel employee may discuss the problem with the employee and, with employee's permission, with supervisor and/or administrative assistant of employee's office.

3. SEC staff uses records in category (c) above to determine whether employee should be retained on the job.

4. SEC staff uses records in category (d) above to prepare—(i) statistical reports, (ii) annual awards report, which goes to all SEC employees in booklet form and lists winners of SEC awards for the preceding year, (iii) justifications for approved awards, which are posted on bulletin boards for employee review per union contract and are sent to supervisors who want sample guides to use in preparing recommendations for awards.

5. SEC staff uses records in category (e) above to establish records of action/grievance as required by Civil Service Commission and provide information on action/grievance to employee or supervisor concerned or to their designated Office. SEC assigned Office. SEC assigned Office. SEC assigned Office. SEC assigned Office. SEC assigned Office.

6. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management studies.

8. For referral to another agency to determine whether the conduct of an employee may have violated a criminal statute.

9. In responding to inquiries from Members of Congress, the press or others concerning personnel action with respect to a specific employee.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management studies.

11. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management studies.

12. For referral to another agency to determine whether the conduct of an employee may have violated a criminal statute.

13. To aid in responding to inquiries from Members of Congress, the press or others concerning personnel action with respect to a specific employee.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any party in the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that mattered appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made in the interest of an individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in folders in file cabinets. A computer listing of employee securities holdings is stored under the individual number system to which only the members of the Personnel Office and Data Processing Staffs who are responsible for administering the system have access.

Retrieval: Records are indexed by employee name. Data on computer listing is retrieved by special ID number as described above.

Safeguards: Materials are pulled and refiled by Office of Personnel staff only and the office containing the records is locked each evening. The computer listing is meaningless without access to the ID numbers which are kept under lock.
Retention and disposal: Records in categories (a)-(e) are kept 2 years from date of employee’s appointment or job change and then discarded. Records in categories (d)-(e) are retained 2 years and then destroyed. Records in category (f) are kept for 5 years and then discarded. When employee leaves the SEC, his/her conduct files are stored for 2 years by the Office of Records and then destroyed; the computer listing of his/her securities transactions is destroyed upon his/her separation from the SEC. The Rule 6 file, established when a former employee returns to practice before the SEC, is retained indefinitely.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I. Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records in category (a) are obtained from former employees; records in category (b) are obtained from employee concerned; records in category (c) are obtained from the supervisor of employee concerned; records in category (d) are obtained from the nominating official—usually employee’s immediate supervisor; records in category (e) are obtained from the supervisor/manager(s) initiating action, employee concerned and his/her designated representative; and other individuals making complaints; records in category (f) are obtained from employee concerned. Employee concerned submits information under Rule 4-9.10. Both alleged creditor and employee concerned submit information in Rule 7 (employee debts). Information in category (g) is gathered, where practicable, from the individual as to whom the information pertains and other individuals including former employers and associates, friends, coworkers, relatives, neighbors. Information also may be received from Federal, State or local law enforcement authorities or other governmental agencies.

SEC—48

System name: Office of Personnel Employee Listings—SEC


Categories of individuals covered by the system: Records are maintained on SEC employees, past and present.

Categories of records in the system: The system of records includes information in the following categories of records: (a) employee payroll number; and (b) employee directory comprised of a computer listing of employees, showing their organizational code, and including the date of birth and Social Security number.

Authority for maintenance of the system: Applicable sections in Chapters 21 through 89 of Title 5 of the United States Code.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

1. To assign payroll numbers to new employees and by the Office of Personnel for maintenance of the system.

2. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies. They may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

3. To request information from a Federal, State or local agency maintaining civil, criminal, or other relevant enforcement or other pertinent information, such as licenses, if necessary to obtain relevant information to any agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. To provide information or disclose to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or issuance of a license, grant, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency’s decision on that matter.

5. For internal personnel action involving the employee.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are maintained on magnetic tape and reprinted in booklet form.

Retrieval: Records are retrieved by name.

Safeguards: Records are used by Office of Personnel staff only and the office where they are maintained is locked each evening. The building where they are maintained has a 24-hour security guard.

Retention and disposal: New listings are run semi-annually and old employee-directories are destroyed. Employee number listings are retained for 10 years and then destroyed.

System manager(s) and address: Director, Office of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I. Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information contained in these records is obtained from the employees concerned.

SEC—49

System name: Office of Personnel Employment and Staffing Files—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. (Items (b) and (l) below are kept in the Washington, D.C., headquarters and in the Commission’s Regional and Branch Offices across the country. Each Regional and Branch Office maintains records on only the employees assigned to it.)

Categories of individuals covered by the system: Records are maintained on applicants for SEC employment and present and past employees.

Categories of records in the system: The system of records includes the following category of records: (a) Applicant files (Standard Forms 171 and resumes, attorney supplements to applications, applicant correspondence and evaluations, and summer employment files); (b) Official personnel folders (Civil Service Commission files); (c) Service record cards; (d) Merit promotion posting files, including supervisory appraisals for jobs advertised under SEC Merit Promotion Program; (e) Request to Civil Service Commission for Schedule C personnel actions; (f) Chronological copies of service record actions; (g) Civil Service Commission clerk-typist and clerk-steno examination papers for applicants tested under SEC’s delegated recruiting authority; (h) Division/Office/Region employee record cards; (i) Regional Office employee files, including copies of applications and notifications of personnel action (Standard Forms 30) on the employee concerned.

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Grant or other benefit.

1. Records in category (a) above are used by SEC staff to make referrals to supervisors or administrative assistants in offices with vacancies for which applicants may be considered. Offices may retain copies of applications/resumes and evaluations of candidates they interview whom they feel may be contenders for employment of an office within the SEC.

2. SEC staff uses records in category (b) above for (i) retention of official personnel documents; (ii) verification of employment; (iii) determination of qualifications for jobs and eligibility for training; (iv) processing of personnel actions.

3. SEC staff uses records in category (c) above for (i) computation of personnel strength of divisions/offices; (ii) verification of employment for credit checks or job applications; (iii) recording of personnel actions processed.

4. SEC staff uses records in category (d) above to maintain records required by Civil Service Commission of competitive promotion actions, including (i) records to determine how an announcement for a particular job reads; (ii) records for statistical reports; (iii) records for program effectiveness studies to send questionnaires to supervisors which make evaluations of a program, for example). Supervisory appraisals are scored and used in determining employee's overall standing among all applicants for the job; they are sent to selecting supervisors for review if the employee is considered for a position.

5. SEC staff uses records in category (e) above to identify Civil Service Commission control numbers for Schedule C positions and to aid in preparing new submissions.

6. SEC staff uses records in category (f) above for statistical reports.

7. SEC staff forwards records in category (g) above to the Civil Service Commission at the end of each month if the applicant is not hired; if applicant is hired, records are retained for one year and then destroyed.

8. SEC staff uses records in category (h) above to monitor personnel actions concerning their staffs (i.e., date of employee's last promotion, employee's position description number, etc.) and to record date personnel action requests and reports were forwarded to the Office of Personnel.

9. SEC Regional Offices use records in category (i) above as a reference in preparing personnel actions requests on employees, determining employee eligibility for training or career development counseling and for back-up data in preparing award nominations, etc.

10. Any of the records described above may be used by the Commission in connection with any action or proceeding brought by an employee before another agency or a court of law to review personnel actions taken by the Commission or the failure by the Commission to take action.

11. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff, as a party or otherwise involved in an official capacity, is a party or otherwise involved in an official capacity, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

12. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental entity maintaining civil, criminal or other relevant enforcement information on individuals or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

13. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit to the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

14. As a data source for management information for production of periodic descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

15. To aid in responding to inquiries from an employee, Member of Congress, the press or others concerning personnel action taken with respect to a specified employee or employees.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe the SEC Public Reference Room to which the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records in categories (a) through (c), (e), (f), (g) and (h) are kept in folders in file cabinets. Records in category (d) are kept in a Kardex file. Records in category (i) are kept in Kardex file drawers or file boxes. Records in category (j) are kept in folders in locked cabinets.

Retrievability: Records are indexed by name.

Safeguards: Records in categories (a)-(g) are pulled and refiled by Office of Personnel staff only and that Office is locked each evening. Access to Official Personnel Folders is limited to employee concerned, his/her supervisors and administrative assistant, supervisors/administrative assistants considering him/her for a job or employee's designated representative; access by other individuals on official business is on a need-to-know basis as approved by the Director or Assistant Director of Personnel. Personnel folders are locked in the Diebold file each evening. Division/Office Directors and Regional Administrators are responsible for keeping employee record cards or employee files (Regional Offices only) under lock and for assuring that their confidentiality is maintained. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Records in category (a) are retained 6 months and then destroyed. Records in category (b) are forwarded to Federal Records Center 30 days after the employee leaves the SEC by retirement, resignation or death or forwarded to agency to which employee transfers as soon as new agency requests them. Records in category (c) are retained indefinitely. Records in category (e) are retained indefinitely. Records in category (f) are retained 5 years and then destroyed. Records in category (g) are sent to Civil Service Commission at the end of the month if the applicant is hired. If the applicant is not hired, records are retained for one year and then destroyed. Records in category (h) are retained indefinitely. Records in category (i) are retained while employee is assigned to office and forwarded to new SEC office if he/she transfers or destroyed if employee leaves the SEC.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Records source categories: Records in category (a) are obtained from applicant concerned and interviewer evaluating the applicant.
Records in category (b) are obtained from employee and supervisors concerned. Records in category (c) are obtained from official personnel folder of the employee concerned. Records in category (d) are obtained from employees applying for job and their supervisors. Records in category (e) are obtained from employees and supervisors concerning the position description (i) are obtained from employees and supervisors concerned. Records in category (g) are obtained from applicants. Records in category (h) are obtained from official personnel actions, employees and supervisors concerned. Records in category (i) are obtained from official personnel actions, employees and supervisors concerned.

SEC—50
System name: Office of Personnel Position Classification Files—SEC
Categories of individuals covered by the system: Records are maintained on SEC employees, present and past.
Categories of records in the system: This system of records contains the following categories of records: (a) official position descriptions; (b) classification and audit reports; (c) organization charts; (d) super-grade position submissions (correspondence with Civil Service Commission requesting new super-grade allocations or changes to existing ones); and (e) annual performance rating and position classification certifications.

Authority for maintenance of the system: 5 CFR, Sections 305, 430, 511 and Civil Service Regulations promulgated thereunder.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:
1. Official position descriptions indicate the duties to be performed by employees, in particular grade or pay positions and are utilized in connection with position management and control and for organizational job alignment purposes.
2. Classification and audit reports are used to indicate to employees, supervisors, and administrative assistants how title, grade, organization and to identify their titles and grades in that organization.
3. Organization charts are used to locate individuals in a specific organization and to identify their titles and grades in that organization.
4. Super-grade position submissions are used in processing current submissions.
5. Annual performance ratings and position classification certifications are used to compile statistical information. These ratings are made a part of the employee's personnel file and may be used in connection with personnel action.
6. These records may be used by the Commission in connection with any administrative or legal action by an employee brought before any governmental agencies, or in a court of law.
7. To aid in responding to inquiries from Members of Congress or other agencies concerning personnel actions taken against an employee.
8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained for related personnel management studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) including Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and that matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: Records are kept in folders and ringbinders in bookcase and file cabinets.
Retrievability: Position descriptions are retrieved by number assigned to job at time duties are classified; other data is retrieved by name.

Safeguards: Materials are pulled and filed by Office of Personnel staff only and the Office containing the records is locked each evening. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: All but one copy of each record described in (a) is destroyed when position is abolished or description is superceded. That copy is retained 5 years and then destroyed. Records described in (b), (c) and (e) above are retained 2 years and then discarded. Records described in (d) above are retained indefinitely.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1101 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Conesting record procedures: See Record access procedures above.

Record source categories: Records are obtained from interviews by position classifiers and/or management analysis staff of Executive Director's Office with employee and his/her supervisor(s) and administrative assistant.

SEC—51
System name: Office of Personnel Training Files—SEC
Categories of individuals covered by the system: Records are maintained on SEC employees, present and past.
Categories of records in the system: The system of records contains the following categories of records: (a) requests for training, and (b) training evaluations.

Authority for maintenance of the system: 5 CFR, Section 410 and Civil Service Regulations promulgated thereunder.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:
1. SEC staff uses records in category (a) above for statistical reports and employee career counseling.
2. Records in category (b) above are used to determine whether specific class/training source is worth utilizing again. If the decision is made that the class/source should not be reused, the employee's comments may be given to the training facility concerned for use in improving the class which the employee evaluated.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in folders in file cabinets.

Retrievability: Records are indexed by name.

Safeguards: Materials are pulled and refiled by Office of Personnel staff only and the Office containing the records is locked each evening. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Records are retained two years and then destroyed.

System manager(s) and address: Director of Personnel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records in category (a) are submitted by employee’s supervisor or administrative assistant. Records in category (b) are submitted by employees concerned.

SEC—52

System name: Office of Public Information Records—SEC


Categories of individuals covered by the system: Records are maintained on SEC Commissioners and other SEC officials, business and financial reporters and editors.

Categories of records in the system: Records include speeches by Commissioners and other Commission officials; telephone numbers and addresses of reporters and editors.

Authority for maintenance of the system: Information is given voluntarily to the Office of Public Information.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These and the information contained in these records may be used as follows:

1. To transmit any lawful compensation to an employee for time employed and/or special awards earned in the performance of official duties.

2. To compile tax withholding, retirement contributions and other types of deductions for transmission to designated authorized recipients (e.g., charity, unions, etc.), other Federal agencies (i.e., IRS, CSC, Treasury, etc.), or State taxing authorities.

3. To provide certain agencies (i.e., OMB, GAO) documents in substantiation of agency expenditures for salaries and personnel benefits by individual and/or by Office within the Commission.

4. As a source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: The speeches are kept in a filing cabinet and the press list is kept in a card index box.

Retrievability: Speeches are indexed by name and date. The presslist is indexed by name and publication.

Safeguards: Office of Public Information is locked after working hours. The building where the records are maintained has a 24-hour security guard.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Director, Office of Public Information, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information is given voluntarily by reporters and editors and persons requesting copies of speeches.

SEC—53

System name: Pay and Leave System—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch offices.

Categories of individuals covered by the system: Records are maintained on all individuals employed by the SEC in a current calendar year.

Categories of records in the system: Payroll, leave, attendance, and history records on magnetic tape or disc, card, printout, and other miscellaneous forms (i.e., W-4, retirement card).

Authority for maintenance of the system: Title 5, United States Code, appropriate sections within chapters 21 to 89.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These and the information contained in these records may be used as follows:

1. To transmit any lawful compensation to an employee for time employed and/or special awards earned in the performance of official duties.

2. To compile tax withholding, retirement contributions and other types of deductions for transmission to designated authorized recipients (e.g., charity, unions, etc.), other Federal agencies (i.e., IRS, CSC, Treasury, etc.), or State taxing authorities.

3. To provide certain agencies (i.e., OMB, GAO) documents in substantiation of agency expenditures for salaries and personnel benefits by individual and/or by Office within the Commission.

4. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Appropriate data is stored on magnetic tape or disc and is shown on computer printouts. Such data is supported by the originals of hard copies (e.g., time attendance cards, tax withholding statements from employees).

Retrievability: These records are indexed for individuals in alphabetical sequence by name or in numerical order by their agency employee numbers.

Safeguards: Only those people authorized by the Office of the Comptroller and certain governmental agencies, approved by law, are granted access to any of these records.

Retention and disposal: These records are maintained and disposed of pursuant to the regulations imposed by GSA Records Schedule 2, "Payrolling and Pay Administration Records."
Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The sources for the records are personnel action forms, time and attendance cards, withholding certificates, and other related documents, submitted by employees and the Office of Personnel.

SEC—54

System name: Personnel Security Files—SEC


Categories of individuals covered by the system: Present and former employees.

Categories of records in the system: Investigatory information relating to personnel investigations conducted by the U.S. Civil Service Commission and other Federal Agencies and Departments for the purpose of granting security clearances and making suitability determinations.

Authority for maintenance of the system: Executive Orders 10450 and 11652.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
2. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.
3. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
4. Any of these records may be used by the Commission in connection with any action or proceeding brought by an employee before an agency or a court of law to review personnel action taken by the Commission or the failure by the Commission to take action.
5. To aid in responding to inquiries from an employee, Member of Congress, the press or others concerning personnel action taken with respect to a specified employee or employees.

6. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular A-19 at any stage of the legislative coordination and clearance process that set forth in that circular.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Files

Retrievability: Indexed by name.

Safeguards: The records are maintained in locked safes. Access is had only by the Personnel Security Officer and his secretary, both of whom have been cleared for access to top secret information relating to personnel investigations.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: United States Civil Service Commission, other Federal, State and local agencies, previous employers, colleges and other educational institutions, references, and public sources.

SEC—55

System name: Public Utility Regulation Branch Files—SEC


Categories of individuals covered by the system: Records are maintained on attorneys, public utility holding company officials, intervenors and parties in public utility holding company civil and administrative proceedings, and legislators who actively are involved in public utility regulations.

Categories of records in the system: The records may include the following types of information: addresses, telephone numbers, business relationships, and information disclosed in public utility holding company proceedings and investigations.

Authority for maintenance of the system: Much information is unclassified. Public Utility Holding Company Act proceedings and investigations are held pursuant to Title 15, United States Code, Sections 79c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, l, v, x, z, z-1, z-2, z-3, z-4, z-5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To process public utility holding company applications, to answer inquiries, and to prepare and issue notices and orders under the Public Utility Holding Company Act.
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or other general law, pursuant to the Federal securities laws.

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enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. Any record from this system of records may be disclosed as a routine use to any person with whom the Commission contracts to reproduce, by typist, or other secretarial functions relating to the official business of the Commission.

6. Any record from this system of records may be disclosed to a requesting party in a civil action or proceeding involving allegations of violations of the Federal securities laws, and any record from any system of records maintained by the Securities and Exchange Commission, or the staff thereof, may be used by the Commission or its staff in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

7. As a source data for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Federal securities laws or the Commission’s Rules of Practice.

9. Records in this system may, in the discretion of the Commission, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

10. Any record in this system may be disclosed to a requesting party in a civil action or proceeding involving allegations of violations of the Federal securities laws, and any record from any system of records maintained by the Securities and Exchange Commission, or the staff thereof, may be used by the Commission or its staff in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

Retrievability: Records on individuals may be retrieved through use of index card system or the SEC Name-Relationship Index System.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed on all authorized disclosures. The office of Quality Assurance and Internal Controls is responsible for ensuring that the security of records kept is locked at night and a security guard watches 24 hours a day.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 78w, 79t, 77sss, 80a-37, 80b-11; 17 CFR 201.2(e).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the Commission's staff to determine whether to recommend to the Commission that action be instituted against an individual professional pursuant to the Rules of Practice.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing or disciplinary authority having jurisdiction over the individual to determine whether to impose discipline or other appropriate action.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary, to obtain information relevant to any agency decision, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

6. As a source data for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Federal securities laws or the Commission’s Rules of Practice.
necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the functions for which the records are collected and maintained, or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. In proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

9. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

In connection with examination, enforcement, and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or State or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is to perform specific functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or the Congress, to Congress less to grant advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the records of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form.

Retrievability: Records are accessed by individual name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel employed to perform such duties are subject to annual background investigation and are employed to prevent unauthorized disclosure.

Storage: The records are stored on paper and on computer records. Records are retained in a locked file room in a building having 24-hour security guards.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: General Counsel, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 1st Street, NW., D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information contained in the records is acquired from the individual, from court documents, the records from an administrative proceeding, and from investigation material gathered by the SEC staff from various sources.

SEC—57

System name: SECO Files—SEC

System location: Securities and Exchange Commission, Washington, D.C. 20549. Records also may be maintained by Regional and Branch Offices.

Categories of individuals covered by the system: Records are maintained on registered broker-dealers who are not members of a national securities association and persons who are associated with such non-member broker-dealers.

Categories of records in the system: The system contains information concerning non-member broker-dealers and persons associated with them and includes personal, educational and employment background, and business associations of the broker-dealer or associated persons. The system also contains information concerning any disciplinary proceedings or court actions brought against the individual.

Authority for maintenance of the system: Title 15, United States Code, Section 78o(b), 17 CFR 202.1985-1.

Final disposition of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. This system of records is routinely used in connection with the regulation by the Commission of non-member broker-dealers and persons associated with non-member broker-dealers pursuant to Section 15(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78o(b).

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant
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Records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule regulation or order issued pursuant thereto.

5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or to any other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

6. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

7. In responding to inquiries from Members of Congress, the press or the public regarding matters under the Commission's jurisdiction.

8. As a data source for management information for production of summary descriptive statistics and technical studies; for the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or State or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities or regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court or other appropriate person or entity as a result of a court order or administrative order or agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 200.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any investigation or administrative action conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the investigation or litigation.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for the purpose of performing clerical or stenographic functions relating to the official business of the Commission.

Records or information in records contained in this system may be disclosed to members of advisory committees, that are created by the Commission or the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records of this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Retrievability: The system is indexed by the name of the non-member broker-dealer or by the name of the associated person.

 Safeguards: The building in which the records are maintained has 24-hour security guards.

Record retention: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: The information in the system is derived from Forms SEC II (soon to be renumbered and redesignated Form U-4), submitted pursuant to Rule 15B-1, 17 CFR 240.15b-1 by the broker-dealer with which an applicant is associated and by the applicant for status as an associated person.

SEC—58

System name: Securities Violations Records and Bulletin—SEC


Categories of individuals covered by the system: Records are maintained on persons involved in actions for violations of foreign, Federal or State securities laws or the rules of securities self-regulatory organizations.

Categories of records in the system: Records contain names and all of the following information: An individual's name, address, information from other governmental agencies concerning the individual, a biographical sketch, his business associations, any charges, arrests, indictments, or convictions, and any court documents and orders in cases involving the individual. The Securities Violations Bulletin contains information on actions taken by foreign, Federal, State and courts and commissions and by self-regulatory organizations with respect to securities violations reported to the SEC within the preceding three months.

Authority for maintenance of the system: Title 15, United States Code, Sections 78u, 78ff, 77t, 77uu, 77tt, 80a-41, and 80b-9.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to compile the Securities Violations Bulletin and supplements thereto, for distribution to authorized SEC personnel, other Federal agencies, State securities regulatory authori-
ties, other Federal, State, local and foreign regulatory bodies with
liaison, enforcement functions, and nongovernmental consumer or­
ganizations.
2. By SEC personnel for purposes of investigating possible viola­
tions of the Federal securities laws.
3. By the disclosure by the Commission, to any person, agency, or
office made at the request of that individual.
4. When considered appropriate, records in this system may be
referred to bar association or similar Federal, State or local
disciplinary authority for possible disciplinary action.
5. A record from this system of records may be disclosed as a
"routine use" to a Federal, State or local governmental body or
agency maintaining civil, criminal or other relevant enforcement informa­
tion, or one referred to non-Federal regulatory bodies with
the issuance of a security clearance, the letting of a contract, or the issuance of a
license, grant, or other benefit.
6. A record from this system of records may be disclosed to a
Federal, State or local governmental authority, in response to its
request, in connection with the hiring or retention of an employee,
the issuance of a security clearance, the reporting of an investiga­
tion of an employee, the letting of a contract, or the issuance of a
license, grant, or other benefit by the requesting agency, to the ex­
tent that the information is relevant and necessary to the
requesting agency's decision on the matter.
Records in this system with either regulatory or enforcement responsibili­
ities mandated by the Federal securities laws (as defined in section
21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or
State or foreign laws regulating securities or other related matters,
are recorded in a system of records maintained by the Com­
mission, the Municipal Securities Rulemaking Board, the Securities
Investor Protection Corporation, the federal banking authorities,
including but not limited to, the Board of Governors of the Federal Reserve System, the Com­
ptroller of the Currency, and the Federal Deposit Insurance Corporation, state
regulatory bodies, or law enforcement agencies or organizations,
or regulatory or law enforcement agencies of a foreign government.
Records in this system may be disclosed as a "routine use" to any
trustee, receiver, master, special counsel, or other individual or
entity that is appointed by a court of competent jurisdiction, or as a
result of an agreement between the parties in connection with litiga­
tion or administrative proceedings involving allegations of viola­
tions of the Federal securities laws (as defined in section 21(g)
of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's
rules of practice, 17 CFR 202.1 et seq. or otherwise, where such
trustee, receiver, master, special counsel or other individual or enti­
ey who is specifically designated to perform particular functions with
respect to, or as a result of, the pending action or proceeding or in
connection with the administration and enforcement by the Com­
mision of the Federal securities laws or the Commission's Rules of
Practice.
Records in this system may, in the discretion of the Commis­
sion's staff, be disclosed to any person during the course of any
inquiry or investigation conducted by the Commission staff, or in
connection with civil litigation, if the staff has reason to believe
that the person to whom the record is disclosed may have further
information about the matters related therein, and those matters ap­
tended to be relevant at the time to the subject matter of the
inquiry.
A record or information in this system may be disclosed to any
person with whom the Commission contracts to reproduce, by typ­ing,
photocopy or other means, any record within this system for
use by the Commission and its staff in connection with the commis­
sion's official duties or to any person who is utilized by the Commission to
perform clerical or stenographic functions relating to the official
business of the Commission.
Records or information from records in this system may be in­
dexed in reports published by the Commission pursuant to authori­
ty granted the Commission under section 21(g) of the Securities
Records or information in the records in this system may be
released as a routine use to any person who is or has agreed to be
subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et
seq., and who assists in the investigation by the Commission of
possible violations of Federal securities laws (as defined in section
21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in
the preparation or conduct of enforcement actions brought by the
Commission for such violations, or otherwise in connection with
the Commission's enforcement or regulatory functions under the
Federal securities laws.
Disclosure may be made to a congressional office from the
record of an individual in response to an inquiry from the congres­
sional office made at the request of that individual.
Policies and practices for storing, retrieving, accessing, retaining,
and disposing of records in the system:
Storage: Records are maintained in hard copy form and on
magnetic tape and cards.
Retrieval: No individual name access is provided but the re­
ports are in alphabetical sequence by name and can be accessed in this
manner.
Safeguards: Access to and use of these records are limited to
those persons whose official duties require such access. Personnel
screening is employed to prevent unauthorized disclosure. Records are
kept in a locked office in a building with a 24-hour security guard.
Retention and disposal: These records are retained indefinitely.
While no formal schedule exists, these records periodically are sent to
a Federal Records Center for storage.
System manager(s) and address: Records Officer, Securities and
Notification procedure: All requests to determine whether this
system of records contains a record pertaining to the requesting in­
dividual may be made in person during normal business hours at
the SEC Public Reference Room at 1100 L Street, N.W., Wash­
gton, D.C., or by mail addressed to the Securities and Exchange
Record access procedures: Persons wishing to obtain information
on the procedures for gaining access to or contesting the contents of
these records may contact or address their inquiries to the Secu­
rities and Exchange Commission, Public Reference Section,
Washington, D.C. 20549.
Contesting record procedures: See Record access procedures
above.
Record source categories: Commission actions, State, Federal,
local and foreign regulatory and enforcement agencies, and securi­
ties self-regulatory organizations.
SEC—59
System name: Staff Transfer and Promotion Records—SEC
System location: Securities and Exchange Commission, Wash­
ington, D.C. 20549.
Categories of individuals covered by the system: Records are main­
tained on SEC past and present personnel.
Categories of records in the system: Records contain information
pertaining to career histories of SEC personnel, including informa­
tion as to transfers and promotions.
Authority for maintenance of the system: Title 15, United States
Code, Section 78d.
Routine uses of records maintained in the system, including catego­
ries of users and the purposes of such uses: These records and the
information contained in these records may be used for the follow­
ing:
1. To identify candidates for current and prospective job vacan­
cies.
2. As a data source for management information for production of
summary descriptive statistics and analytical studies in support of
the function for which the records are collected and maintained or
for related personnel management functions or manpower studi­
es; may also be utilized to respond to general requests for statistical
information (without personal identification of individuals) under the Freedom of Information Act or to locate specific indi­
viduals for personnel research or other personnel management functions.
3. For use in any administrative matter before any tribunal, in­
cluding the Civil Service Commission, involving review of person­
nel action or the failure to take personnel action with regard to an
SEC employee.
4. A record from this system of records may be disclosed as a
"routine use" to a Federal, State or local governmental authority
maintaining civil, criminal or other relevant enforcement informa­
tion or other pertinent information, such as current licenses, if
necessary to obtain information relevant to an agency decision con­
cording the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the letting of a contract, or the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are kept in paper form in file holders, binders and file cabinets.

Retrievability: Records are indexed by the employee’s name and organizational unit within the agency.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are kept in a building have a 24-hour security guard.

Retention and disposal: Records are updated periodically, and out-of-date records are destroyed.

System manager(s) and address: Executive Director, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Records contain information supplied by the employee, and his supervisors, the Office of the Executive Director and the Office of Personnel.

System name: Subject File Index—SEC


Categories of individuals covered by the system: Records are maintained on persons who make general inquiries of the Commission or who complain of matters under the Commission’s jurisdiction.

Categories of records in the system: Contains the name of the person making the inquiry or complaint and indicates the subject file where the communication has been filed.

Authority for maintenance of the system: Inquiries are voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To classify general inquiries and complaints.

2. For compiling statistics with respect to the number and nature of requests to be used in formulating budgetary and manpower recommendations.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-g), or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such transactions, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use only. They are kept in a locked office in a building having a 24-hour security guard.

Records in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in records contained in this system may be disclosed to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-g), in the regulatory or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on 3 x 5 inch index cards and stored in filing boxes.

Retrievability: Records are indexed by individual name.

Safeguards: Records maintained in the Classification Unit for staff use only. They are kept in a locked office in a building having a 24-hour security guard.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Records Officer, Securities and Exchange Commission, 1100 L Street, N.W., Washington, D.C. 20549.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record source categories: Communications from persons making general inquiry or complaining of matters under the Commission’s jurisdiction.
SEC—61
System name: Atlanta Regional Office General Index of Files—SEC
System location: Atlanta Regional Office, Suite 788, 1375 Peachtree Street, N.E., Atlanta, Georgia 30309.

Categories of individuals covered by the system: Individuals on whom records are maintained in this system are generally from within the region covered by this office and are from one or more of the following categories:

1. Actual and prospective purchasers and sellers of securities; registered investment advisers, and associated persons who have been named in any notice, application, questionnaire, report, or other document submitted to the Commission or its staff pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving alleged violations of Federal securities laws or involving the application of Federal bankruptcy laws; persons who have communicated with the SEC or its staff concerning any proceedings involving alleged violations of Federal securities laws; defendants, to the Federal securities or bankruptcy laws; persons who were or been named in any notice, application, questionnaire, report, or other pertinent information, such as current licenses, if

2. Records or information in records contained in this system may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of
possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: Records are indexed by individual name, entity name, file and/or release number.

Safeguards: Records are kept in area available only to agency personnel and building staff. Only authorized personnel have access to the records. The buildings in which the records are maintained have restricted public access.

Retention and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, Suite 140, 1371 Peachtree Street, N.E., Atlanta, Georgia 30309.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Federal, State, local and foreign regulatory and law enforcement agencies; securities self-regulatory organizations; securities broker-dealers, investment advisers, investment companies, securities issuers, various publicly-owned businesses and their employees; filings with the SEC required of organizations and individuals; courts, and a variety of individuals, including where practicable the individual under investigation.

SEC—62

System name: Atlanta Regional Office Investigative Files—SEC

System location: Atlanta Regional Office, Suite 788, 1375 Peachtree Street, N.E., Atlanta, Georgia 30309.

Categories of individuals covered by the system: Individuals who are or have been in investigations into possible violations of the Federal securities laws including broker-dealers, investment advisers, and investment companies.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77b(b), 78a(a), 79(a), 77uu(a)(1), 80a-4(i)(1, 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. By persons investigating a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current residence, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production or analysis of statistics, for summaries or analytical studies in support of the function for which the records are collected and maintained, for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal financial regulatory authorities, in connection with, or related to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff in connection with civil litigation, if in the staff's opinion, to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.
A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made pursuant to official duties.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

 Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During the continuation of the enforcement action, the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file is sent to the headquarters office in Washington, D.C.

System manager(s) and address: Administrator, Securities and Exchange Commission, 1371 Peachtree Street, N.E., Atlanta, Georgia 30309.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—63

System name: Boston Regional Office Investigation Index File—SEC

System location: Securities and Exchange Commission, Boston Regional Office, 150 Causeway Street, Boston, Massachusetts, 02114.

Categories of individuals covered by the system: Individuals who are subjects of complaints, investigations, or who were witnesses called in connection with investigations.

Categories of records in the system: Information includes the individual name and any individual working on the matter under investigation, the investigation file number, if any, and refers to relevant Commission releases or Securities Violations Bulletin materials. The SEC attorney and investigator assigned to the matter also are noted.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s, 77t, 78u, 79, 79aa, 80a-41, and 80b-9; 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information in these records may be used for the following:


2. Where there is an indication of a violation or potential violation of law, obtain information relevant to an agency decision whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or regulatory organization involving one or more of its members.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with investigations or disciplinary proceedings by the SEC, in its regulatory authority or by a securities self regulatory organization involving one or more of its members.

5. To aid in responding to inquiries from Members of Congress, the press or the public, concerning individual complaints or matters under investigation.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign law's regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal boards, authorities, and commissions, to the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.
Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is disclosed to members of advisory committees (other than the staff) on particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with the Commission’s staff’s reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typewriting, photocopy or other means, any record within this system for the purpose of performing clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed as a routine use to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a license, or other pertinent information, such as current licenses, if necessary for the performance of official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: Records are indexed alphabetically by an individual’s name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are maintained in a locked office in a building that has a 24-hour security guard.

Record and disposal: Records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 150 Causeway Street, Boston Massachusetts 02114.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on or to access to or obtain the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.
Section 65

System name: Chicago Regional Office Index Cards—SEC

System location: Chicago Regional Office, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1708, Chigado, Illinois 60604.

Categories of individuals covered by the system: Individuals who are associated with registered broker-dealers and investment advisers and individuals who have been named defendants or respondents in administrative, civil or criminal cases.

Categories of records in the system: Records contain personal information pertaining to an individual, i.e., name, address, business affiliations and his relationships or transactions with broker-dealers, investment advisers and others. These records refer also to SEC releases and indicate the dispositions of court or administrative proceedings; they also contain information regarding SEC investigations or administrative, civil or criminal proceedings in which an individual has been involved.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or, by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 15 CFR 201.2(e).
6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining regularly assigned civil, criminal or other legal personnel for law enforcement or regulatory or law enforcement agencies of a foreign government, for investigative purposes under the scope of the SEC's jurisdiction under the Federal securities laws.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To aid in responding to inquiries by Members of Congress, the press and the public concerning matters that are within the scope of the SEC's jurisdiction under the Federal securities laws.

Records or information from records in this system may be disclosed as a "routine use" to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

11. A record or information in this system may be disclosed to any person who is or has agreed to be utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authorities granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to Members of Congress or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a "routine use" to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq. and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form, on microfilm, and on microfiche.

Retrievability: System is indexed by name.

Safety guards: Staff personnel maintain and safeguard materials during regular working hours. At night and during weekends, office doors are locked and buildings guarded. Only authorized personnel are permitted in buildings or in office at night and during weekends. Members of public are permitted access only to public information. Nonpublic, investigative records are maintained in specified files to be made public in such files.

Persons arriving at office are admitted only through reception desk.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Chicago, Illinois 60604.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable those to whom the information relates, witnesses, banks, corporations, or other bodies gathered during the course of the investigation.

Information supplied by stock exchanges, the National Association of Securities Dealers, Inc.; Postal Inspection Service, Department of Jus­ tice, Securities and Exchange Commission, or other foreign, Federal, State or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to Code of Federal Regulations, Title 17, Chapter 1, and from other offices within the Commission.

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System name: Chicago Regional Office Investigative Files—SEC

System location: Chicago Regional Office, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1708, Chicago, Illinois 60604.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memorandum, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, statements from witnesses; transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

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Authority for maintenance of the system: Title 15, United States Code, Sections 77(b), 78(a), 79(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 201.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. By the Commission to assess whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto; the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a ‘routine use’ to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit, or otherwise in connection with or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific information about an individual in response to an inquiry from the Congress or the public relating to matters under the Commission's jurisdiction.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals or for personnel research or other personnel management functions.
9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority or professional organization for possible disciplinary action.
10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Retaining and disposing of records in this system: The records are retained by the staff of the Commission indefinitely. The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During the period of an investigation or subsequent enforcement action, the records are normally maintained by individuals working on the matter or in a private file room. Records are supervised by supervisory personnel.

Records are destroyed after the matter is concluded, original documents are returned to the person or agency supplying the record. Other documents may be destroyed, sent to the headquarters office in Washington, D.C., or sent to the Federal Records Center for storage. Opening, closing and progress reports, as well as internal references of administrative records may be maintained indefinitely by this Office.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, Chicago Regional Office, Everett McKinley Dirksen Bldg., 219 South Dearborn Street, Room 1708, Chicago, Illinois 60604.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Secu-

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contesting record procedures: See record access procedures above.

record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during the course of the public relating to the investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

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system name: Cleveland Branch Office Broker-Dealer Files--SEC
system location: Cleveland Branch Office, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199

categories of individuals covered by the system: (1) Broker-dealers registered with the Commission pursuant to the Securities Exchange Act of 1934 and persons associated with such broker-dealers located in Ohio and assigned to the Cleveland Branch Office for inspection by the Chicago or regional office. (2) Broker-dealers against whom complaints have been filed or about whom inquiries have been made. (3) Open broker-dealer complaint file containing complaints against broker-dealers which are being processed and not yet resolved.

categories of records in the system: Formal filings, applications and general correspondence relating to registered broker-dealers in the geographical area covered by this office, letters of complaint or inquiry concerning the broker-dealer, inner-office memoranda and work papers in connection with a complaint or inquiry as against a broker-dealer, broker-dealer inspection reports prepared by Cleveland Branch Office staff.

authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:
1. To aid in processing documents to be filed with the Commission by registered broker-dealers.
2. To aid in responding to inquiries from Members of Congress, the press or the public relating to brokerage.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and arising under general or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority, or by a securities self-regulatory organization, involving any of its members.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefits.
8. A record from this system of records may be disclosed to a Federal, State, or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of reports on the activities described above, in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or local records for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities, the records in this system may be disclosed to the Securities and Exchange Commission for such purposes as the enforcement of the Federal securities laws; to persons associated with such broker-dealers; to other governmental authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a trustee, receiver, master, special counsel or other individual or entity that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any investigation or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopying or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

information from or in any record of this system may be included as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: These records are filed in locked file cabinets located in rooms not available to the public. The Open Complainant File is located in a file cabinet in the outer office that is locked and accessible to the secretary processing such complaints.

Retrievability: The system is indexed by name alphabetically.

Safeguards: File cabinets containing these files are located in non-public rooms and locked.

Retention and disposal: Open complaint files, when closed, are placed in the appropriate broker-dealer file; broker-dealer files forwarded to Cleveland Branch Office for inspection are returned to the Chicago Regional Office after inspection; broker-dealer files containing complaints and inquiries are retained until broker-dealer cases doing business with them—which they are forwarded to the home office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered broker-dealers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities; or securities self-regulatory organizations.

Categories of records in the system: Docket Cards that indicate individuals involved in investigations or proceedings by the Commission that have taken enforcement action, i.e., civil, or administrative or who were defendants in criminal cases in which the Commission has an interest; individuals making complaints or seeking information from the staff, individual case files, complaints conducted by the staff, and individuals about whom information was received from other Federal, State, local or foreign regulatory or law enforcement authorities or securities self-regulatory organizations.

Categories of records in the system: Docket Cards that indicate individuals involved in investigations or proceedings by the Commission that have taken enforcement action as reported in the SEC Docket; cards briefly informing mail from all sources; complaint cards that show the individual complainant, the broker-dealer or issuer involved, the attorney assigned to the matter, date notice of complaint sent to the Chicago Regional Office, date letters of acknowledgement and inquiry are sent to complainant and broker-dealer or issuer involved and the date the matter is closed; E 10-1 Cards, which show the location of correspondence from individuals; E 10-2 Cards, which cross-reference the individual's name to a broker-dealer involved in an inquiry or complaint; case index cards which contain names of individuals against whom a case has been opened classified to the proper case file; Regulation A Filing Cards (these cards are kept for reference purposes since they are no longer received from the Chicago Regional Office or the Washington Home Office); and tickler cards which contain the names of individuals from whom correspondence or information is due in order to remind attorney handling the matter as to whether or not that information has been received.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(a)(b), 78u(a), 79(a), 77uu(a), 80a-41(a), 80b-9(a) and 202.25.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows: 1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
A record or information in this system may be disclosed to any person without the Commission's authority to reproduce, copying, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda and work papers, Commission Minutes and Commission Orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, transcripts of testimony taken in the investigation, staff procedures and affidavits made in response to summaries of findings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of the investigation; all other documents and records relating to the investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(b), 78a(a), 79a(a), 77uu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda and work papers, Commission Minutes and Commission Orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, transcripts of testimony taken in the investigation, staff procedures and affidavits made in response to summaries of findings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of the investigation; all other documents and records relating to the investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(b), 78a(a), 79a(a), 77uu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization, to be used solely in connection with the investigation by the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization, prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local government authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the issuing of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a securities self-regulatory organization for possible disciplinary action.

5. A record from this system of records may be disclosed as a "routine use" to a securities self-regulatory organization or to be used solely in connection with its official, designated functions.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members or a record is referred, as a routine use to a securities self-regulatory organization.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of decisions for which the records were collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system may be disclosed to securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.
Records in this system may be disclosed as a routine use to any
trusted, receiver, master, special counsel, or other individual or en-
tity that is appointed by a court of competent jurisdiction, or as a
result of an agreement between the parties in connection with litiga-
tion or administrative proceedings involving allegations of viola-
tions of the Federal securities laws (as defined in section 21(g)
of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission's
rules of practice, 17 CFR 202.1 et seq. or otherwise, where such
receiver, master, special counsel or other individual or entity
is specifically designated, to perform particular functions with
respect to, or as a result of the pending action or proceeding or in
connection with the administration and enforcement by the Com-
mission of the Federal securities laws or the Commission's Rules of
Practice.

Records in this system may, in the discretion of the Commiss-
ion's staff, be disclosed to any person during the course of any
inquiry or investigation conducted by the Commission staff, or in
connection with civil litigation, if the staff has reason to believe
that the person to whom the records are disclosed may have further
information about the matters related therein, and those matters ap-
peared to be relevant at the time to the subject matter of the
inquiry.

A record or information in this system may be disclosed to any
person with whom the Commission contracts to reproduce, by typ-
ing, photocopy or other means, any record within this system for
use by the Commission and its staff in connection with their offi-
cial duties or to any person who is utilized by the Commission to
perform clerical, or stenographic functions relating to the official
business of the Commission.

Records or information from records in this system may be in-
cluded in reports published by the Commission pursuant to authori-
ty granted in the Federal securities laws (as defined in section 21(g)

Records or information in records contained in this system may be
disclosed to members of advisory committees that are created by
the Commission or by the Congress to render advice and recom-
mandations to the Commission or to the Congress, to be used sole-
lery in connection with their official, designated functions.

Records or information in the records in this system may be dis-
closed as a routine use to any individual or entity who is or has agreed to be
subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of
possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in
the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with
the Commission's enforcement or regulatory functions under the
Federal securities laws.

Disclosure may be made to a congressional office from the
record of an individual in response to an inquiry from the congress-
onal office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining,
and disposing of records in the system:

Storage: These records are filed in file folders, investor en-
vailents, documentation files, and files concerning cases in which
a record or information is used for the follow

Retrieval: The system is indexed alphabetically by name.

Safeguards: Files are kept in a locked file cabinet in a file room
which is not open to the public.

Retention and disposal: Investigatory files are kept in the Cleve-

land Branch Office as long as space permits, after which time those
which are no longer needed are forwarded to the home office in
Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities
and Exchange Commission, 899 Anthony J. Celebrezze Federal Bldg.,
1240 East Ninth Street, Cleveland, Ohio 44199.

Notification procedure: All requests to determine whether this
system of records contains a record pertaining to the requesting in-
dividual or entity, or to be mailed to the Division of Business
Law at the SEC Public Reference Room at 1100 L Street, N.W., Wash-
ington, D.C., or by mail addressed to the Securities and Exchange

Access procedures: Persons wishing to obtain information on
the procedures for gaining access to or contesting the contents of
these records may contact or address their inquiries to the Secu-
rities and Exchange Commission, Public Reference Section,
Washington, D.C. 20549.

Contesting record procedures: See Record access procedures
above.

Record source categories: Information in these records is supplied
by individuals including where practicable those to whom the infor-
mation relates, witnesses, banks, corporations, partnerships, or
other entities during the course of an inquiry or investigation; infor-
mation supplied by stock exchanges, the National Association of
Securities Dealers, Inc., the American Stock Exchange, the Board of
Justice, State Securities Commissions, State Securities Divisions,
or other foreign, Federal State or local bodies and law enforcement
agencies; information obtained from public sources, i.e., libraries,
newspapers, television, radio, court records, filings with Federal,
State, or local bodies; information contained in filings made with
the SEC pursuant to law and information from other offices within the
Commission.

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System name: Cleveland Branch Office Investment Adviser
Files—SEC

System location: Cleveland Branch Office, 899 Anthony J.
Celebrezze Federal Bldg., 1240 East Ninth Street, Cleveland, Ohio
44199.

Categories of individuals covered by the system: (1) Investmen
advisers registered with the Commission pursuant to the Invest-
ment Advisers Act of 1940 and persons associated with such invest-
advisers who are located in Ohio and assigned to the Cleveland
Branch Office for inspection by the Chicago Regional Office and
(2) investment advisers against whom complaints have been filed or
of whom inquiries have been made.

Categories of records in the system: Formal filings, applications
and general correspondence relating to registered investment ad-
visers in the geographic area covered by this office, letters of
complaint or inquiry concerning the investment adviser, inner-offi-
cer memorandum and work papers in connection with a complaint or
inquiry as against an investment adviser and investment adviser in-
spection reports prepared by Cleveland Branch Office staff.

Authority for maintenance of the system: Title 15, United States
Code, Section 80b-1 et seq.

Routine uses of records maintained in the system, including catego-
ries of users and the purposes of such uses: These records and
the information contained in these records may be used for the follow-

1. To aid in processing documents to be filed with the Commiss-
ion by registered investment advisers.

2. To aid in responding to inquiries from Members of Congress,
the press or the public relating to investment advisers.

3. By SEC personnel for purposes of investigating possible viola-

tions of the Federal securities laws.

4. Where there is an indication of a violation or potential viola-
tion of law, whether civil, criminal or regulatory in nature, and
whether arising by general statute or particular program statute, or
by regulation, rule or order issued pursuant thereto, the relevant
records in the system of records may be referred, as a routine use,
to the appropriate agency, whether Federal, State, local, foreign or
a securities self-regulatory organization charged with the responsi-
bility of investigating or prosecuting such violation or charged with
enforcing or implementing the statute, or rule, regulation or order
issued pursuant thereto.

5. In any proceeding where the Federal securities laws are in
issue or in which the Commission or past or present members of its
staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings
by a State securities regulatory authority or by a securities self-
regulatory organization involving one or more of its members.

7. A record from this system of records may be disclosed as a
"routine use" to a Federal, State or local governmental authority
maintaining civil, criminal or other relevant enforcement informa-
tion or other pertinent information, such as current licenses, if
necessary to obtain information relevant to an agency decision con-
cerning the hiring or retention of an employee, the issuance of a
license, or other benefit.

8. A record from this system of records may be disclosed to a
Federal, State or local governmental authority, in response to its
request, in connection with the hiring or retention of an employee,
the issuance of a license, grant or other benefit.

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9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system are disclosed to members of Congress or of committees of Congress, banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that appoints a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trust, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the investigation, all internal staff memoranda, Commission staff and all other documents and records relating to the investigation, all minutes and Commission orders relevant to the investigation, all staff reports prepared in connection therewith, copies of pleadings and exhibits in related private or governmental actions, documents and records of copies thereof obtained in the course of any investigation, working papers of the staff, all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Categories of records covered by the system: All correspondence relevant to the investigation, all internal staff memoranda, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records of copies thereof obtained in the course of any investigation, working papers of the staff, all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation of potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its...
request, in connection with the hiring or retention of an employee, the termination of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to extent that the information is relevant and necessary to the requesting agency's official, designated functions.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a securities regulatory or law enforcement authority or by a self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(c) of its Rules of Practice, 17 CFR 201.2(c).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the staff of any other offices within the Commission, the public and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 201.2(e). That individual is supervised by supervisory personnel.

Retirement and disposal: After the case is completed, documents normally are returned to owners and the remaining records are sent to the headquarters office in Washington, D.C.

System manager(s) and address: Administrator, Securities and Exchange Commission, Public Reference Section, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stockholders, brokers, and other persons; information supplied by the Securities and Exchange Commission, Public Reference Section, Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Categories of individuals covered by the system: Individuals who have relationships with issuers of securities pursuant to Regulation A under the Securities Act of 1933 and persons who have been connected with such securities offerings filed with the SEC.

Categories of records in the system: The record discloses the individual's relationship to the issuer or the offering, to extent covered by the Denver Regional Office.

Categories of records in the system: The record discloses the individual's relationship to the issuer or the offering, and includes personal information concerning the individual including name, address, date of birth, relationship to the issuer or the offering, where appropriate.

Authority for maintenance of the system: Title 15, United States Code, Section 77(e)(b).
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

1. To process filings made pursuant to Regulation A under the Securities Act of 1933.
2. To respond to inquiries from Members of Congress, the press and the public concerning offerings under Regulation A.
3. To respond to inquiries from Members of Congress, the press and the public concerning offerings under Regulation A.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulations, rules or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
7. As a data source for management and for production of statistics or for development of analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information. Accurate and complete persons and organizations, or regulatory or law enforcement agencies of a foreign government.

Categories of records in the system:

Records or information in records contained in this system may be disclosed to members of advisory committees that are created and disposed of records in the system:

1. To process filings made pursuant to Regulation A under the Securities Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending proceeding or proceeding in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about any matter before the Commission, and that the information contained in these records may be used as follows:

1. To process filings made pursuant to Regulation A under the Securities Act of 1933.
2. To respond to inquiries from Members of Congress, the press and the public concerning offerings under Regulation A.
3. To respond to inquiries from Members of Congress, the press and the public concerning offerings under Regulation A.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulations, rules or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
7. As a data source for management and for production of statistics or for development of analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information. Accurate and complete persons and organizations, or regulatory or law enforcement agencies of a foreign government.
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1. By SEC personnel to retrieve other files that contain information about the individual and to aid in processing filings made with the Commission.

2. To aid in responding to requests from Members of Congress, the preparation or conduct of enforcement actions brought by the Commission, the preparation or conduct of enforcement actions brought by the Commission, the preparation or conduct of enforcement actions brought by the Commission, the preparation or conduct of enforcement actions brought by the Commission, the preparation or conduct of enforcement actions brought by the Commission.


4. In connection with the preparation or conduct of enforcement actions brought by the Commission.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff are a party or otherwise involved in an official capacity.

6. As a data source for management information for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; also to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or of the Securities and Exchange Commission, any records contained in this system may be referred, as a routine use, by regulation, rule or order issued pursuant thereto, to any governmental authority, in response to its inquiry.

Categories of individuals covered by the system:


Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Files described under "Category of Individual."
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inquiry concerning the broker-dealer; inner-office memoranda and work product are not protected from disclosure by a complaint or inquiry as against a broker-dealer; broker-dealer inspection reports prepared by Detroit Branch Office.

Authority for maintenance of the system: Title 15, United States Code, Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
1. To aid in processing documents to be filed with the Commission by registered broker-dealers.
2. To aid in responding to inquiries from Members of Congress, the press or the public, relating to broker-dealers.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In connection with proceedings where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by any self-regulatory organization, including such organization's staff, that may be authorized to conduct investigations or disciplinary proceedings and that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person, with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or other support functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or by the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.1 et seq., who is engaged in the business of the Commission.

Policy and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: These records are filed in locked file cabinets located in rooms not available to the public.
Retrieveability: The system is indexed by name alphabetically.
Safeguards: File cabinets containing these files are located in non-public rooms and locked for further protection.
Retention and disposal: Complaint files, when closed, are placed in the appropriate broker-dealer file and broker-dealer files forwarded to the Detroit Branch Office for inspection purposes are returned to the Chicago Regional Office after the inspection has been completed; broker-dealer files containing complaints and inquiries are retained until the broker-dealer ceases doing business, after which time they are forwarded to the Chicago Regional Office.
System manager(s) and address: Attorney-in-Charge, Detroit Branch Office, SEC, 1044 Federal Building, Detroit, Michigan 48226.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered broker-dealers; information received from the public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.
SEC—75
System name: Detroit Branch Office Index Cards—SEC

Categories of individuals covered by the system: Case index cards which contain the names of individuals against whom a case has been opened, or who are subjects of an investigation or inquiry not yet formally opened, are cross-referenced to the proper case files.

Categories of records in the system: See description of Category of Individual, above.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79(a), 77uuu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or regulatory enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) concerning the hiring or retention of an employee, the issuance of a license, grant or other benefit or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission or to the Congress.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission or by the Congress to render advice and recommendations to the Congress or to the Congress to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Practice, 17 CFR 202.5 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Records may be made to a congressional office from the records of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: Information on these cards is typewritten on 3 x 5 inch cards and stored in small file boxes in the Detroit Branch Office file room, which is not open to the public.
Retrievability: All cards are indexed alphabetically.
Safeguards: File boxes containing index cards are located in a file room not open to the general public.

Retention and disposal: Cards are retained for future reference and are not disposed of.

System manager(s) and address: Attorney-in-Charge, Detroit Branch Office, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.
Record source categories: Information in these records is supplied by individuals, incoming mail, SEC dockets and records, telephone or walk-in complaints, and other regulatory agencies.

SEC—76
System name: Detroit Branch Office Investigatory Files—SEC

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws, including issuers, broker-dealers, investment advisors, and the like.

Categories of records in the system: All correspondence relevant to the investigation; all internal staff memoranda and work papers; Commission Minutes and Commission Orders relevant to the investigation; copies of all subpoenas issued in the course of the investigation; transcripts of testimony taken in the investigation; statements and affidavits taken from investor and other witnesses; copies of pleadings and exhibits in related private or governmental actions; documents and records or copies thereof obtained in the course of an investigation; internal memoranda pertaining to an investigation; and all other documents and records relating to the investigation.

Authority for maintenance of the system: Title 15, United States Code, Sections 77a(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a) and 17 CFR 202.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. By the staff of the SEC in the course of the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management or management or studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for purposes of disciplinary action.
10. In responding to inquiries from Members of Congress, the press and the public, relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are subject to the Commission’s jurisdiction, the Municipal Securities Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Reserve System, any similar state securities regulators or state or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to members of advisory committees while such committees or their members are performing their official, designated functions.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Retention and disposal: Investigatory files are kept in the Detroit Branch Office so long as space permits, after which time those which are no longer needed are forwarded to the Commission's headquarters office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, Detroit Branch Office, 1644 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.
SECURITIES AND EXCHANGE COMMISSION

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Records may be obtained by sending information about the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including, where practicable, those to whom the information relates, witnesses, banks, corporations, partnerships, or other entities during the course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, State Securities Divisions, or other foreign, Federal, State or local bodies of law enforcement agencies; memoranda and work papers in connection with a complaint or inquiry concerning the investment adviser, intra-office correspondence or general correspondence relating to registered investment advisers; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—77

System name: Detroit Branch Office Investment Adviser Files—SEC


Categories of individuals covered by the system: (1) Investment Advisers registered with the Commission pursuant to the Investment Advisers Act of 1940 located in Michigan and assigned to the Detroit Branch Office for inspection by the Chicago Regional Office and persons associated with such investment advisers and (2) investment advisers against whom complaints have been filed or of whom inquiries have been made.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered investment advisers in the geographical area covered by this office, letters of complaint or inquiry concerning the investment adviser, intra-office memoranda and work papers in connection with a complaint or inquiry against an investment adviser and investment adviser inspection reports prepared by the Detroit Branch Office for public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State or local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

Categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered investment advisers.
2. To aid in responding to inquiries from Members of Congress, the public or the public relating to investment advisers.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular legislation, the SEC, by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a self-regulatory organization charged with the responsibility of investigating or prosecuting such violations or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In connection with a proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a securities clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority in response to its request in connection with civil litigation, if the staff has reason to believe that the information is relevant and necessary to the requesting authority's decision on the matter.
9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the Federal Reserve System, the Federal Reserve Bank of New York, state or federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory authorities, or state, federal, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typng, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information from records in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or—otherwise in connection with

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the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in lockable file cabinets located in rooms not available to the public.

Retrievability: The system is indexed by name alphabetically.

Safeguards: File cabinets containing these files are located in non-public rooms.

Retention and disposal: Complaint files, when closed, are placed in the appropriate investment adviser file; investment adviser files forwarded to the Securities and Exchange Commission’s Regional Office after inspection; investment adviser files containing complaints and inquiries are constantly retained until investment adviser ceases doing business, after which time they are forwarded to the Commission’s headquarters office in Washington, D.C.

System manager(s) and address: Attorney-in-Charge, 1044 Federal Building, 231 W. Lafayette, Detroit, Michigan 48226.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered investment advisers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC—78

System name: Fort Worth Regional Office and Houston Branch Office—General Indices—SEC

System location: Fort Worth Regional Office, 503 U.S. Court House, 10th and Lamar Streets, Fort Worth, Texas 76102; Houston Branch Office, Federal Office and Courts Bldg., 515 Ruskin Avenue, Room 7615, Houston, Texas 77002.

Categories of individuals covered by the system: Individuals involved in investigations and enforcement actions taken by the SEC and other law enforcement authorities and individuals who are affiliated with issuers filing notifications pursuant to Regulation A under the Securities Act of 1933.

Categories of records in the system: The indices show the relationship between individual investigations and enforcement actions and filings pursuant to Regulation A.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. By the SEC staff to correlate information concerning an individual and, where appropriate, to recommend a formal investigation involving the individual.

2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

4. In any proceeding where the Federal securities laws are in issue, or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. In connection with the Commission’s enforcement or regulatory functions under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

8. To aid in responding to requests from Members of Congress, the press and the public concerning matters under the Commission’s jurisdiction.

9. To aid in connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authority for possible disciplinary action, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency for regulatory, licensing or other purposes.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel between the parties in connection with manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

11. To aid in responding to requests from Members of Congress, the press and the public concerning matters under the Commission’s jurisdiction.

In all such records in this system, information that is collected and maintained or related personnel between the parties in connection with manpower studies may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction as a receiver or a custodian or as a representative of a bankruptcy or other proceeding involving one or more of its members.

Records in this system may be disclosed to any person in connection with, or in anticipation of, or in preparation for, any proceeding in which the Federal securities laws are in issue, or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

When used in connection with, or in anticipation of, or in preparation for, any proceeding in which the Federal securities laws are in issue, or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

In connection with the Commission’s enforcement or regulatory functions under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typewriting or photocopying any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions related to the official business of the Commission.
Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records of or information contained in records in this system may be disclosed by individuals, including where practicable those to whom the record or information is relevant and necessary to the requesting individual or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in paper form in file folders and binders.

Retrievability: System is indexed by name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are safeguarded by a 24-hour security guard at the building’s entrance.

Relocation and disposal: These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

System manager(s) and address: 1. For information maintained in the Fort Worth Regional Office: Regional Administrator, Securities and Exchange Commission, 503 United States Courthouse, 10th and Lamar Streets, Fort Worth, Texas 76102. 2. For information maintained in the Houston Branch Office: Attorney-in-Charge, Houston Branch Office, Federal Office and Courts Building, 515 Rusk Avenue, Houston, Texas 77002.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Reference Room at 1100 L Street, N.W., Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable those to whom the records relate, by witnesses, banks, corporations, or other entities gathered during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, the Securities and Exchange Commission, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—79

System name: Fort Worth Regional Office Investigative Files—SEC.

System location: Fort Worth Regional Office, 503 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, Texas 76102.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoraandu, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff, and other documents used in the course of an investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(b), 78(a), 79(r)(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule or regulation or order issued pursuant thereto.
3. Records from this system of records may be disclosed to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with violations by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of Commission for which records are collected and maintained or for related personnel management functions or personnel management studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority or professional organization for possible disciplinary action.
10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission’s jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, retaining this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

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Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typiing, photocopying, or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records of information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders, microform and on file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation, the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file (except for correspondence and other auxiliary records) is sent to the headquarters office in Washington, D.C. Witness' documents are retained for ten years. Correspondence and other auxiliary records are kept for about one year and then sent to the Federal Record Center at Fort Worth for storage.

System manager(s) and address: Regional Administrator, Fort Worth Regional Office, 503 U.S. Courthouse, 10th and Lamar Streets, Fort Worth, Texas 76102.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of or as a result of investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, government sources, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC--80

System name: Houston Branch Office Investigative Files--SEC

System location: Houston Branch Office, Federal Office and Courts Building, 515 Rusk Avenue, Room 7615, Houston, Texas 77002.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda, Commission minutes, Commission orders, orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign, or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain or verify information relevant to the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on file cards.

Retrieveability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission’s Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation the records are normally maintained by the individual working on the matters. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file (except for correspondence and other auxiliary records) is sent to the headquarters office in Washington, D.C. Witnesses’ documents are returned to the witnesses. Correspondence and other auxiliary records are kept for about one year and then sent to the Federal Record Center at Fort Worth for storage.

System manager(s) and address: Attorney-in-Charge, Houston Branch Office, Federal Office and Courts Bldg., 515 Bush Avenue, Room 7615, Houston, Texas 77002.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and from other offices within the Commission.

SEC—81

System name: Los Angeles Regional Office Broker-Dealer Filings SEC

System location: Los Angeles Regional Office, U.S. Courthouse, 312 North Spring Street, Los Angeles, California 90012. In September, 1975, the Los Angeles Regional Office will be relocated to 10960 Wilshire Boulevard, Los Angeles, California.

Categories of individuals covered by the system: Broker-dealers registered with the Commission pursuant to the Securities Exchange Act of 1934 and persons associated with such broker-dealers.

Categories of records in the system: Formal filings, applications and general correspondence relating to registered broker-dealers in the region covered by this Office.

Authority for maintenance of the system: Title 15, United States Code Sections 78a et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used for the following:

1. To aid in processing documents to be filed with the Commission by registered broker-dealers.
2. To aid in responding to inquiries from Members of Congress, the press or the public relating to broker-dealers.

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4. Where there is an indication of a violation or potential violation of law, whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local governmental or private, or to any person with whom the Commission contracts to reproduce, by typists or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission, the Congress, or by the Federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government, or to Federal or State and local regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any person or other entity that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission, or in connection with any litigation involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Congress or by the Commission to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission’s Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on index cards.

Retrievability: By name of the broker-dealer.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Correspondence is retained while the broker-dealer is registered with the Commission. If the broker-dealer withdraws its registration or goes out of business, the files are normally sent within one year to the Federal Records Center in Washington, D.C.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, U.S. Courthouse, 312 North Spring, Street, Los Angeles, California 90012.

 Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 I, Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C., 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C., 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered broker-dealers; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC—82

System name: Los Angeles Regional Office Investigative Files—SEC

System location: Los Angeles Regional Office, U.S. Courthouse, 312 North Spring Street, Los Angeles, California 90012. In September, 1975, the Los Angeles Regional Office will be relocated to 10960 Wiltshire Boulevard, Los Angeles, California.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws including broker-dealers, investment advisers, and investment companies.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda. Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or public investigations.
governmental actions, documents and records or copies thereof ob-
tained in the course of any investigation, working papers of the staff
and all other documents and records relating to the investiga-
tion, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States
Code of Federal Regulations, parts 202.10(b), 78a(a), 79(a), 77uuu(a), 80a-41(a), 80b-9(a),
and 17 CFR 202.5.

Routine uses of records maintained in the system, including catego-
ries of users and the purposes of such uses: These records and the
information contained in them may be used as follows:

1. By SEC personnel for purposes if investigating possible viola-
tions of the Federal securities laws.
2. Where there is an indication of a violation or potential viola-
tion of law, where civil, criminal or regulatory in nature, and
whether arising by general statute or particular program statute, or
by regulation, rule or order issued pursuant thereto, the relevant
records in the system of records may be referred, at the discretion of
the appropriate agency, whether Federal, State, local, foreign or
a securities self-regulatory organization charged with the responsi-
ability of investigating or prosecuting such violation or charged with
enforcing or implementing the statute, or rule, regulation or order
issued pursuant thereto.
3. A record from this system of records may be disclosed as a
"routine use" to a Federal, State or local governmental authority
maintaining civil, criminal or other relevant enforcement informa-
tion, where the purpose of the disclosure is to facilitate a current or
any other use for enforcing or implementing the statute, or rule, regu-
lation or order issued pursuant thereto.
4. A record from this system of records may be disclosed to a
Federal, State or local governmental authority, in response to its
request, in connection with the hiring or retention of an employee,
the issuance of a security clearance, the letting of a contract, or the issuance of a
license, grant or other benefit.
5. A record from this system of records may be disclosed as a
"routine use" to such a Federal, State or local governmental authority, whether
seeking its staff or other personnel management functions or manpower stu-
dies; may also be utilized to respond to general requests for statisti-
cal information about an individual or for personnel research or other personnel man-
agement functions.
6. In connection with investigations or disciplinary proceedings
by a State securities regulatory authority or by a securities self-
regulatory organization involving one or more of its members.
7. In connection with the proceeding by the Commission pursuant to
Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).
8. As a data source for management information for production
of summary descriptive statistics and analytical studies in support of
the function for which the records are collected and maintained or
related personnel management functions or manpower studies;
may also be utilized to respond to general requests for statisti-
cal information about an individual or for personnel research or other personnel man-
agement functions.
9. When considered appropriate, records in this system may be
released to a Federal, State, or local licensing authority for possi-
ble disciplinary action.
10. To aid in responding to inquiries from Members of Congress
the press and the public relating to matters under the Commission's
jurisdiction.

In connection with their regulatory and enforcement responsibili-
ties mandated by the Federal securities laws (as defined in section
21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or
state or foreign laws regulating securities or other related matters,
records in this system may be disclosed as a "routine use" to national secu-
rities exchanges and national securities associations that are re-
gistered with the Commission, the Municipal Securities Rulemaking
Board, the Securities Investor Protection Corporation, the federal
banking authorities, including but not limited to, the Board of
Governors of the Federal Reserve System, the Comptroller of the
Currency, and the Federal Deposit Insurance Corporation, state
securities regulatory or law enforcement agencies or organizations,
or foreign equivalent or law enforcement agencies of a foreign government.

Records in this system may be referred, at the discretion of
the appropriate agency, whether Federal, State, local, foreign or
a securities self-regulatory organization charged with the responsi-
ability of investigating or prosecuting such violations or charged with
enforcing or implementing the statute, or rule, regulation or order
issued pursuant thereto.

The access to and use of these records is limited to those persons whose official duties require such access. Personnel
screening is employed to prevent unauthorized disclosure. During
any investigation, the records are normally maintained by the in-
dividual working on the matter. That individual is supervised by su-
pervisory personnel.

Retention and disposal: After the case is completed, the file
(except for correspondence) is sent to the headquarters office in Wash-
ington, D.C. Correspondence is kept for six years and then
sent to the Federal Record Center for storage.

System manager(s) and address: Regional Administrator, Securi-
ities and Exchange Commission, U.S. Courthouse, 312 North Spring
Street, Los Angeles, California 90012.

Notification procedure: All requests to determine whether this
system of records contains a record pertaining to or the requesting in-
dividual may be made in person during normal business hours at
the SEC Public Reference Room at 1100 L Street, N.W., Wash-
ington, D.C., or by mail addressed to the Securities and Exchange

Record access procedures: Persons wishing to obtain information
on the procedures for gaining access to or contesting the contents
of these records may contact or address their inquiries to the Secu-
rities and Exchange Commission, Public Reference Section, Wash-
ington, D.C. 20549.
Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including witnesses, banks, corporations, or other entities during the course of an inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—83
System name: Los Angeles Regional Office Investment Adviser Files—SEC
System location: Los Angeles Regional Office, U.S. Courthouse, 312 North Spring Street, Los Angeles, California 90012. In September, 1975, the Los Angeles Regional Office will be relocated to 10220 Wilshire Boulevard, Los Angeles, California.

Categories of individuals covered by the system: Investment advisers registered with the Commission pursuant to the Investment Advisers Act of 1940 and persons associated with such investment advisers.

Categories of records in the system: Formal filings, applications and special correspondence in the region covered by this Office relating to registered investment advisers.

Authority for maintenance of the system: Title 15, United States Code, Section 80b-1 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These documents and the information contained in these records may be used for the following:
1. To aid in processing documents to be filed with the Commission by registered investment advisers.
2. To aid in responding to inquiries from Members of Congress, the press or the public relating to investment advisers.
4. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as warrant licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.
9. As a data source for management information for production or statistical purposes or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personal research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations, any securities self-regulatory organization involving one or more of its members, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Federal Reserve Bank of New York, the controlling officer of the Federal Reserve Bank of Los Angeles, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters involved therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice to the Commission on recommendations to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.753-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:
Storage: In file folders, binders and on index cards.
Retrievability: By name of investment adviser.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personal identification is employed to prevent unauthorized disclosure.

Retention and disposal: Retained while the investment adviser is registered with the Commission. If the investment adviser ceases to be registered the file is generally sent to Washington, D.C. for one year, after storage in the Federal Records Center.
system manager(s) and address: Administrator, Securities and Exchange Commission, U.S. Courthouse, 312 North Spring Street, Los Angeles, California 90012.

notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Section, 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of the records in this system or to address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Documents required to be filed with the Commission by registered investment adviser; information received from public, securities self-regulatory organizations and other Federal or State and local regulatory or law enforcement authorities.

SEC—84

System name: Miami Branch Office General Index of Files—SEC

System location: Miami Branch Office, Suite 701, 300 Biscayne Boulevard Way, Miami, Florida 33131.

Categories of individuals covered by the system: Individuals on whose records are maintained in this system are generally from within the region covered by this Office and are from one or more of the following categories:

- Actual and prospective purchasers and sellers of securities; registered investment advisers, and associated persons who have been named in any notice, application, questionnaire, report, or other document submitted to the Commission or its staff, pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving the application of Federal securities laws; persons who have communicated with the SEC or its staff concerning any person within one or more of the foregoing categories.

Categories of records in the system: This system contains information about individuals of a type which the branch office considers reasonably necessary to carry out its enforcement and regulatory duties. In addition to an individual's name, documents in the system may reflect detailed information about him concerning one or more of the following matters: his background (including, but not limited to, address, education, occupation, financial condition, and family relationships); qualifications to engage in one or more activities regulated by the SEC; business relationships; business activities, including specific transactions; possible involvement in criminal activity (in whole, or in part) of Federal, State, or foreign laws and rules in connection with records in this system; the determination of law, whether civil, criminal, or regulatory in nature, and the availability of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

5. In connection with investigations or disciplinary proceedings by the SEC or securities self-regulatory organization involving one or more of its members.

6. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u-4(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or administrative or law enforcement agencies, regulatory organization involving one or more of its members.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u-4(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission, be disclosed as a routine use to the Commission or the person or persons conducting the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant to the time at the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typ-
Records of information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:** Records are maintained in paper form in file folders and binders.

**Retrievability:** Records are indexed by individual name, entity name, file and/or release number.

**Safeguards:** Records are kept in area available only to agency personnel and building staff. Only authorized personnel have access to the records, and in which the records are maintained has a 24-hour security staff and program.

**Retention and disposal:** These records are retained indefinitely. While no formal schedule exists, these records periodically are sent to a Federal Records Center for storage.

**System manager(s) and address:** Associate Regional Administrator, Securities and Exchange Commission in conjunction with the Dupont Plaza Center, 300 Biscayne Boulevard Way, Suite 701, Miami, Florida 33131.

**Notification procedure:** All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C. or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Record access procedures:** Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

**Contesting record procedures:** See Record access procedures above.

**Record source categories:** Federal, local and foreign regulatory and law enforcement agencies, securities self-regulatory organizations; securities broker-dealers, investment advisers, investment companies, securities issuers, various publicly owned businesses and their employees; filings with the SEC required of organizations and individuals; courts, and a variety of individuals, including where practicable individuals who are under investigation.

**SEC—85**

**System name:** Miami Branch Office Investigative Files—SEC

**System location:** Miami Branch Office, Dupont Plaza Center, 300 Biscayne Boulevard, Miami, Florida 33131.

**Categories of individuals covered by the system:** Individuals who are involved in investigations into possible violations of the Federal securities laws.

**Categories of records in the system:** All correspondence relevant to the investigation, formal staff memoranda, Commission instructions and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, affidavits, transcripts of testimony taken in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

**Authority for maintenance of the system:** Title 15, United States Code, Sections 77t(b), 78u(a), 79(a), 77uuu(a), 80a-41(a), 80a-9(a), and 17 CFR 202.5.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:** These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal, or other regulatory actions relating to the Commission's enforcement or regulatory functions under the Federal securities laws.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical or informational (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personal management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority or professional organization for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws as defined in section 21(a) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulators or other agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with
Records in this system, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the information in the record may be relevant to the subject matter of the inquiry. The record may be relevant if the information contained therein, and those matters appearing to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, to typen, photocopy or other means, any record, or information within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be released as a routine use to any person who is or has agreed to be employed by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation, the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file (except for correspondence) is sent to the headquarters office in Washington, D.C. Witnesses' documents normally are returned. Correspondence is kept for six years and then sent to the Federal Records Center for storage.

System manager(s) and address: Associate Administrator, Securities and Exchange Commission, Dupont Plaza Center, 500 Biscayne Boulevard Way, Miami, Florida 33131.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual be made in person during normal business hours at the SEC Public Reference Room, 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Records access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities determined to be of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commission, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, such as libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—86

System name: New York Regional Office Index of Commission Officials


Categories of individuals covered by the system: Records are maintained on registered broker-dealers and persons associated with such broker-dealers.

Categories of records in the system: Complaint received against broker-dealers or their associated persons. Includes the name and address of complainant, date of complaint, issue or issuer involved, the name of the broker-dealer involved and a record of correspondence in the matter and the disposition date.

Authority for maintenance of the system: Complaints are voluntary.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. To aid in processing complaints against broker-dealers and associated persons.
2. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
3. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
4. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff, or a party or otherwise involved in an administrative proceeding, are a party or otherwise involved.
5. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
6. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to a Federal, State or local governmental unit, local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.
7. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent the same information is pertinent and necessary to the requesting agency's decision on the matter.
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the agency's decision for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific in-
individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign law regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or state or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any investigation conducted by the Commission staff in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein; and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photostat or other means, any record or information in this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with the functions of such committees.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and binders.

Retrievability: Records are indexed by name of the individual.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Office area is locked after duty hours and the building has a 24-hour security guard.

Retention and disposition: Records are destroyed after three years.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters of complaints and in-person complaints made by the public.

SEC—87

System name: New York Regional Office Investigative Files—SEC


Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memorandum, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, all affidavits, all transcripts obtained in the investigation and exhibits thereto, copies of pleadings and exhibits in related private or governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or any other governmental agency, such as a self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current license, if necessary to obtain information relevant to an agency's investigation concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization,

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained.
or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific information for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority or similar organization or person or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation, for the purpose of investigating the allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)) or the Commission's enforcement or regulatory functions under the Federal securities laws or the Commission's Rules of Practice.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction, records in this system may be disclosed to members of advisory committees that are created by the Commission, Public Reference Section, Washington, D.C. 20549, for the purpose of providing advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Retriviaibility: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

Safeguards: Access to any use of these records is limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation, the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file (except for correspondence) is sent to the headquarters office in Washington, D.C. Correspondence is kept for six years and then sent to the Federal Record Center for storage.

System manager(s) and address: Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may write to the following address: Administrator, Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including those persons writing to the Office for information relates, witnesses, books, corporation, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in files made with the SEC pursuant to law and information from other offices within the Commission.

SEC—88

System name: New York Regional Office Master Card Index—SEC


Categories of individuals covered by the system: Records are maintained on registered broker-dealers and investment advisers, and defendants, respondents and witnesses in enforcement actions; also includes information on persons writing to the Office for information or to register complaints or for other purposes.

Categories of records in the system: Records include a summary of correspondence, the attorney and investigator, assignment, the opening and closing dates of the investigation, if any, information concerning the appearance of witnesses in a matter and the Securities Violations Bulletin reference number, if any.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel to research correspondence, complaints and complaints, to record the assignment of attorneys and investigators to the matter, and to determine the status of a matter.

2. To record the names of witnesses and/or defendants or respondents in investigations or cases (whether civil, criminal or administrative) and to locate information about securities law violators.

3. To aid in responding to inquiries by Members of Congress, the press and the public concerning matters under the jurisdiction of the Commission.

4. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

5. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant
records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign, or a securities regulatory agency, authorized with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

8. A record from this system of records may be disclosed as a "routine use" to any person who is or has agreed to be utilised by the Commission to perform clerical or stenographic functions relating to the official use by the Commission and its staff in connection with their official duties or to any person who is utilised by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

9. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that un­

Category of records in the system: These records include the records of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained on microfiche cards and in filing drawers.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Records access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the content of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters and other correspondence to the New York Regional Office from the public, internal memoranda, transcripts of testimony and other personnel, investigative work product, and Securities Violation Bulletin, information received from individuals including where practicable those to whom the information relates and information received from other Federal and State or local regulatory or law enforcement authorities.

SEC—89

System name: New York Regional Office Regulation A Work File


Categories of individuals covered by the system: Records are main­
of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is primarily designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record of information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934; 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed as a routine use to any person who is or has been assigned to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934; 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in file folders and binders.

Retrieveability: Information regarding individuals may be retrieved through the Name-Relationship Index system or through cross-indexing, as relevant.

Safeloads: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. File cabinets are locked after duty hours and the building has a 24-hour security guard.

Retention and disposal: Records are destroyed about two years after withdrawal or completion of offering.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 26 Federal Plaza, New York, New York 10007.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual shall be made in person during normal business hours at the SEC Public Reference Room at 1101 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on records which concern them or to which they have access to or who contest the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: All material filed by the issuer in connection with the offering of exempt securities, correspondence with
SEC—90

System name: Philadelphia Branch Office Investigative Files—SEC


Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws.

Categories of records in the system: All correspondence relevant to or in connection with the functions for which the records are collected and maintained, the preparation or conduct of enforcement actions brought by the Commission or by the Congress to render advice and recommendations, the Federal, State, or local governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility for investigating violations or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a "routine use" to a Federal, State, or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the agency's decision concerning the hiring or retention of an employee, the issuance of a license, grant, or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in connection with the preparation or conduct of enforcement actions brought by the Commission or by the Congress to render advice and recommendations, the Federal, State or local governmental actions, documents and records or copies thereof obtained in the course of any investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 202.6(e).
8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained for related personnel management functions or management studies.
9. As a data source to be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.
10. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.
11. To aid in responding to inquiries from the Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in the records in this system may not be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in the records in this system may not be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.75-1 et seq., and who assists the Commission, or the Commission, in its efforts to determine the existence of violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and on file cards.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access is denied to an individual for inspection of his own file under the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During and after investigation the records are normally maintained by the individual working on the matters. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, the file (except for correspondence and other auxiliary records) is sent to the headquarters office in Washington, D.C. Witnesses' documents

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are returned to the witnesses. Correspondence and other auxiliary records are kept for about one year and then sent to the Federal Record Center for storage.

System manager(s) and address: Attorney-in-Charge, Philadelphia Branch Office, William J. Green Jr. Federal Bldg., 600 Arch Street, Philadelphia, Pennsylvania 19106.

Notification procedure: All requests to determine whether this system of records contains or pertains to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, to those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, the Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, including libraries, television, radio, court filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—91

System name: St. Louis Branch Office, Inquiry, Complaint and General Reference Files—SEC

System location: St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Categories of individuals covered by the system: Individuals who request information from or provide information to this office, individuals complaining about other entities or individuals registered with, or otherwise required to comply with the provisions of the Federal securities laws, individuals who have been the subject of an enforcement proceeding by the Commission, other Federal, foreign, State or local governmental authorities or securities self-regulatory organizations.

Categories of records in the system: Correspondence relevant to the inquiry or complaint, the Nat’l Arch with summary indications of same, diary logs and memoranda of telephone calls and personal contacts, index cards and copies of releases in the "SEC Docket"; business cards, releases, media reports, bulletins, correspondence, complaints, administrative memoranda, orders and court pleadings in connection with litigation or disciplinary proceedings brought by individuals, Federal, foreign, State and local governmental authorities or securities self-regulatory organizations.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 77t(a) and (b), 77uuu(a), 78(a), 79r(a), 80a-4(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. For transmission in copy, paraphrase or summary form to the subject of the complaint or inquiry to expedite resolution of the individual’s complaint or inquiry.
3. To aid in responding to inquiries from other SEC offices, SIPC, Members of Congress, the public, the media, Federal, foreign, State and local governmental authorities and securities self-regulatory organizations.
4. Where there is an indication of a violation or potential violation of whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
5. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority mandated by the Federal securities laws or the Commission’s Rules of Practice, 17 CFR 202.1 et seq., or otherwise, where such information is required in the performance of a civil, criminal or regulatory function.
6. A record from this system of records may be disclosed to Federal, State or local governmental authorities, in response to their request, connection with other regulatory or law enforcement activities, including the issuance of a security clearance, the reporting of an investigation of an employee, the issuing of a license, the running of a contract, or the issuance of a license, grant or other benefit.
7. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or other person is represented by an attorney in an official capacity.
8. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
9. In connection with proceedings of the Commission pursuant to Rule 21(g) of the Rules of Practice, 17 CFR 202.1 et seq., or otherwise.
10. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for management functions or for internal studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personal research or other personnel management functions.
11. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or State or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal bank regulatory agencies, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or corporations or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission’s rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and such matters appear to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photostat or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.
Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information from records in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely by or for their official, designated functions, or to be retained on a permanent basis along with the underlying releases; or discarded after approximately six years.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made; routine complaints and inquiries generally are filed under the name of the person or the entity of the system of records containing the records of which the request is made. The system of records contains a record pertaining to the requesting individual.

Retaining and disposal: Indexes of public information are maintained on a permanent basis along with the underlying releases; files on cases and investigations and those relating to persons registered with or otherwise subject to the Federal securities laws are maintained on a permanent basis; miscellaneous routine files are discarded after approximately six years.

System manager(s) and address: Attorney-in-Charge, St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Letters from individuals, filings made with the Commission, enforcement actions involving the Commission, internal staff investigations, interviews with individuals in which the Commission has interest, public documents filed in courts or published elsewhere and from other Federal and State, local or foreign regulatory or law enforcement authorities or securities self-regulatory authorities.

SEC—92

System name: St. Louis Branch Office Investigative Files—SEC

System location: St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws, including broker-dealers, investment advisers and investment companies, while they are the subject of inspections or investigations.

Authority for maintenance of the system: Title 15, United States Code, Sections 77s(b), 77u(a) and (b), 78u(a), 79u(a), 80a-41(a) and 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency or officials of whether Federal, State, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit, by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization on one or more grounds.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules and Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personal research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, SIPC, the media and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records or comparable Federal, State, foreign or national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state
Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference-Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference-Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and authorities for maintenance of the system; Title 15, United States Code, Sections 77s(b), 78u(a), 79r(a), 77uuu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained therein may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a 'routine use' to a Federal, State or local governmental authority, whether Federal, State or local governmental authority, granting a security clearance, the reporting of an investigation of an employee, the issuance of a license, grant, or other benefit.
4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit.

System manager(s) and address: Attorney-in-Charge, St. Louis Branch Office, Securities and Exchange Commission, 210 North Twelfth Street, St. Louis, Missouri 63101.

Retrieval aid: Non-disclosure of confidential information are employed to prevent unauthorized disclosure.

Preservation: These records are used by SEC personnel for purposes of investigating possible violations of the Federal securities laws.
5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization or by the SEC.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistics (without personal identification of the parties) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission’s jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state, or foreign or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties, but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retrieval: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission’s Name-Relationship Index system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in file folders, binders and envelopes.

Retrieval: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission’s Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During any investigation the records are normally maintained by the individual working on the matter. That individual is supervised by supervisory personnel.

Retention and disposal: After the case is completed, documents normally are returned to the owners and the remaining records are sent to the headquarters office in Washington, D.C., through the Denver Regional Office.

System manager(s) and address: Attorney-in-Charge, Securities and Exchange Commission, Federal Reserve Bank Bldg., 120 South State Street, Salt Lake City, Utah 84111.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room, 1100 North Capitol St., N.E., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, transfer agents, banks, corporations, or other entities during course of inquiry or investigation; information supplied by stock exchanges, the National Association of Securities Dealers, Inc., Postal Inspection Service, Department of Justice, State Securities Commissions, or other foreign, Federal, State, or local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—94
System name: San Francisco Branch Office Investigative Files—SEC

System location: San Francisco Branch Office, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102.

Categories of individuals covered by the system: Individuals who are involved in investigations into possible violations of the Federal securities laws including but not limited to broker-dealers, investment advisers, investment companies, corporations, officers and directors.

Categories of records in the system: All correspondence relevant to the investigation, all internal staff memoranda, Commission minutes and Commission orders relevant to the investigation, copies of all subpoenas issued in the course of the investigation, transcripts of testimony taken in the investigation, copies of pleadings and exhibits in related private or governmental actions, documents, records, and records or copies thereof obtained during the course of the investigation, working papers of the staff and all other documents and records relating to the investigation, and opening reports, progress reports and closing reports.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(b), 78(a), 79(a), 77uu(a), 80a-41(a), 80b-9(a), and 17 CFR 202.5.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. In connection with the filing of a complaint, petition or other form of proceeding, as may be appropriate, or to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. A record from this system of records may be disclosed as a “routine use” to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, or by a person with whom the Commission has contracted to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.
4. Records or information from records in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in file folders, investor envelopes, document envelopes and file binders.

Retrievability: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During the course of normal office functions, the records are normally maintained by the individual who is assigned to the case.

Retention and disposal: After the case is completed, the file (except for correspondence) is sent to the headquarters office in Washington, D.C. Correspondence is kept for six years and then sent to the Federal Reserve Placement Facility for storage.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of the records in this system may write to the System manager(a) and address: Associate Regional Administrator, Securities and Exchange Commission, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by SEC employees, including those persons who are responsible for the accuracy, completeness, and reliability of the information, and those persons who maintain and control the records from which the information is obtained.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters involved in the case that appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person whose furnishing or dissemination is required or authorized in connection with the administration and enforcement of the Federal securities laws or the Commission's Rules of Practice.
local bodies and law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—95

System name: San Francisco Branch Office Regulation A

System location: San Francisco Branch Office, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102. After October 1, 1975, these records will be located in the Los Angeles Regional Office, 10960 Wilshire Boulevard, Los Angeles, California 90025.

Categories of individuals covered by the system: (a) Individuals who appear to be relevant at the time to the subject matter of the records pursuant to Regulation A of the Securities Act of 1933, (17 CFR 203.251 et seq.), including but not limited to issuers, affiliates, underwriters, broker-dealers, corporations, officers, and directors. (b) Individual affiliated with a Regulation A notification who are involved in a staff review or investigation of the accuracy and adequacy of the disclosures made in such notification, including but not limited to persons enumerated in (a) above.

Categories of records in the system: All correspondence, internal staff memorandum, Commission minutes, Commission orders, transcripts of testimony taken, copies of pleadings and exhibits in related private or governmental actions, working papers of the staff and all other documents and records relevant to the notification, review, and investigation of an offering of securities pursuant to Regulation A, or in connection with civil litigation, if the staff has reason to believe that the information is relevant to the subject matter of the records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in them may be used as follows:

1. By SEC personnel for purposes of reviewing and evaluating disclosures made in the notification to offer securities pursuant to Regulation A and for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

3. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such information is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding, or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

4. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit.

5. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity, records of this system may be disclosed to a securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

6. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

10. To aid in responding to inquiries from Members of Congress, the press and the public relating to matters under the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding, or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may be disclosed to any person with whom the Commission contracts to reproduce, by filming, photocopying or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authorities granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are filed in file folders, investor envelopes, document envelopes and file binders.
Retriviality: The records are retrieved by the name under which the case is filed or the investigation is made. Access to information about an individual may be through the Commission's Name-Relationship Index system.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. During the continuation of the enforcement action the records are normally maintained by the individual assigned to review the matters.

Retention and disposal: After the case is completed, the file (except correspondence) is sent to the headquarters office in Washington, D.C. Correspondence is kept for six years and then sent to the Federal Records Center for storage.

System manager(s) and address: Associate Regional Administrator, Securities and Exchange Commission, 450 Golden Gate Avenue, Box 36042, San Francisco, California 94102.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these records is supplied by individuals, including where practicable, those to whom the information relates, witnesses, banks, corporations, or other entities during the course of an inquiry or investigation; information supplied by a court, other Federal, State, or local law enforcement agencies; information obtained from public sources, i.e., libraries, newspapers, television, radio, court records, filings with Federal, State, and local bodies; information contained in filings made with the SEC pursuant to law and information from other offices within the Commission.

SEC—96
System name: Seattle Regional Office Master Card Index and Related Regulatory, Investigatory, and Legal Files System (MCI System)—SEC
System location: Seattle Regional Office, 3040 Federal Building, 925 Second Avenue, Seattle, Washington 98174.
Categories of individuals covered by the system: Individuals on whom records are maintained in this system are generally from within the region covered by this office and are from one or more of the following categories:

1. Actual and prospective purchasers and sellers of securities; registered exchanges and associated persons who have been named in any notice, application,, report, or other document submitted to the Commission or its staff pursuant to the Federal securities or bankruptcy laws; persons who were or are actual or prospective subjects of investigation in connection with possible violations of Federal securities laws; defendants, respondents or other parties in administrative, civil and criminal proceedings involving the application of Federal securities laws; persons who have communicated with the SEC or its staff concerning any aspect of the above categories.

Categories of records in the system: This system contains information about individuals of a type which the regional office considers reasonably necessary to carry out its enforcement and regulatory duties. In addition to an individual's name, records in the system may reflect detailed information about him concerning one or more of the following matters: his background (including, but not limited to, address, education, occupation, financial conditions, and family relationships); qualifications to engage in one or more of the regulated activities; securities law violations; administrative, civil, and criminal proceedings in which the SEC has any interest in the performance of its statutory duties, except Commission litigation releases securities violations bulletins; information from other offices within the Commission.

Authority for maintenance of the system: Title 15, United States Code, Section 78d.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By the SEC staff to prepare, collect and preserve documentary materials related to:
   a. formal investigations and matters under preliminary investigation, except related material preserved in employee work files;
   b. the regulation of specific entities by the Commission, including, but not limited to, copies of communications with or concerning such entities and undersigned employees, broker-dealers, investment advisers, and documents filed with the regional office by or on behalf of such entities, except related material in employee work files;
   c. communications with Members of Congress and the public concerning aspects of the Commission's enforcement or regulatory duties;
   d. administrative, civil and criminal proceedings in which the Commission has any interest in the performance of its statutory duties, except Commission litigation releases securities violations bulletins, and related material in employee work files;
   e. by SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation which the regional office considers to be of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the system of records in the case of which the regional office considers the violation or potential violation of sufficient magnitude to warrant its investigation or a record is maintained in the
Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g) or the Commission’s rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to the records, or as a result of the preparation, or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission’s Rules of Practice.

Records in this system may, in the discretion of the Commission’s staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person upon whom the Commission contracts to reproduce, by typing, photography or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be bound by the Commission’s Rules of Practice, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), in the preparation or conduct of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission’s enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the records in this system in response to a request made at the request of that individual.

Categories of records in the system: Records in this system include business records, books of account, financial statements and affidavits by witnesses, transcripts of investigative testimony.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.
2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate Federal, State, local, foreign or securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.
3. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.
4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.
5. In connection with proceedings by the Commission pursuant to Rule 2e of its Rules of Practice, 17 CFR 201.2(e).
6. In connection with inquiries or investigations of a Federal, State or local governmental authority or by a court of competent jurisdiction.
7. A record from this system of records may be disclosed as a “routine use” to a Federal, State or local governmental authority receiving such information in connection with its review, inspection or enforcement purposes.
8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the hiring of a contractor, or the issuance of a license, grant or other benefit.
tion of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for preparation of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To respond to inquiries from Members of Congress, the press and the public regarding matters that are within the Commission's jurisdiction.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulation agencies, or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typng, or any other means, such record or information, or any copy thereof under a court order and in furtherance of the purposes for which records are maintained, under the Freedom of Information Act, or under any other authority.

System location:
- SEC—98

System name: Washington Regional Office and Philadelphia Branch Office, Administrative Proceeding Files—SEC.


Records and the information contained therein in this system are maintained with respect to persons who are respondents in administrative proceedings and other persons involved in administrative proceedings including witnesses and attorneys.

Categories of records in the system:
- Records include orders for proceedings, answers, motions, responses, orders, offers of settlement and other pleadings, transcripts of all hearings and documents introduced as evidence therein, other relevant documents and correspondence relating to proceedings.

Authority for maintenance of the system: Title 15, United States Code, Sections 77(e), 78(o)-(b) and the Commission's Rules of Practice.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and the information contained in these records may be used as follows:

1. In any proceeding where the Federal securities laws are in issue or in which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

2. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual. Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: These records are stored in original form or on microfilm.

Retrievability: These records are indexed by name of corporation, partnership or other business entity or individual, if appropriate. Cross-reference to individuals is made through the SEC Name-Relationship Index system.

Safeguards: Access to use of these records is limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure. Records are maintained in locked offices.

Retention and disposal: These records are maintained until such time as the investigation or enforcement action, if any, has been concluded. Investigative transcripts, documents that were subpoenaed and other relevant documents are then sent to the Commission's Office of Records; other relevant investigatory materials are maintained in this Office indefinitely. Extraneous materials are discarded.

System manager(s) and address: System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 4015 Wilson Blvd., Arlington, Virginia 22203.

Notice to requesters: All requests to determine whether this system of records contains personal information about an individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on these procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: Information in these files is obtained from the Commission's files, published materials, court papers, records of securities, brokerage firms, banks, utility companies, corporations, and other business entities, Federal, State, local and foreign law enforcement and regulatory agencies, securities self-regulatory organizations and individuals including, where practicable, the individual as to whom the record pertains.

SEC—98 System name: Washington Regional Office and Philadelphia Branch Office, Administrative Proceeding Files—SEC.
a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Information derived from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

5. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request and use, in connection with their official, designated functions, or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

8. As a data source for management information for production of summary descriptive statistics and analytical studies in support of SEC decisions, records in this system may be used to prepare a report or for related personnel management functions or manpower studies; may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

9. To respond to inquiries from Members of Congress, the press and the public relating to pending or past administrative proceedings.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)), or state or foreign laws regulating securities or other related matters, records in this system of records may be disclosed to national securities exchanges and national securities associations that are registered with the Commission, the Municipal Securities Rulemaking Board, the Securities Investor Protection Corporation, the federal banking authorities, including but not limited to, the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation, state securities regulatory or law enforcement agencies or organizations, or regulatory or law enforcement agencies of a foreign government.

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act, 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq., or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the administration and enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have material information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typing, photocopy or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)). Records or information from records in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy.

Retrievability: Records are identifiable by name of lead respondent. Cross-indexing to individual's name is available through the SEC Name-Relationship Index system.

Safeguards: In the case of public proceedings most of the records are available to the public. In other cases access is limited to authorized personnel who need access to perform their functions. Personnel screening is used to avoid unauthorized disclosures.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 4015 Wilson Blvd., Suite 300, Arlington, Virginia 22203; SECURITIES AND EXCHANGE COMMISSION, William J. Green, Jr., Federal Bldg., 600 Arch Street, Philadelphia, Pennsylvania 19106.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See Record access procedures above.

Record source categories: These records are obtained from counsel involved in the administrative proceeding, internal Commission files, and from individuals including, where practicable, the individual as to whom the record pertains.

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1. By SEC personnel for purposes of investigating possible violations of the Federal securities laws.

2. Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or enforcing or implementing the statute, or regulation or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, foreign or a securities self-regulatory organization charged with the responsibility of investigating or prosecuting such violation or charged with the responsibility of enforcing or implementing the statute, or regulation or order issued pursuant thereto.

3. In any proceeding where the Federal securities laws are in issue regarding which the Commission or past or present members of its staff is a party or otherwise involved in an official capacity.

4. In connection with investigations or disciplinary proceedings by a State securities regulatory authority or by a securities self-regulatory organization involving one or more of its members or employees.

5. In connection with proceedings by the Commission pursuant to Rule 2(e) of its Rules of Practice, 17 CFR 201.2(e).

6. When considered appropriate, records in this system may be referred to a bar association or similar Federal, State or local licensing authority for possible disciplinary action.

7. A record from this system of records may be disclosed as a "routine use" to a Federal, State or local governmental authority maintaining civil, criminal or other relevant enforcement information, for federal, state or local purposes, to assure current license holders necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

8. A record from this system of records may be disclosed to a Federal, State or local governmental authority, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

9. As a data source for management information for production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained or for related personnel management functions or manpower studies, may also be utilized to respond to general requests for statistical information (without personal identification of individuals) under the Freedom of Information Act or to locate specific individuals for personnel research or other personnel management functions.

10. To respond to inquiries from Members of Congress, the press or the public that relate to pending or past litigation.

In connection with their regulatory and enforcement responsibilities mandated by the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records in this system may be disclosed as a routine use to any trustee, receiver, master, special counsel, or other individual or entity that is appointed by a court of competent jurisdiction, or as a result of an agreement between the parties in connection with litigation or administrative proceedings involving allegations of violations of the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 15 U.S.C. 78u(g)) or the Commission's rules of practice, 17 CFR 202.1 et seq. or otherwise, where such trustee, receiver, master, special counsel or other individual or entity is specifically designated to perform particular functions with respect to, or as a result of, the pending action or proceeding or in connection with the investigation or enforcement by the Commission of the Federal securities laws or the Commission's Rules of Practice.

Records in this system may, in the discretion of the Commission's staff, be disclosed to any person during the course of any inquiry or investigation conducted by the Commission staff, or in connection with civil litigation, if the staff has reason to believe that the person to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the investigation.

A record or information in this system may be disclosed to any person with whom the Commission contracts to reproduce, by typifying, photostating or other means, any record within this system for use by the Commission and its staff in connection with their official duties or to any person who is utilized by the Commission to perform clerical or stenographic functions relating to the official business of the Commission.

Records or information from records in this system may be included in reports published by the Commission pursuant to authority granted in the Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

Records or information in records contained in this system may be disclosed to members of advisory committees that are created by the Commission or by the Congress to render advice and recommendations to the Commission or to the Congress, to be used solely in connection with their official, designated functions.

Records or information in the records in this system may be disclosed as a routine use to any person who is or has agreed to be subject to the Commission's Rules of Conduct, 17 CFR 202.785-1 et seq., and who assists in the investigation by the Commission of possible violations of Federal securities laws (as defined in section 21(g) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(g)).

In the request for or completion of enforcement actions brought by the Commission for such violations, or otherwise in connection with the Commission's enforcement or regulatory functions under the Federal securities laws.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Records are maintained in hard copy form or on microfilm.

Retrievability: Records are indexed by name of the lead defendant. Cross-reference to individual is available through the SEC Name-Relationship Index system.

 Safeguards: Most of these records are public records. Access to those that are not is limited to authorized individuals whose duties require access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Regional Administrator, Securities and Exchange Commission, 4015 Wilson Blvd., Suite 300, Arlington, Virginia 22203. Attorney-In-Charge, Securities and Exchange Commission, William J. Green, Jr., Federal Bldg.; 600 Arch Street, Philadelphia, Pennsylvania 19106.

Notification procedure: All requests to determine whether this system of records contains a record pertaining to the requesting individual may be made in person during normal business hours at the SEC Public Reference Room at 1100 L Street, N.W., Washington, D.C., or by mail addressed to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Record access procedures: Persons wishing to obtain information on the procedures for gaining access to or contesting the contents of these records may contact or address their inquiries to the Securities and Exchange Commission, Public Reference Section, Washington, D.C. 20549.

Contesting record procedures: See record access procedures above:

Record source categories: These records are obtained from counsel involved in litigation, internal Commission memoranda and documents, from individuals, including, where practicable, the individuals as to whom the record pertains.

Appendix A

commission's systems of records

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SECURITIES AND EXCHANGE COMMISSION


(3) Notification of Exemption from Registration under the Securities Act of 1933.


(7) Proposed Sale of Securities Records Filed under the Securities Act of 1933.


(9) Administrative Audit System.

(10) Administrative Law Judge Assignments and Dispositions of Administrative Proceedings.


(12) Administrative Proceedings.

(13) Administrative Proceedings Record Cards.

(14) Applications for Relief From Disqualification Filed Under the Securities Act of 1933 and the Commission's Rules of Practice.


(16) Complaint Processing System.

(17) Correspondence Files Pertaining to Registered Broker-Dealers.

(18) Correspondence Files Pertaining to Registered Investment Advisers.

(19) Correspondence Files Pertaining to Registered Investment Companies.

(20) Defendant Index.

(21) Division of Corporate Regulation Bankruptcy Act Records.

(22) Division of Corporate Finance Branch Working Files.

(23) Division of Corporation Finance Index for Filings on Schedule 13D and Filings under Regulations A and B.

(24) Division of Enforcement Investigative Working Files.

(25) Division of Enforcement Liaison Working Files.

(26) Division of Enforcement Preliminary Market Surveillance Indictment.

(27) Division of Investment Management Regulation Correspondence and Memoranda Files.

(28) Employee Photograph File.

(29) Employment Placement File.


(31) Executive/Congressional Personnel Referrals.


(33) General Correspondence Files.

(34) Hearings, Proceedings and Studies.

(35) Investigations and Actions Index System.

(36) Investigatory Files.

(37) Investor Service Complaint Index.

(38) Litigation Files (Civil and Criminal).

(39) Mailing Address Labels (MAL).

(40) Manpower Reporting System (MRP).

(41) Minutes Regarding Action Taken by the Commission.

(42) Name-Relationship Index System (MRS).

(43) No-action and Interpretative Letters.

(44) Office of the Chief Accountant Working Files.

(45) Office of General Counsel Work Files.


(47) Office of Personnel Code of Conduct and Employee Performance Files.

(48) Office of Personnel Employee Listings.

(49) Office of Personnel Employment and Staffing Files.

(50) Office of Personnel Position Classification Files.

(51) Office of Personnel Training Files.

(52) Office of Public Information Records.

(53) Pay and Leave System.

(54) Personnel Security Files.

(55) Public Utility Regulation Branch Files.

(56) Rule 2(e) of the Commission's Rules of Practice — Appearing or Practicing Before the Commission.

(57) SECO Files.

(58) Securities Violations Records and Bulletin.

(59) Staff Transfer and Promotion Records.

(60) Subject File Index.

(61) Atlanta Regional Office General Index of Files.

(62) Atlanta Regional Office Investigative Files.

(63) Boston Regional Office Investigation Index File.

(64) Boston Regional Office Investigative Files.

(65) Chicago Regional Office Index Cards.

(66) Chicago Regional Office Investigative Files.

(67) Cleveland Branch Office Broker-Dealer Files.

(68) Cleveland Branch Office Index Cards.

(69) Cleveland Branch Office Investigatory Files.

(70) Cleveland Branch Office Investment Adviser Files.

(71) Denver Regional Office Investigatory Files.

(72) Denver Regional Office Regulation A Control Cards.

(73) Denver Regional Office and Salt Lake Branch Office Cross Reference Index Cards.

(74) Detroit Branch Office Broker-Dealers Files.

(75) Detroit Branch Office Index Cards.

(76) Detroit Branch Office Investigatory Files.

(77) Detroit Branch Office Investment Adviser Files.

(78) Fort Worth Regional Office and Houston Branch Office General Indices.

(79) Fort Worth Regional Office Investigative Files.

(80) Houston Branch Office Investigative Files.

(81) Los Angeles Regional Office Broker-Dealer Files.

(82) Los Angeles Regional Office Investigative Files.

(83) Los Angeles Regional Office Investment Adviser Files.

(84) Miami Branch Office General Index of Files.

(85) Miami Branch Office Investigative Files.

(86) New York Regional Office Index of Complaints.

(87) New York Regional Office Investigative Files.

(88) New York Regional Office Master Card Index.

(89) New York Regional Office Regulation A Work File.

(90) Philadelphia Branch Office Investigative Files.

(91) St. Louis Branch Office, Inquiry, Complaint and General Reference files.

(92) St. Louis Branch Office Investigative Files.

(93) Salt Lake City Branch Office Investigative Files.

(94) San Francisco Branch Office Investigative Files.

(95) San Francisco Branch Office Regulation A Files.

(96) Seattle Regional Office Master Card Index and Related Regulatory, Investigatory, and Legal Files System (MCI System).

(97) Washington Regional Office Investigatory Files.


(99) Washington Regional Office and Philadelphia Branch Office Litigation Files.
SMALL BUSINESS ADMINISTRATION

PRIVACY ACT OF 1974

Annual Notice of Systems of Records

The purpose of this document is to give notice that the systems of records identified in notices published in the Federal Register at 40 FR 42132 and 41 FR 7601 continue in effect. This notice is published in compliance with the requirements of 5 U.S.C. 552a(e)(4) as added by section 3 of the Privacy Act of 1974.


Mitchell P. Kobelinski,
Administrator.

SBA001
System name: Accountable Property File—SBA001
System location: Central Office, Regional Office in San Francisco, Ca., District Offices in Marshall, Tex. and Oklahoma City, Okla., and Branch Offices in Corpus Christi, Tex. and Cincinnati, Ohio.
Categories of individuals covered by the system: SBA Employees.
Categories of records in the system: Listing of items processed by employees which are the property of the Small Business Administration, with each employee's signature verifying possession.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For Internal Use Only.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
Storage: Records are kept in file folders or cabinets.
Retrievability: Records are indexed by employee's name.
Safeguards: Access to records is generally limited to Office Services personnel.
Retention and disposal: Records are disposed of 2 years after latest inventory update.
System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.
Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
- Privacy Act Officer for Central Office records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.
Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

SBA005
System name: Advisory Council File—SBA005
System location: Branch, District, Regional and Central Offices of the Small Business Administration and in Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.
Categories of individuals covered by the system: Members, past and present, of SBA Advisory Councils. Records are also maintained on those individuals being processed for appointment to the SBA Advisory Councils.
Categories of records in the system: This system of records contains information relating to members of SBA Advisory Councils and includes political party affiliations, ethnic/minority identification, security status, Congressional clearances, recommendations, appointment notices, address lists and occasionally, biographical data and correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:
To disclose information about an Advisory Council member to the general public.
To respond to requests from the National Archives.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
Storage: These records are maintained in file folders, binders and index cards.
Retrievability: These records are indexed by the Council member or prospective Council member's name.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.
Retention and disposal: These records are retained for three years and then forwarded to a Federal Records Center. The FRC retains these records for five years and then offers the records for transfer to the National Archives.
System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.
Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
- Privacy Act Officer for Central Office Records
- Regional Director for Regional Office Records
- Branch Manager for Branch Office Records
The addresses of these offices are contained in Appendix A.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.
Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

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appropriate agency, whether Federal, state, local, or foreign, charged with the responsibility of investigation or prosecuting such violation or charged with implementing the statute, or rule, regulation or order issued pursuant thereto. After final SBA action revoking or suspending the privilege of a representative to appear before the SBA, the relevant records in the system of records may be referred, as a routine use, to other Federal Agencies which deal with the individual as an applicant representative.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and in index cards.

Retrievability: These records are indexed by representative name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The system of records is retained indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, or his agent, Agency employees, National Association of Real Estate Appraisers, and published lists of local and regional appraisers.

SBA020

System name: Appraisers List—SBA015

System location: District and Branch Offices of SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Individual appraisers.

Categories of records in the system: This system of records contains information relating to individual appraisers including qualification and geographic areas in which the individual auctioneer is qualified and bonded.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, binders and on index cards.

Retrievability: These records are indexed by appraiser’s name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, or his agent, General Services Administration, Loan Files.

SBA025

System name: Audit Reports—SBA025

System location: The Central Office of the Small Business Administration and Federal Record Centers. In some cases, copies are maintained in the District and Branch Offices where the loan was processed. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains detailed investigations of home disaster loan recipients’ use of SBA funds. These records also include related correspondence.
Such audits are rarely undertaken unless large sums of money are involved.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service, in response to its request, with access to an individual’s records to the extent that the information is relevant and necessary to the IRS’ function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders.

Retrievability: These records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are maintained by SBA for two years after the loan has become inactive and are then transferred to the system contains a record pertaining to him or her by addressing a request in person or in writing to:

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or by writing to the Privacy Act Officer, the District Director for District Office records, or the Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A. The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information in question.

Record source categories: Financial institution reports and records, Agency investigation, individual to whom record pertains.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2), all investigatory material in the record compiled for law enforcement purposes is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order to accomplish the purpose of the Agency in preventing abuse of loan proceeds by recipients, as well as enforcing Agency rules and regulations (pursuant to 15 U.S.C. 634(b)(6) and 15 U.S.C. 645(a)), and preventing subjects of investigations from frustrating the investigatory process.

SBA030
System name: Automated Personnel History—SBA030
System location: SBA Central Office. See Appendix A for address.

Categories of individuals covered by the system: All SBA employees.

Categories of records in the system: Current status of all SBA employees including all data pertinent to that status. This system includes name, Social Security number, grade and salary title, organization, education, veterans preference, competitive level, date of birth, handicap code, medical condition, health benefits, etc. This system includes all personnel actions affecting active SBA employees since May 1972, and also those of separated employees since that date.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A number of records in this system are sent as a required report to the Civil Service Commission. The General Accounting Office is also given information from this system for audit purposes.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records of system is maintained on magnetic tape.

Retrievability: Records in this system can be retrieved by the employee’s name or Social Security number.

Safeguards: Physical Security - authorized personnel only.

Retention and disposal: These records form a permanent data bank for the Office of Personnel and are retained indefinitely.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: SF 171 and any other forms an employee completes when coming on-board; Personnel actions as recorded on SBA Form 52; Requests for personnel actions; Mass Change Formats; and Award Keypunch Formats.

SBA035
System name: Bankruptcy Filings in South Carolina—SBA035
System location: Columbia District Office of the Small Business Administration. See Appendix A for address.

Categories of individuals covered by the system: Individuals in South Carolina who have filed for bankruptcy.

Categories of records in the system: This system of records, a list, enables Agency officials to identify borrowers and/or guarantors who have declared bankruptcy.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in a file folder.

Retrievability: Records are indexed by individual’s name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: District Director. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the District Director for Columbia District Office. The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining...
ing to him or her, the District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: List compiled by Bankruptcy Court.

**SBA040**

System name: Boards of Survey — SBA040

System location: Central Office, Regional Offices, District Offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees and other individuals who have been involved in accidents with government vehicles, or other incidents of loss or damage to government property.

Categories of records in the system: This system includes the report and supporting material compiled by the Board of Survey in reviewing cases involving loss or damage to government property. These may be claims by or against the government.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retrieval ability: These records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be disclosed in correspondence with a recipient's insurance company as to the status of his policy.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and index cards.

Record source categories: Individual to whom the record pertains, insurance companies, Housing and Urban Development — Farmers Home Administration.

**SBA045**

System name: Borrower Insurance Files —SBA045

System location: The following District and Branch Offices maintain this system of records: Boise District Office, Casper District Office, Corpus Christi Branch Office, Honolulu District Office, Marshall District Office, New Orleans District Office, Pittsburgh District Office, Salt Lake City District Office and San Antonio District Office. All other District and Branch Offices maintain this information in the Loan Case File. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to a Disaster Home Loan recipient's hazard insurance and Federal Flood Insurance, wherever applicable. These records include a copy of the insurance policy, a history of premium payments and related correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be disclosed in correspondence with a recipient's insurance company as to the status of his policy.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and index cards.

Record source categories: Individual to whom the record pertains, insurance companies, Housing and Urban Development — Farmers Home Administration.

System name: Career Counseling Files — SBA050

System location: San Francisco Regional Office, San Francisco District Office. See addresses in Appendix A.

Categories of individuals covered by the system: SBA employees.

Categories of records in the system: This record system includes notes and forms completed during interviews between employees and supervisors regarding career goals and programs.

Record source categories: Individual to whom the record pertains.

System name: Loan Case Files — SBA045

System location: The following District and Branch Offices maintain this system of records: Boise District Office, Casper District Office, Corpus Christi Branch Office, Honolulu District Office, Marshall District Office, New Orleans District Office, Pittsburgh District Office, Salt Lake City District Office and San Antonio District Office. All other District and Branch Offices maintain this information in the Loan Case File. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to a Disaster Home Loan recipient's hazard insurance and Federal Flood Insurance, wherever applicable. These records include a copy of the insurance policy, a history of premium payments and related correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be disclosed in correspondence with a recipient's insurance company as to the status of his policy.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and index cards.

Record source categories: Individual to whom the record pertains, insurance companies, Housing and Urban Development — Farmers Home Administration.

System name: Borrower Insurance Files — SBA045

System location: The following District and Branch Offices maintain this system of records: Boise District Office, Casper District Office, Corpus Christi Branch Office, Honolulu District Office, Marshall District Office, New Orleans District Office, Pittsburgh District Office, Salt Lake City District Office and San Antonio District Office. All other District and Branch Offices maintain this information in the Loan Case File. See Appendix A for addresses.
Regional Director for Regional Office records
District Director for District Office records.
The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Interview between employee and supervisor.

SBA055
System name: Chamber of Commerce Members—SBA055
System location: Kansas City Regional Office. See Appendix A for address.

Categories of individuals covered by the system: Chamber of Commerce members.

Categories of records in the system: This system of records contains information relating to individual members of Chambers of Commerce who are available as needed as spokesmen for SBA.
The records include a summary of the individual's relationship with SBA.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained on index cards.

Retrievability: These records are indexed by individual's name and geographical area.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are kept indefinitely, but updated every two years.

System manager(s) and address: Regional Director. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request to the Regional Director at Kansas City.
The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the paragraph above, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees.

SBA060
System name: Collateral—SBA060
System location: District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains negotiable collateral assigned to the SBA in connection with the assumption of a disaster home loan. Included in these records are registers of negotiable collateral assigned to SBA, trust receipts, bonds, certificates, mortgages, notes, titles, insurance policies, and agreements of extending deeds of trust.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

In the event a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.
To provide the Internal Revenue Service in response to its request with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

To request information from a Federal, State, or local agency or a private title search agency to determine an applicant's suitability for a loan.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, index cards, safety deposit boxes or insulated combination safes.

Retrievability: These records are indexed by recipient name and/or loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are retained until an individual's loan is paid-in-full or charged-off, then disposed.

System manager(s) and address: District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
District Director for District Office records
Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees, bank correspondence, State officials, title search companies.

SBA065
System name: Collection Files—SBA065
System location: District, Branch and Central Offices of Small Business Administration and in the Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to SBA collection activities in connection with Disaster Home Loans from the time of the initial disbursement until the loan is either paid-in-full or put in liquidation status. These records include:

SBA Form 573—"Cash Collateral and Abeyance Item Register"
SBA Form 230—"Receipt for Payment"
SBA Form 368—"Collections—Disaster Deferred Participation Loans Purchased.

Default Voucher

Various documents relating to the receipt and disposition of money remitted, issuances of past due notices and other related material.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

In the event court action arises from loan collection activities, a record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or counsel in the course or settlement negotiations.

To provide data to the General Accounting Office for periodic reviews of this Agency.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained on microfilm, magnetic tape, file folders, receipt books, ledgers, and insulated combination safes.

Retrievability: These records are indexed by recipient name as well as a cross-referenced loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records located in District and Branch Offices are retained for two years after the loan is paid or charged-off and then forwarded to a Federal Records Center where they are destroyed after two years. Records located in the Central Office are retained no more than two years and then either forwarded to a Federal Records Center for four years or sold for salvage.

System manager(s) and address: Privacy Act Officer, Regional Office records. The addresses of these offices are contained in Appendix A.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Regional Office records

Regional Director for Regional Office records

System name: Commercial Toll Calls—SBA075

System location: Portland, Oregon District Office, and Cleveland, Ohio District Office. See Appendix A for addresses. Other offices may keep information on toll calls, but it is only indexed by date.

Categories of individuals covered by the system: SBA employees who have made commercial toll telephone calls.

Categories of records in the system: Copies of SBA Form 485A, "Commercial Telephone Toll Tickets."


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used in communicating with the General Services Administration, or the telephone company regarding telephone bills.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.

Retrievability: In the offices listed above, these records are indexed by the name of the employee making a commercial toll call.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal: Records are retained until an audit or until the information otherwise becomes outdated.

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SB075

System name: Commercial Toll Calls—SBA075

System location: Portland, Oregon District Office, and Cleveland, Ohio District Office. See Appendix A for addresses. Other offices may keep information on toll calls, but it is only indexed by date.

Categories of individuals covered by the system: SBA employees who have made commercial toll telephone calls.

Categories of records in the system: Copies of SBA Form 485A, "Commercial Telephone Toll Tickets."


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are used in communicating with the General Services Administration, or the telephone company regarding telephone bills.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.

Retrievability: In the offices listed above, these records are indexed by the name of the employee making a commercial toll call.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal: Records are retained until an audit or until the information otherwise becomes outdated.
Categories of records in the system: This system of records contains information about individuals in connection with preparation for and attendance at Congressional hearings. These records include data concerning program activities and personnel problems, intra-agency correspondence, investigations and Justice Department reports.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation, or charged with enforcing or implementing the statute, or rule, regulation or order, issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders.

Retrievability: Parts of these records are indexed by an individual’s name, and to that extent, are retrievable.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Privacy Act Officer. See Appendix A for the address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency personnel, Loan Case File.

SB0080

System name: Completion Certificate Control Lists—SB0080

System location: Central Office, District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to SBA Form 1018, “Completion Certificate on SBA Disaster Loans.” Each disaster loan recipient is required to execute this form when all loan proceeds have been expended. The system of records contains this form along with borrower reminders, past due listings, and verification reports.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained on magnetic tape, file folders, binders and index cards.

Retrievability: These records are indexed by recipient name as well as a cross-referenced loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency employees, Agency files, Justice Department.

SB0900

System name: Delinquent Loans—SB0900

System location: District and Branch Offices of the Small Business Administration and Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: Recipients of disaster home loans whose loans have been classified as delinquent.

Categories of records in the system: This system of records contains information relative to delinquent disaster home loans. These records consist of monthly printouts of loans 30, 45, and 60 days past due and SBA Forms 1004A and 1004B, the collection notices and records on past due accounts. Included in these records are the number, amount and dates of delinquent payments, the amount of the loan, related correspondence and remarks by the Service Loan Officer.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
Storage: These records are maintained in file folders and binders.

Retrievability: These records are indexed by the name of the recipient.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The monthly listings are retained for up to one year and then destroyed. The 1004A and 1004B forms are transferred to the loan case file or an FRC if the loan becomes current. If the loan remains past due, these records are transferred to liquidation and retained until the loan is charged-off or paid-in-full and then forwarded to an FRC. Records maintained by a Federal Records Center are destroyed after four years.

System manager(s) and address: District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Agency Collection Activities Branch, individual to whom record pertains, agency personnel.

SBA095

System name: Designations of Cashiers—SBA095

System location: Lubbock District Office at address listed in Appendix A.

Categories of individuals covered by the system: SBA employees in office who have been bonded to serve as cashiers.

Categories of records in the system: This record includes request for and designation of cashiers (SP 211 and 1195), who are required to be bonded for the handling of imperst funds and treasury checks.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Information in these records is referred to the Treasury Department for bonding.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.

Retrievability: Records are indexed by the name of the employees designated as cashiers.

Safeguards: Records are kept in a file cabinet.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: District Director, Lubbock, Texas. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the District Director. The address is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, agency personnel.

SBA100

System name: Disaster Relief Act Printout—SBA100

System location: Corpus Christi Branch Office of the SBA. See Appendix A for address.

Categories of individuals covered by the system: Recipients of Disaster Home Loans in the Corpus Christi area.

Categories of records in the system: This Computer Printout lists the name and address of borrowers to whom the "forgiveness" provision of the Disaster Relief for application.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in a file folder.

Retrievability: Records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Indefinite retention.

System manager(s) and address: Branch Manager. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Branch Manager for Branch Office records

The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency employees.

SBA105

System name: Disbursements—SBA105

System location: Central, District and Branch Offices of the SBA and Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: Recipients of disaster home loans.

Categories of records in the system: This system of records contains information relating to loan disbursement activities. These records consist of detailed listings of disbursements, SBA Form 191-checks requested, SBA Form 192-checks issued on loan closing and treasury check registers. The information includes amount of the loan, schedule of payments, actual disbursement calendars and overpayments made.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

- To provide information to the public when disclosures are warranted.
- In communicating with the Treasury Department on disbursement activities.
- To provide data to the General Accounting Office for periodic reviews of this Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, register books, and index cards.

Retrievability: These records are indexed by recipient name and loan number as well as a cross-referenced check control number.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The Central Office maintains these records for two years following the end of the fiscal year whereas the District and Branch Offices maintain the system either for two years or indefinitely. The records are then transferred to an FPC which disposes of them under GAO standards.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office Records
- District Director for District Office Records
- Branch Manager for Branch Office Records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Person requesting counseling, other employees, EEO Counselor, and Personnel and employment records.

SBA115

System name: EEO Complaint Cases—SBA115
System location: Central Office. For address see Appendix A.

Categories of individuals covered by the system: SBA employees who have filed a complaint regarding discrimination in employment.

Categories of records in the system: File on each counseling case, compiled by the Office of Equal Employment Opportunity. File may include statements made by the complainant and other persons interviewed, EEO Counselor's Report, other information developed in the investigation of a complaint, notes of attempts to resolve the complaint, report of a hearing, Hearing Examiner's Recommendations, and Agency action on the case. Files also include closed cases.

Authority for maintenance of the system: 5 C.F.R. 713, 13 C.F.R. 105.735-5.4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These records are used to report complaints to the Civil Service Commission.

In the event that a complaint results in a hearing, records in this system will be used in preparing and presenting the case before a Complaints Examiner designated by the Civil Service Commission.

In the event that a complaint is appealed to the Civil Service Commission, these records will be used by the Appeals Review Board in making a decision on the case.

In the event that a complaint results in a suit in a Federal court, these records will be referred to the Department of Justice and used by that Department to prepare and present the case in court.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Files are maintained in file folders.

Retrievability: Records are indexed by the name of the person filing a complaint.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Records are kept indefinitely.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office Records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

System location: This system is maintained by most SBA Regional and District Offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees nominated for and/or receiving awards.

Categories of records in the system: Narratives on each individual nominated for Civil Servant of the Year, SBA Honor Award nominees, Federal Women’s Award nominees, recommendations of supervisors and other supporting documentation submitted to awards boards.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records include biographical data relating to employees who purchase U.S. Savings Bonds through payroll deduction.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Retesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual on whom record is maintained, Agency personnel records and memoranda, news media.

SBA130

System name: Employee Bond Participation Files—SBA130

System location: Central Office, Regional and District Offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees who purchase U.S. Savings Bonds through payroll deduction.

Categories of records in the system: This record includes the name of an employee purchasing Savings Bonds, address, Social Security number, amount of deduction, bond denomination, names of co-owners or beneficiaries, correspondence and other information relating to bonds.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Retention and disposal: Most offices retain the records as long as the person is employed by SBA.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Manager. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual on whom record is maintained, Agency personnel records and memoranda, news media.

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request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: SBA employees and their supervisors.

SA140
System name: Employee Evaluation and Supervision Files—SA140
System location: Central Office, Regional Offices, District Offices, Branch Offices. For addresses see Appendix A.
Categories of individuals covered by the system: SBA employees.
Categories of records in the system: This record contains Annual Performance Ratings, informal incident files on job activities, and other informal information relating to job performance, kept by supervisors.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal Agency use only.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.
Retrievability: Records are indexed by employee name.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.
Retention and disposal: Retention varies from one year to indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Supervisors; Observation, conversation, interviews with employees; Agency Personnel records.

SA145
System name: Employee Identification Card Files—SA145
System location: Central Office, Regional Offices, District Offices, Branch Offices. See Appendix A for addresses.
Categories of records in the system: These files contain names of employees and the identification card numbers issued to them.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal Agency use only.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders or card files.
Retrievability: Records are indexed by employee name or identification card number.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.
Retention and disposal: Records are retained until employee terminates service with SBA, or indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.
Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual on whom record is maintained, Agency Personnel records.

SBA150
System name: Employee Suggestions—SBA150
System location: Central Office, Regional Offices, Anchorage District Office, Cleveland District Office, Des Moines District Office. For addresses see Appendix A.

Categories of individuals covered by the system: SBA employees who have filed suggestions.

Categories of records in the system: Records include a copy of the suggestion, and information relating to the disposition made of the suggestion.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Safeguards: Records kept in file folders.

Retrievability: Records in the offices listed above are indexed by the name of the person making the suggestion. Suggestion files in other offices are retrievable by date.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Files are kept indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Applicant to whom the file pertains, Civil Service Commission, and persons who furnish references for applicant.

SBA160
System name: Exit Interviews—SBA160
System location: SBA Regional Offices in Denver, Colorado and in San Francisco, California. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees who resigned.

Categories of records in the system: A written record of interviews conducted by the Personnel Office to determine why an employee resigned.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained for internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: The records in this system are stored in file cabinets.

Retrievability: These records are retrieved by the name of the employee.

Safeguards: Records are released to authorized Agency personnel only.

Retention and disposal: These records are maintained indefinitely.

System manager(s) and address: Regional Directors in Denver and San Francisco. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Applicant to whom the file pertains, Civil Service Commission, and persons who furnish references for applicant.
To supply the General Services Administration and the General Accounting Office with information necessary and relevant to the Agencies' functions.

To request information from State and local police departments to determine an employee's eligibility for a government license.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether federal, state, local, or foreign, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and index cards.

Retrievability: Records are indexed by employee name.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her by addressing to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Employees, Supervisors, Agency Personnel records.

System name: Government Drivers' Licenses and Use of Vehicles—SBA180

System location: Regional, District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Employees authorized to use government vehicles.

Categories of records in the system: This system of records contains information relating to the use of government vehicles. Records include SBA Form 607, "Car Authorization," applications for government driver's license, accident reports, physical fitness statements and operator's identification card.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

System name: Grievances and Personnel Practices Appeals—SBA185

System location: Central Office, Regional Offices, or District Offices where grievances or personnel practices appeals have been filed.

Categories of individuals covered by the system: SBA employees who have filed grievances under Union grievances procedures or Personnel Practices Appeals Procedures.

Categories of records in the system: This system includes correspondence, supporting documents, transcripts of hearings, information developed in investigating a grievance or appeal and other information related to the processing of the grievance or appeal. These cases may be processed under a Union grievance procedure, or procedures established by the Agency pursuant to the Administrator's memorandum of December 9, 1974, to ensure that merit principles and personnel laws and regulations are carried out, where other procedures are not applicable.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101, Collective Bargaining Agreements with Unions which

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represent SBA employees, SBA Administrator's memorandum of December 9a 1974.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records may be communicated to the Union pursuant to the grievance procedure. These records may be reviewed by the Civil Service Commission or used in reporting to the Civil Service Commission on labor-management relations activity. Records may be disclosed to a Hearing Examiner from outside the Agency, pursuant to established procedures. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by name of the employee filing the grievance or appeal.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual who files grievance or appeal, other employees, Union, Personnel and employment records

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**SBA190**

System name: Hurricane Agnes Disaster Files—SBA190

System location: Philadelphia Regional Office, Harrisburg Branch Office and Wilkes-Barre Branch Office of SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients and applicants of SBA Disaster Home Loans, recipients of Pennsylvania State grants.

Categories of records in the system: This system of records contains information relating to loans applied for and/or issued during the Hurricane Agnes disaster of June 1972. These records include:

- Detailed analysis of every SBA disaster loan over 30,000 approved in the Philadelphia Region during the Hurricane Agnes disaster of June 1972,
- List of individuals receiving State grants,
- List of Mobile Home Loans fully forgiven,
- List of borrowers scheduled for liquidation and other information needed to determine eligibility of a borrower for additional funds,
- Active disaster accounts containing U.S. Court Order for Reinstatement for misuse of loan proceeds.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in these records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or.
implementing the statute or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of the Agency.

To provide information or disclose to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, on magnetic tape, and index cards.

Retrieval: These records are indexed by individual's name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are retained for no more than three years and then disposed of.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
Privacy Act Officer for Central Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency personnel, case files, Congressional correspondence, General Accounting Office.

SBA 205

System name: Legal Work Files on Personnel Problems—SBA 205
System location: SBA Central See Appendix A for address.

Categories of individuals covered by the system: SBA employees.

Categories of records in the system: These work files include opinions, advice, transcriptions, witness statements, etc. maintained by the General Counsel's Office on personnel cases.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in a file folder.

Retrieval: These records are indexed by lessee name as well as a cross-referenced lot number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

System manager(s) and address: Branch Manager. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Branch Manager in Springfield, Ill.

The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Department of the Army, Corps of Engineers.

SBA 220

System name: Litigation and Claims File—SBA 220
System location: Central Office, Regional, District and Branch Offices, and Federal Records Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: All Disastar Home Loan recipients and other individuals who are parties to lawsuits or claims involving the SBA.

Categories of records in the system: This system of records contains information relating to recipients who have been classified as "in litigation" and all individuals involved in claims asserted by or against the Agency. These records include, wherever applicable: affidavits, briefs, pleadings, depositions and interrogatories, summaries of loan status with entries of progress of litigation, opinions, copies of Department of Justice papers concerning loan cases in litigation, summary foreclosure, chattel lien searches, requests and answers under disclosure of information, modifications of loan terms and conditions, recipients' attorneys' names, amount of liability, narrative report of actual and contingent liabilities and related correspondence.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, whether arising by general statute, or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecution of such violation, or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

In the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, binders and index cards.

Retrievability: These records are indexed by the name of recipient and claimant.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: The litigation records are maintained by the Central Records Section for one year after the litigation action has been completed and marked "closed". At that time some records may be transferred to the Loan Case File while the remainder are destroyed. Records of claims and Disclosures of Information are maintained indefinitely and Actual and Contingent Liabilities Reports are maintained until the case is resolved, then forwarded to a Federal Records Center which disposes of them according to a GSA schedule.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the reasons for contesting it and the proposed amendment to the information sought.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency employees, Loan Case File.

System name: Loan Activity Reports—SBA225

System location: Central Office of the SBA. See Appendix A for address.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records lists information necessary for proper accounting of Disaster Home Loans. Included in these records are transaction registers, listings of stop actions and manual freezes, listings of assets and liabilities, and listings of outstanding items in suspense.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders and binders.

Retrievability: Records are indexed by loan number.

Safeguards: Access to and use of these records are limited to Accounting Operations Division personnel. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer. The address of this office is contained in Appendix A.

Record access procedure: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency employees, Loan Case File.

System name: Loan Activity Reports—SBA230

System location: District, Branch and Regional Offices of the Small Business Administration. For addresses, see Appendix A.

Categories of individuals covered by the system: Applicants for and recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to a Disaster Home Loan. Included in this system are lists of loan approvals, lists of loans declined, lists of loans cancelled, lists of bank officers, SCORE/ACE volunteers and Advisory Council members receiving loan approval lists, lists of loans in servicing, lists of loans pending, lists of borrowers' Federal tax returns, lists of underwater approved loans, lists of loans matur- ing, and lists of disbursed loans. Lists of approved loans contain information relating to the amount of a loan, the term and rate.


Routine uses of records maintained in the system, including categories of users and the purposes of such use: Loan activity reports are for internal use, with the exception of loan approval lists. Information contained in a loan approval list may be used:

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide data to the General Accounting Office for periodic reviews of this Agency.
To provide the Internal Revenue Service with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

To provide information to the public on an approved loan. Such information is limited to the name and address of the recipient, term and rate of the loan and the apportioned amount of the loan for real or personal property loss.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: Records are indexed by applicant and recipient name as well as, for approved loans, the loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom record pertains, Agency employees, Loan Case File, and Loan Master Files.

SBA235

System name: Loan Case File—SBA235

System location: All District and Branch Offices and some Regional Offices of the Small Business Administration and in Federal Record Centers. See Appendix A for SBA addresses and Appendix B for FRC addresses.

Categories of individuals covered by the system: Applicants and recipients of disaster home loans.

Categories of records in the system: This system of records contains information relating to an individual who has applied for, or is receiving a disaster home loan from the time of the individual's application until the date of payment in full or charge-off if approved, or until the date of an official denial if declined. These records include:

- Loan applications and supporting documents
- Personal history and financial statements
- Credit information
- Investigative reports
- Appraisers' reports
- Correspondence and recommendations of responsible SBA officials including approval authorizations
- Disbursement amount, term and rate function
- History of repayments
- Collateral and UCC filings
- Collection and liquidation activities
- Related correspondence
- Settlements and compromises
- Audits and bank reviews


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

- To provide information to the public on an approved loan. Such information is limited to the name and address of the recipient, term and rate of the loan, and the apportioned amount of the loan for real or personal property loss.

In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

To request information from a Federal, State or local agency or a private credit agency maintaining civil, criminal or other information relevant to determining an applicant's suitability for a loan.

To provide information or disclose to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan, or other benefit by the requesting agency to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

To provide the Internal Revenue Service, in response to its request, with access to an individual's records for an official audit to the extent that the information is relevant and necessary to the IRS' function.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders, binders, and index cards.

Retrievability: These records are indexed by applicant and recipient name as well as a cross-referenced loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records on approved loans are retained for two years after the loan is paid or charged-off and transferred to a Federal Records Center where they are destroyed four years later. Records on withdrawn, declined or cancelled applications are retained for two years after notification of final action and are then destroyed.

System manager(s) and address: Regional Directors, District Directors and Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager who will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees, financial institution reports, law enforcement agencies, and Federal Disaster Assistance Administration.
SBA240
System name: Loan Closings—SBA240
System location: District and Branch Offices of the SBA. See Appendix A for address.
Categories of individuals covered by the system: Recipients of Disaster Home Loans.
Categories of records in the system: This system of records lists closing information relating to Disaster Home Loans. Included in these records are closing reports, disbursement status of loan account, expiration of disbursement periods, and other records of disbursement.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
Exit: Internal use only.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.
Retention and disposal: Files are retained indefinitely.
System manager(s) and address: District Directors, Branch Managers. See Appendix A for addresses.
Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
District Director for District Office records
Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.
Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.
Record source categories: Individual to whom record pertains, Agency employees, Loan Case File.
SBA245
System name: Loans in Liquidation, Charged-Off or Paid-in-Full—SBA245
System location: Central Office, District and Branch Offices of the SBA and Federal Records Centers. See Appendix A for SBA addresses and Appendix B for RFC addresses.
Categories of individuals covered by the system: Recipients of Disaster Home Loans.
Categories of records in the system: This system of records contains information relating to Disaster Home Loans that have been placed in liquidation status or have been charged-off. These records include information on finances of borrowers, disposition of collateral, how recoveries are applied, comments relative to liquidation status, and date of final charge-off.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
To provide data to the General Accounting Office for periodic reviews of this Agency.
To provide the Internal Revenue Service, in response to its request, with access to an individual’s records for an official audit to the extent that the information is relevant and necessary to the IRS’ function.
In the event that a claim is made from loan collection activities, a record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.
Retention and disposal: Records on a loan in liquidation are retained by the SBA for three years after the case is closed. Except for those cases on which subsequent collection efforts have been made within three years from the date of closing, the records are then transferred to a Federal Records Center, which will dispose of the records after four years.
System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.
Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
Privacy Act Officer for Central Office records
District Director for District Office records
Branch Manager for Branch Office records
The addresses of these offices are contained in Appendix A.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.
Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.
Record source categories: Individual to whom record pertains, Agency employees, financial institution reports, creditors of the individual, auctioneers, U.S. Attorney, SBA Collateral File, SBA Loan Case File.
SBA250
System name: Loan Master Files—SBA250
System location: Central Office of Small Business Administration. See Appendix A for the address.
Categories of individuals covered by the system: Recipients of Disaster Home Loans.
Categories of records in the system: This system of records contains information relating to an individual who has received an SBA Disaster Home Loan. Included in these records are: approval, litigation data, and minority code.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.
In the event that a system of records maintained by this agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

To provide information or disclose to State and Federal agencies, in response to their requests, in connection with the issuance of a grant, loan or benefit by the requesting agency, or in connection with a review or audit by the other agency, Disclosure will be made only to the extent that the information is relevant and necessary to the requesting agencies' functions.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained on microfilm, magnetic tape, magnetic disc, and in file cabinets.

Retrievability: These records are indexed by loan number.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Files are maintained indefinitely.

System name: Management Assistance Resource Files—SBA255

System location: Central Office, Regional Offices, District Offices, and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Officers and members of minority organizations and minority government and civic leaders.

Categories of records in the system: This system of records contains information on individual's affiliated with various minority activities. Included within this system are membership lists of:

- Indian tribes in South Dakota, the Mexican-American Federation of San Diego County, the Union of Pan Asian Communities of San Diego County, Black Mayors of Louisiana and other community organizations.
- Addresses, telephone numbers, news clippings, position in the organization, investigative materials where applicable and related correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- Storage: These records are maintained in file folders.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Loan Case File, individual to whom record pertains, Agency employees.

System name: Minority Groups—SBA260

System location: Central Office and the District Offices in New Orleans, Sioux Falls and San Diego. See Appendix A for the addresses.

Categories of individuals covered by the system: Officers and members of minority organizations and minority government and civic leaders.

Categories of records in the system: This system of records contains information on individual's affiliated with various minority activities. Included within this system are membership lists of:

- Indian tribes in South Dakota, the Mexican-American Federation of San Diego County, the Union of Pan Asian Communities of San Diego County, Black Mayors of Louisiana and other community organizations.
- Addresses, telephone numbers, news clippings, position in the organization, investigative materials where applicable and related correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- Storage: These records are maintained in file folders.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are retained indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Privacy Act Officer for Central Office records
- Regional Director for Regional Office records
- District Director for District Office records
- Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees, members of SCORE or ACE, news media, educators and universities, professional organizations, civic organizations.

SBA260
Disclosure may be made to a congressional office from the information maintained in the system should direct their request to the official listed in the above paragraph, stating the reason for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Bureau of Indian Affairs, Mexican-American Federation of San Diego County, Union of Pan Asian Communities of San Diego County, Business Resource Center of San Diego, Urban League Business Directory, Agency personnel and the news media.

SBA265
System name: Modifications in Loan Accounting—SBA265
System location: Central Office, District and Branch Offices of SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records lists information necessary to keep Loan Case Files up-to-date with changes of borrower's address or loan status, deferrals and rejections in payments, and other modifications as contained in SBA Form 327.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Records are kept in file folders, binders, and index cards.

Retrievability: Records are indexed by loan number and name of borrowers.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained for no more than two years, then destroyed.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
District Director for District Office records
Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reason for contesting it and the proposed amendment to the information sought.

Record source categories: Agency Personnel, Individual to whom record pertains, Loan Case File, Financial Institutions.

SBA270
System name: Non-Career Employees—SBA270
System location: Central Office, at address listed in Appendix A.

Categories of individuals covered by the system: Schedule C (Non-Career) employees or applicants.

Categories of records in the system: File includes Clearance Requests, Standard Form 171, resumes and other background information on applicants for non-career positions with the SBA.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Information in these records is used to respond to requests for information from the White House, and to forward information to the White House.

These records may be examined by the Civil Service Commission or General Accounting Office in reviewing the Agency.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.

Retrievability: Retrievable by name of applicant or employee.

Safeguards: Records are kept in locked filing cabinet. Personnel screening is utilized to prevent unauthorized use.

Retention and disposal: Files are kept current and are discarded when no longer needed.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer at the address contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reason for contesting it and the proposed amendment to the information sought.

Record source categories: Individuals on whom record is maintained, White House.
ing to him or her. The District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

**Contesting record procedures:** Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it. And the proposed amendment to the information sought.

**Record source categories:** Individuals on whom record is maintained; purchase orders for fees.

**SBA280**

*System name:* Occupational Injuries—SBA280  
*System location:* Central, District, Regional and Branch Offices where injuries have occurred. See Appendix A for addresses.  
*Categories of individuals covered by the system:* SBA employees who have been involved in an accident or injured on the job.  
*Categories of records in the system:* Records include report forms on accidents and injuries, medical reports, medical bills and other information pertinent to the accident or injury.  
*Routine uses of records maintained in the system, including categories of users and the purposes of such uses:*  
Records in this system are used to report accidents and injuries to the Department of Labor. Records in the system may be used in processing claims for compensation for on-the-job injuries, by the appropriate Agency or a court. Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.  
*Storage:* Records are kept in file folders.  
*Retrievability:* Records are indexed by the name of the employee.  
*Safeguards:* Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.  
*Retention and disposal:* Files are retained indefinitely.  
*System manager(s) and address:* Privacy Act Officer, Regional Director, Regional Directors, Branch Managers. See Appendix A for addresses.  
*Notification procedure:* An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:  
Privacy Act Officer for Central Office records  
Regional Director for Regional Office records  
District Director for District Office records  
Branch Manager for Branch Office records  
The addresses of these offices are contained in Appendix A.  
*Record access procedures:* In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director, or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.  
*Contesting record procedures:* Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.  
*Record source categories:* Employee involved in accident, witnesses, other Agency personnel.

**SBA285**

*System name:* Official Travel Files—SBA285  
*System location:* Central Office, at addresses listed in Appendix A. Federal Records Centers, at addresses listed in Appendix B.  
*Categories of individuals covered by the system:* SBA employees.  
*Categories of records in the system:* Files include Travel Vouchers submitted by each employee.  
*Routine uses of records maintained in the system, including categories of users and the purposes of such uses:*  
Records are reviewed by the General Accounting Office in the course of an audit of the Agency. In the event that a system of records maintained by this Agency carries out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulatory rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigation or prosecution of such violation, or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.  
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.  
*Storage:* Records are kept in file folders.  
*Retrievability:* Records are indexed by employee name.  
*Safeguards:* Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.  
*Retention and disposal:* Records are maintained for two years after the end of a fiscal year, or until a GAO audit. Records are then transferred to a Federal Records Center, where they will be disposed of ten years after the end of the fiscal year in which the records were compiled.  
*System manager(s) and address:* Privacy Act Officer. See Appendix A for address.  
*Notification procedure:* An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer, at the address contained in Appendix A.  
*Record access procedures:* In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.  
*Contesting record procedures:* Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.  
*Record source categories:* Travel Vouchers submitted by employees.

**SBA290**

*System name:* Outside Employment Files—SBA290  
*System location:* Central Office, Regional Offices, Lubbock District Office. See Appendix A for addresses.  
*Categories of individuals covered by the system:* SBA employees who have requested permission to engage in outside employment.  
*Categories of records in the system:* Records include requests for outside employment, correspondence concerning such requests, and notification of Agency approval or disapproval of outside employment.  
*Routine uses of records maintained in the system, including categories of users and the purposes of such uses:* Records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting of such violation, or charged with enforcing or implementing the statute, rule, regulation or order issued pursuant thereto.  
Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.  
*Storage:* Records are kept in file folders.  
*Retrievability:* Records are indexed by name of employee.  
*Safeguards:* Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.  
*Retention and disposal:* Records are maintained for two years after the end of a fiscal year, or until a GAO audit. Records are then transferred to a Federal Records Center, where they will be disposed of ten years after the end of the fiscal year in which the records were compiled.  
*System manager(s) and address:* Privacy Act Officer. See Appendix A for address.  
*Notification procedure:* An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer, at the address contained in Appendix A.  
*Record access procedures:* In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.  
*Contesting record procedures:* Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.  
*Record source categories:* Travel Vouchers submitted by employees.
Regional Director for Regional Office records
District Director for District Office records
The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Employee requesting approval of outside employment and other Agency personnel.

SBA295

System name: Payroll Files—SBA295
System location: SBA Central Office. See Appendix A for address.

Categories of individuals covered by the system: SBA employees, active and inactive.

Categories of records in the system: Name, Social Security number, employee number, grade, step, and salary; organization, retirement or FICA data as applicable; Federal, State and local tax deductions; regular and optional Government life insurance deductions; health number, employee number, grade, step, and salary; organization, active and inactive.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

System name: Personnel Benefits Files—SBA300
System location: Cleveland District Office, Des Moines District Office, SBA Central Office. See Appendix A for addresses.

Categories of records in the system: Name, Social Security number, employee number, grade, step, and salary; organization, retirement or FICA data as applicable; Federal, State and local tax deductions; regular and optional Government life insurance deductions; health number, employee number, grade, step, and salary; organization, active and inactive.

System manager(s) and address: Privacy Act Officer. See Appendix A for address.

The addresses of these offices are contained in Appendix A.
Categories of records in the system: This record is kept by each office on its employees. It contains a summary of personnel information, including Social Security number, birthdate, address, telephone number, marital status, employment history, and similar information.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records may be used in responding to inquiries from banks or institutions on employees requesting loans or credit.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept on cards, or on Standard Form 7, "Employee Service Record Card," in Card Files.

Retrievability: Records are indexed by employee name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Records are retained for ten years after the employee leaves the Agency, then disposed of.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, and Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Employees on whom records are maintained, Agency Personnel Actions and records.

System name: Personnel Organization Roster—SBA310
System location: Maintained at SBA Central Office and at most field offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees.

Categories of records in the system: Employee's name, Social Security number, position title, occupational series, pay plan, grade, step, salary, veteran preference, tenure, birth date, date entered Federal Service, and time spent in grade.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

For internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are copies of a computer listing which are kept in file cabinets or the desk of the responsible employee.

Retrievability: Records are filed by office, program area, and name.

Safeguards: Information released only to authorized persons on a need to know basis.

Retention and disposal: A new listing is generated each month. The Central Office disposes of old copies after three years or upon completion of a Civil Service Commission inspection. Field offices dispose of old monthly copy when new copy is received or periodically, if desired.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Personnel and Payroll Records.

System name: Personnel Security Files—SBA315
System location: SBA Central Office and Regional Offices. See Appendix A for addresses.

Categories of individuals covered by the system: Active and inactive SBA employees.

Categories of records in the system: This system contains the active and inactive personnel security files, which include the employee's or former employee's name, background information, personnel actions, and Civil Service Commission's full field investigations. Also included in this system are the Civil Service Commission's National Agency checks and the names of those employees in sensitive positions requiring full field investigations.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a system of records maintained by this Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the investigation or prosecution of such violations or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

Full field investigations and National Agency checks are returned to the Civil Service Commission when employee becomes inactive.

Records in the active and inactive personnel security files are forwarded to other Federal agencies conducting background checks.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: The active and inactive personnel security files are maintained in rotary diebold power files. CSC National Agency checks are maintained in locked safes.

Retrievability: Records are retrieved by employee's name.

Safeguards: Personnel screening. Information released only to authorized persons.

Retention and disposal: Civil Service Commission National Agency checks are kept until the employee leaves government service and then returned to CSC.

On the separation of an employee from SBA, Security and Investigations Division strips the file and forwards the full
field portion of an investigation to the CSC. Remaining information of a nonderogatory nature is destroyed, while derogatory information is kept indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors. See Appendix A.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer or Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by agent’s and broker’s names.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained until the problem is resolved and then are destroyed.

System manager(s) and address: Regional Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Surety company for which the agent broker is authorized to execute bonds.

SBA335
System name: Problem Loan Work Files—SBA335
System location: District and Branch Offices of the SBA. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains information relating to an individual recipient of a Disaster Home Loan. These records include delinquent accounts, reports of field visits, correspondence and other information pertinent to a problem loan.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that a system of records maintained by the Agency to carry out the function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are indexed by recipient’s name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: These records are retained independently of the Loan Case File until the problem is resolved and then are incorporated into the Loan Case File.

System manager(s) and address: District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

District Director for District Office records
Branch Manager for Branch Office records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Loan Case File, individual to whom record pertains, Agency employees, financial institutions.

SBA345
System name: Red Cross Blood Program—SBA345
System location: Regional Offices, at addresses listed in Appendix A.

Categories of individuals covered by the system: SBA employees who have donated blood or indicated their willingness to donate blood.

Categories of records in the system: Record includes name of employee, blood type, and date of last donation of blood.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Records will be used in referring individuals to the Red Cross to donate blood.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Information is kept in notebooks or on cards.

Retrievability: In some offices this record is indexed by the employee’s name. In other offices it is only indexed by date.

Safeguards: Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal: Records are kept for one year, then destroyed.

System manager(s) and address: Regional Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to the Regional Director. The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director will set forth the procedures for gaining access to the records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual on whom record is maintained.
Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Records are used in compiling reports to the Civil Service Commission.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept on magnetic tape, on cards, or in file folders.

Retrievability: Records are indexed by employee name, Social Security Number, or minority code.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Indefinite or until up-dated.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director, or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Personnel records and visual observation to determine minority code.

SBA355

System location: Central Office. See Appendix A for the address.

Categories of individuals covered by the system: Service Corps of Retired Executives and Active Corps of Executives.

Categories of records in the system: This system of records contains information as to personal characteristics, employers, dates of employment, services to give business counseling to SBA recipients, and other pertinent information.

Safeguards: Personal screening. Information is released only to persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: At the end of each calendar year, inactive records are transferred to an FRC which destroys them after ten years.

Retrievability: These records are indexed by employee name as well as serial number.

System manager(s) and address: Privacy Act Officer, see Appendix A for address.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records

The Address of this office is contained in appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individuals to whom record pertains. SCORE/ACE registration forms.

SBA360

System name: Security & Investigations Files—SBA360

System location: Central Office and Federal Records Centers. See Appendix A for SBA Central Office address and Appendix B for FRC addresses.

Categories of individuals covered by the system: Applicants and recipients of SBA assistance and principals of applicant and recipient businesses - all types of loans, Lease Guarantees, Small Business Investment Company licensing, 8(a) contractors, call contractors and grantees, and Trade and Development Administration loans, Surety Bond Guarantees and applicant representatives, members of Advisory Councils and SCORE/ACE volunteers.

Categories of records in the system: This system of records contains information and reports on all of the above individuals on whom the Agency has derogatory information. Records of a non-derogatory nature are maintained on the principal SBIC directors and stockholders. These records integrate FBI and IRS reports and include personal history, background checks, field investigations, arrest and conviction records, parole and probation data, Securities and Exchange Commission violations, recommendations and evaluations, and related correspondence.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for the addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individuals to whom record pertains. SCORE/ACE registration forms.
System manager(s) and address: Privacy Act Officer. See Appendix A for address.

Notification procedure: An individual may inquire as to whether there is a record pertaining to him or her by addressing a request in person or in writing to the Privacy Act Officer for Central Office records. The address of this office is contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, public court records, parole and probation authorities, FBI, IRS, State and local law enforcement authorities, third party informants and Agency personnel.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and to prevent subjects of investigations from frustrating the investigatory process.

SBA365
System name: Security & Investigations Referrals—SBA365
System location: Regional, District and Branch Offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees and applicants and recipients of SBA assistance.

Categories of records in the system: This system of records contains referrals to Securities & Investigations for investigations and reports of the above individuals in order to determine whether fraudulent activities or misconduct has taken place. This system sometimes includes copies of the completed report by the S & I Divisions. These records include: personal statements of any arrests, indictments and convictions-SBA Form 912, allegations of irregularities, informants statements from outside investigative sources, recommendations from the field offices and related correspondence.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigation or prosecution of such violation or charged with enforcing or implementing such statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

These records may be used to provide data to the General Accounting Office for periodic reviews of this Agency.

These records may routinely be disclosed to other Federal agencies in response to their requests, in connection with conducting background checks. Disclosure will be made only to the extent that the information is relevant and necessary to the requesting agency’s function.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders and index cards.

Retrievability: These records are indexed by the name of the individual to be investigated.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Some offices retain these records for two years and then destroy them, while other offices retain these records until the irregularities are resolved.

System manager(s) and address: Regional Directors, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:
Regional Director for Regional Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director, District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency personnel, third party informants and the FBI and other investigative Government agencies.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record compiled for law enforcement purposes or for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, Federal contracts, or access to classified information is exempt from the notification, access and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f)) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and to prevent subjects of investigations from frustrating the investigatory process.

SBA370
System name: Settlement and Compromise—SBA370
System location: Central Office, Regional Offices, Miami District Office, Louisville District Office, Birmingham District Office. See Appendix A for addresses.

Categories of individuals covered by the system: Recipients of SBA Disaster Home Loans.

Categories of records in the system: Records include listings of loans considered for compromise, case records and financial information relating to compromises of loans, settlement agreements and notices of compromise on loans.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:
A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceedings or in settlement negotiations.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are kept in file folders.

Retrievability: Records are indexed by name of borrower.

Safeguards: Access to and use of these records are limited to those persons whose duties require such access. Personnel screening is utilized to prevent unauthorized disclosure.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: To provide information to the news media for public disclosure or to communicate with officials in State and local government agencies for purposes of users and the purposes of such uses: These records and information in the records may be used:

To provide information to the news media for public disclosure of the name, address and biographical statement of the recipients of the awards.

To communicate with officials in State and local government as to the status of a particular candidate.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: These records are maintained in file folders.

Retrievability: These records are retrievable by individual name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: Records are retained indefinitely.

System name: Standards of Conduct Files—SBA380

System location: SBA Central Office, all Regional Offices, various District Offices. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees.

Categories of records in the system:

Confidential statement of employment and financial interests made by employees Grade 13 and above, and by Grade 12 Branch Managers.

Ad Hoc Committee decisions and memoranda concerning standards of conduct questions used as precedent for later decisions. (Central Office only.)

Correspondence concerning conflicts of interest.

Listing of all SBA employees who have been indicted or convicted in matters involving SBA business.

Authority for maintenance of the system: 13 C.F.R. 105.735

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In the event that a system of records maintained by this Agency to carry out its function indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecution of such violation or charged with enforcing or implementing the statute or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of such proceeding or in settlement negotiations.

Records contained in this system may be forwarded to the Civil Service Commission when requested.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders which are stored in file cabinets or safes.

Retrievability: Records are retrievable by the name of the employee.

Safeguards: Access is subject to limitations to those employees with a need to use these records in performing their duties.

Retention and disposal: Files are retained indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors, District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records
District Director for District Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer, Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: To individual to whom record pertains, recommendations from various individuals, sponsoring Advisory Council members, Agency personnel, research publications directory, news media.
reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Information in the confidential statement of employment and financial interests is collected from the employee himself. Any adverse information could come from other employees or from a member of the general public with specific knowledge of the matter reported.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (k)(5), all investigatory material in the record compiled for the purpose of determining suitability, eligibility, or qualifications for Federal Government employment, Federal contracts, or access to classified information is exempt from the notification, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H), and (l), and (f) of the Agency regulations. This exemption is necessary in order to fulfill commitments made to protect the confidentiality of sources and maintain access to sources necessary in making determinations of suitability.

Categories of individuals covered by the system: Government employees and other individuals involved in accidents.

Categories of records in the system: This record contains reports on accidents which result in tort claims involving the Government.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

In the event that a tort claim results in a court suit, these records will be referred to the Department of Justice for handling of the suit and used in the preparation and presentation of the case.

These records are used in reporting on accidents and tort claims to the General Services Administration.

Disclosure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records Branch Manager for Branch Office records The addresses of these offices are contained in Appendix A.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to: District Director for District Office records Branch Manager for Branch Office records The addresses of these offices are contained in Appendix A.

Retention and disposal: Records are retained for no more than three years, then destroyed.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Record source categories: Loan Case Files, Agency employees.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records reports the transfer of loan case files from one division of the Small Business Administration to another division, or to the Federal Records Center.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

To provide information to the Federal Records Center, as needed, to locate a Loan Case File.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Record source categories: Loan Case Files, Agency employees.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

Categories of records in the system: This system of records contains a record pertaining to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records are maintained in file folders.

Retrievability: Records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Record source categories: Loan Case Files, Agency employees.

Categories of individuals covered by the system: Recipients of Disaster Home Loans.

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Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records and information in the records may be used:

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Storage: Records are maintained in file folders.

Retrievability: Records are indexed by recipient name.

Safeguards: Access to and use of these records are limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Record source categories: Loan Case Files, Agency employees.
Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director or Branch Manager will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees, and Loan Case File.

SBA400

System name: Union Membership—SBA400

System location: Denver Regional Office, Miami District Office, Little Rock District Office, Minneapolis District Office. See Appendix A for addresses.

Categories of individuals covered by the system: SBA employees who are members of the Union.

Categories of records in the system: This is a list of employees who are members of the Union or who have signed authorizations for payroll withholding of Union dues.

Authority for maintenance of the system: 5 U.S.C. 301, 44 U.S.C. 3101, Collective Bargaining Agreement with the Union which represents SBA employees.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- Records in this system might be reviewed by the Civil Service Commission in the course of a personnel management evaluation of the office.
- Records may be used in communications with the Union regarding dues withholding or other Union business.
- Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- Storage: Records are maintained in file folders.
- Retrievability: Records are alphabetical by the name of the member of the Union or person who has signed a dues withholding authorization.
- Safeguards: Personnel screening is utilized to prevent unauthorized disclosure.

Retention and disposal: These records are maintained indefinitely.

System manager(s) and address: Regional Director or District Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

- Regional Director for Regional Office Records
- District Director for District Office Records.

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Regional Director or District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Individual to whom the record pertains, Agency employees, and Loan Case File.

SBA410

System name: Upward Mobility Files—SBA410

System location: Central Office, Denver Regional Office, San Francisco Regional Office. For addresses see Appendix A.

Categories of individuals covered by the system: SBA employees who have applied for jobs within the Agency under the Upward Mobility Program.

Categories of records in the system: These records include applications of candidates for higher jobs in the Agency, appraisals by supervisors of qualifications of candidate, ratings by Personnel staff, roster of best-qualified candidates.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

- Information in these records may be communicated to the Union which represents SBA employees.
- Information in these records may be given to the Civil Service Commission for the processing of personnel matters.
- Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.
- Storage: Records are kept in file folders.

Retrievability: Records are indexed by employee name or job vacancy.
Safeguards: Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is used to prevent unauthorized disclosure.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Privacy Act Officer, Regional Directors. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
Regional Director for Regional Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the Privacy Act Officer or Regional Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Lawyer’s Title Company, SBA personnel.

SBA420
System name: Work Progress Reports—SBA420

System location: SBA Central Office. The following SBA District Offices: Providence, RI; Seattle, Wash.; Detroit, Mich.; Birmingham, Ala.; Minneapolis, Minn.; Miami, Fla.; Columbus, Ohio; Anchorage, Ak.; Honolulu, Hawaii. The following SBA Branch Offices: Harrisburg, Pa.; Springfield, Ill. Addresses for these offices may be found in Appendix A.

Categories of individuals covered by the system: SBA employees.

Categories of records in the system: These records include: Individual work reports showing how an employee’s time was expended; Project control sheets; Project status reports; Summary of loan officers’ activity; Record of loans processed by loan officers.


Routine uses of records maintained in the system, including categories of users and the purposes of such uses: For internal Agency use only.

Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Storage: Records maintained in file folders, which are stored in desk drawers or in file cabinets.

Retrievability: Records are indexed by employee’s name.

Safeguards: Personnel screening. Information released to authorized personnel on a need to know basis.

Retention and disposal: Records in this system are retained indefinitely.

System manager(s) and address: Privacy Act Officer, District Directors, Branch Managers. See Appendix A for addresses.

Notification procedure: An individual may inquire as to whether the system contains a record pertaining to him or her by addressing a request in person or in writing to:

Privacy Act Officer for Central Office records
District Director for District Office records
Branch Manager for Branch Office records

The addresses of these offices are contained in Appendix A.

Record access procedures: In response to a request by an individual to determine whether the system contains a record pertaining to him or her, the District Director will set forth the procedures for gaining access to these records. If there is no record of the individual, he or she will be so advised.

Contesting record procedures: Individuals desiring to contest or amend information maintained in the system should direct their request to the official listed in the above paragraph, stating the reasons for contesting it and the proposed amendment to the information sought.

Record source categories: Employee on whom the file is maintained, the employee’s supervisor, production control clerk.