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Agencies in this issue—

Agricultural Research Service
Civil Aeronautics Board
Civil Service Commission
Coast Guard
Consumer and Marketing Service
Equal Employment Opportunity
Commission
Farm Credit Administration
Federal Communications Commission
Federal Highway Administration
Federal Maritime Commission
Federal Power Commission
Federal Reserve System
Federal Trade Commission
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Food and Drug Administration
Food and Nutrition Service
Hazardous Materials
Regulations Board
Interstate Commerce Commission
Land Management Bureau
National Park Service
Securities and Exchange Commission
Small Business Administration

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter I of Title 5 is amended as follows:

PART 316—TEMPORARY AND INDEFINITE EMPLOYMENT

1. Subpart H of Part 316 is amended to provide that term employees also may be separated in connection with the Displaced Employee Program.

Subpart H—Separation of Temporary, Term, and Indefinite Employees

§ 316.801 Displacement of temporary, term, and indefinite employees.

(a) An agency shall separate employees serving under the following types of appointments in response to a specific displacement order by the Commission or to comply with the provisions of the Commission's displaced employee program:

- (1) Temporary pending establishment of a register;
- (2) Term;
- (3) Overseas limited term and overseas limited of indefinite duration; and
- (4) Indefinite.

(b) An agency may separate an employee serving under one of the types of appointments named in paragraph (a) of this section in order to create a vacancy for a person who is eligible for placement assistance under Subpart C of Part 330 of this chapter.

(c) When an agency separates employees under this section, it shall follow the order of displacement published by the Commission in the Federal Personnel Manual.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR, 1954-1958 Comp., p. 218)

PART 330—RECRUITMENT, SELECTION, AND PLACEMENT (GENERAL)

2. Subparts C and G of Part 330, the regulations governing the Displaced Employee Program, are completely revised to improve the opportunities of employees separated by reduction in force, or other reasons, to find continuing employment elsewhere in the Federal Government.

Subpart C—Displaced Employee Program

- Sec.
- 330.301 Definition.
 - 330.302 Agency programs.
 - 330.303 Commission program.
 - 330.304 Priority referral.
 - 330.305 Restrictions.
 - 330.306 Duration of eligibility.

AUTHORITY: The provisions of this Subpart C issued under 5 U.S.C. 1302, 3301, 3302, E.O. 10577; 3 CFR, 1954-1958 Comp., p. 218.

Subpart C—Displaced Employee Program

§ 330.301 Definition.

In this subpart, "displaced employee" means a present or former career or career-conditional employee, or excepted employee with competitive status and in tenure group I or II as defined in Part 351 of this chapter, who—

(a) Has received a reduction-in-force notice and whose employing agency has determined that he cannot be placed in another position in his competitive area;

(b) Has declined to transfer with his function, or to accept a new assignment, to another commuting area and whose employing agency has determined that he will not be placed in another position in his competitive area;

(c) Is in receipt of compensation under subchapter I of chapter 81 of title 5, United States Code; or

(d) Is under 60 years of age, has been retired under section 8337 of title 5, United States Code, and is subsequently found by the Commission to have recovered from his disability or to have been restored to earning capacity.

§ 330.302 Agency programs.

Each agency shall operate a positive placement program for its own displaced employees. The program shall, as a minimum, assure employees scheduled to be separated by reduction in force the same priority in consideration as separated persons who are included on the agency's reemployment priority list for the commuting area.

§ 330.303 Commission program.

Subject to the time limits and other conditions published by the Commission in the Federal Personnel Manual, a displaced employee is eligible for placement assistance under the Commission's Displaced Employee Program.

§ 330.304 Priority referral.

(a) *When made.* The Commission refers displaced employees to agencies for consideration in filling positions at GS-15 and below, or the equivalent, which (1) are expected to last more than 1 year, (2) are at or below the grade of the positions from which the employees were or will be displaced, and (3) are either vacant or filled by tenure group III employees as defined in Part 351 of this chapter other than status quo employees. Referrals are based on the qualifications of displaced employees and on the duties of the positions.

(b) *Order of referral.* The Commission refers displaced employees in the descending order of their retention stand-

ing by groups and subgroups under Part 351 of this chapter.

(c) *Selections.* When an agency selects a displaced employee referred by the Commission, it employs him by reinstatement, transfer, or position change, as appropriate.

§ 330.305 Restrictions.

(a) When a displaced employee receives priority referral under § 330.304(a) to a position for which he is qualified and available, the agency shall give him bona fide consideration for placement in the position. If there is no suitable vacancy, but there is a suitable position occupied by a tenure group III employee, other than a status quo employee, the agency shall establish a vacancy by separating a tenure group III employee under § 316.801 of this chapter.

(b) The Commission will neither certify from a register of eligibles nor authorize appointment outside the register in the absence of eligibles to fill any position expected to last more than 1 year for which a displaced employee is eligible and available for priority referral.

§ 330.306 Duration of eligibility.

A tenure group I displaced employee is eligible for placement assistance under the Displaced Employee Program for 2 years, and a tenure group II employee for 1 year, from the date he was separated or from the date he entered the program, whichever is later. Eligibility is terminated earlier, however, (a) at the employee's written request; (b) upon his acceptance of a nontemporary, full-time, competitive position; or (c) upon his declination of full-time career or career-conditional employment at or above his former grade under conditions which he previously indicated as acceptable, unless the Commission determines that in the interest of equity an exception is warranted.

Subpart G—Placement Program for Nonstatus Individuals Receiving Compensation for Work Injuries and for Certain Disability Annuitants

- Sec.
- 330.701 Coverage.
 - 330.702 Placement assistance.

AUTHORITY: The provisions of this Subpart G issued under 5 U.S.C. 1302, 3301, 3302, E.O. 10577; 3 CFR, 1954-1958 Comp., p. 18.

Subpart G—Placement Program for Nonstatus Individuals Receiving Compensation for Work Injuries and for Certain Disability Annuitants

§ 330.701 Coverage.

This subpart applies to each present or former employee who is not eligible for assistance under Subpart C of this part and who is—

(a) Receiving compensation under subchapter I of chapter 81 of title 5, United States Code; or

(b) Under 60 years of age, has been retired under section 8337 of title 5, United States Code, and is subsequently found by the Commission to have recovered from his disability or to have been restored to earning capacity.

§ 330.702 Placement assistance.

Subject to the conditions published by the Commission in the Federal Personnel Manual, an employee covered by this subpart may apply for examination by the Commission for any position for which there is a register established or about to be established under open competitive examination. The Commission enters the names of employees applying under this section on the appropriate registers in the order provided in § 332.401 of this chapter.

PART 332—RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

3. Subpart C of Part 332 is amended by adding a new § 332.314 to provide for entrance on register of the names of displaced employees eligible for placement assistance. Necessary changes are made in §§ 332.311(b) and 332.322(c).

Subpart C—Period of Competition and Eligibility

§ 332.311 Quarterly examinations.

(b) When there is no appropriate existing register, the Commission may establish special registers containing the names of eligibles from the quarterly examinations authorized by paragraph (a) of this section, together with the names of eligibles described in § 332.322, and use these registers for certification to fill appropriate vacancies.

§ 332.314 Displaced employees eligible for placement assistance.

Subject to the time limits and other conditions published by the Commission in the Federal Personnel Manual, a person who is eligible for placement assistance under Subpart C of Part 330 of this chapter is entitled to have his name entered on an appropriate existing register or a register about to be established, in the order prescribed by § 332.401, at each grade or level for which he is qualified and which is above the grade or level of the position from which he was or is to be displaced. His name is entered on the register without restriction as to grade or level if the register is used to fill a position to which the Commission does not make priority referrals under § 330.304 of this chapter.

§ 332.322 Persons who lost eligibility because of military service.

(c) When there is no appropriate existing register, the Commission may establish special registers containing the

names of persons entitled to priority of certification under paragraph (b) of this section, together with the names of eligibles described in § 332.311, and use these registers for certification to fill appropriate vacancies.

(5 U.S.C. 1302, 3301, 3302, E.O. 10577; 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[F.R. Doc. 70-434; Filed, Jan. 12, 1970;
8:48 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Areas Quarantined

Pursuant to provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 114g, 115, 117, 120, 121, 123-126, 134b, 134f), Part 76, Title 9, Code of Federal Regulations, restricting the interstate movement of swine and certain products because of hog cholera and other communicable swine diseases, is hereby amended in the following respects.

1. In § 76.2, paragraph (e) (8) relating to North Carolina is amended to read:

(8) *North Carolina.* (i) That portion of Cumberland County bounded by a line beginning at the junction of U.S. Interstate Highway 95 and State Secondary Road 1835; thence, following State Secondary Road 1835 in a southerly direction to State Highway 24; thence, following State Highway 24 in a northwesterly direction to Cape Fear River; thence, following the eastern bank of Cape Fear River in a northerly direction to U.S. Interstate Highway 95; thence, following U.S. Interstate Highway 95 in a north-easterly direction to its junction with State Secondary Road 1835;

(ii) That portion of Duplin County bounded by a line beginning at the junction of State Highway 11 and the eastern boundary of Duplin County; thence, following the eastern boundary line in a southeasterly direction to State Road 1715; thence, following State Road 1715 in a westerly direction to State Highway 50; thence, following State Highway 50 in a northwesterly direction to the Northeast Cape Fear River; thence, following the Northeast Cape Fear River in a northerly direction to State Highway 11; thence, following

State Highway 11 in an easterly direction to its junction with the eastern boundary of Duplin County;

(iii) The adjacent portions of Edgecombe and Halifax Counties bounded by a line beginning at the junction of State Secondary Road 1418 and Fishing Creek; thence, following State Secondary Road 1418 in a southerly direction to State Highway 44; thence, following State Highway 44 in a southerly direction to State Highway 97; thence, following State Highway 97 in a northeasterly direction to U.S. Highway 258; thence, following U.S. Highway 258 in a northeasterly direction to State Secondary Road 1103; thence, following State Secondary Road 1103 in a northwesterly direction to State Secondary Road 1003; thence, following State Secondary Road 1003 in a southwesterly direction to State Secondary Road 1109; thence following State Secondary Road 1109 in a southerly direction to the junction of State Secondary Road 1418 and Fishing Creek;

(iv) That portion of Gates County bounded by a line beginning at the junction of State Road 1304 and the North Carolina-Virginia State line; thence, following State Road 1304 in a southwesterly direction to State Road 1312; thence, following State Road 1312 in a southeasterly direction to State Road 1318; thence, following State Road 1318 in a southwesterly direction to State Road 1300; thence, following State Road 1300 in a northwesterly direction to State Road 1303; thence, following State Road 1303 in a southwesterly direction to State Highway 37; thence, following State Highway 37 in a northwesterly direction to State Road 1219; thence, following State Road 1219 in a westerly direction to State Road 1217; thence following State Road 1217 in a northerly direction to State Road 1202; thence, following State Road 1202 in a westerly direction to State Road 1208; thence, following State Road 1208 in a northeasterly direction to the North Carolina-Virginia State line; thence, following the North Carolina-Virginia State line in an easterly direction to its junction with State Road 1304;

(v) The adjacent parts of Johnston, Wake, and Harnett Counties bounded by a line beginning at the junction of State Highways 42 and 50; thence, following State Highway 50 in a southerly direction to State Secondary Road 1322; thence, following State Secondary Road 1322 in a westerly direction to State Secondary Road 1309; thence, following State Secondary Road 1309 in a southwesterly direction to State Secondary Road 1303; thence, following State Secondary Road 1303 in a southwesterly direction to State Secondary Road 1551; thence, following State Secondary Road 1551 in a northwesterly direction to State Secondary Road 1532; thence, following State Secondary Road 1532 in a westerly direction to State Secondary Road 1006; thence, following State Secondary Road 1006 in a northerly direction to State Highway 42; thence, following State Highway 42 in an easterly direction to its junction with State Highway 50;