State	County	Location	Map No.	State map repository	Local map repository	Effective date of authorization of sale of flood insurance for area
New Jersey.	Ocean	Long Beach Township.	E 34 029 1755 01. E 34 029 1755 02. E 34 029 1755 03. E 34 029 1755 04.	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Municipal Clerk, Township of Long Beach, 6805 Long Beach Blvd., Brant Beach, N.J. 08008.	Do.
Do	do	Borough of Ship Bottom.	E 34 029 3060 01.	do	Office of the Borough Clerk, Borough Hall, 17th and Blvd., Ship Bottom, N.J. 08008.	Do.
Do	do	Borough of Surf City.	E 34 029 3380 01.	do	Office of the Borough Clerk, Borough Hall, Surf City, N.J. 08040.	Do.
Texas	Galveston	Galveston	E 48 167 2570 01.	Texas Water Development Board, 301 West 2d St., Austin, Tex. 78701. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78711.	Director of Public Works, City of Galveston, City Hall, 823 Rosenberg, Galveston, Tex. 77550.	Do.
Do	do	La Marque	E 48 167 3830 01. E 48 167 3830 02.	do	Office of the City Clerk, City of La Marque, 322 Laurel, La Marque, Tex. 77568.	Do.
Do	Harris	Clear Lake City.	E 48 201 1365 01. E 48 201 1365 02.	do	Clear Lake City Water Authority, 900 Bay Area Blvd., Houston, Tex. 77058.	Do.
Do	do	Seabrook	E 48 201 6247 01. E 48 201 6247 02. E 48 201 6247 03. E 48 201 6247 04.	do	Seabrook City Hall, 1700 1st St., Seabrook, Tex. 77586.	Do.
Do	Jefferson	Groves	E 48 245 2905 01. E 48 245 2905 02.	do	Building Official, City of Groves, Public Works Office Bldg., McKinley Ave. at Highway 366, Groves, Tex. 77619.	Do.
Do	do	Lakeview	E 48 245 3830 01. E 48 245 3830 02.	do	Office of the Town Clerk, Town of Lakeview, 640 Duff Dr., Port Arthur, Tex. 77640.	Do.
Do	do	Port Arthur	E 48 245 5430 01. E 48 245 5430 02.	do	Office of Urban Development, 1st Floor, City Hall, 444 4th St., Port Arthur, Tex. 77640.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Issued: May 26, 1970.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[F.R. Doc. 70-6447; Filed, May 25, 1970; 8:45 a.m.]

PART 1915—IDENTIFICATION OF FLOOD-PRONE AREAS

List of Flood Hazard Areas

Section 1915.3 is amended by adding in alphabetical sequence a new entry to the table, which entry reads as follows:

§ 1915.3 List of flood hazard areas.

* * * * * * *

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
* * *	* * *	* * *	* * *	* * *	* * *	* * *
Florida	Escambia	Pensacola Beach.	H 12 033 2404 01. H 12 033 2404 02. H 12 033 2404 03.	Department of Community Affairs, 225 West Jefferson St., Tallahassee, Fla. 32303. State of Florida Insurance Department, Treasurer's Office, State Capitol, Tallahassee, Fla. 32308.	Santa Rosa Island Authority, No. 1 Via de Luna, Pensacola Beach, Fla. 32561.	May 26, 1970.
Mississippi	Harrison	Gulfport	H 28 047 1020 01. H 28 047 1020 02.	State of Mississippi, Governor's Emergency Council, 429 Mississippi St., Room 409, Jackson, Miss. 39205. Mississippi Research and Development Center, Informational Services Division, Post Office Drawer 2470, Jackson, Miss. 39205. Mississippi Insurance Department, 910 Woolfolk Bldg., Jackson, Miss. 39205.	Office of the City Clerk, City of Gulfport, City Hall, Post Office Box 1780, Gulfport, Miss. 39501.	Do.
Do	do	Pass Christian.	H 28 047 1910 01.	do	Temporary City Hall, 111 Heirn Ave., Pass Christian, Miss. 39571.	Do.
New Jersey.	Ocean	Borough of Harvey Cedars.	H 34 029 1320 01.	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Borough Hall, 76th and Blvd., Harvey Cedars, N.J. 08040.	Do.
New Jersey.	Ocean	Long Beach Township.	H 34 029 1755 01. H 34 029 1755 02. H 34 029 1755 03. H 34 029 1755 04.	Department of Environmental Protection, Division of Water Policy and Supply, Post Office Box 1390, Trenton, N.J. 08625. Department of Banking and Insurance, State House Annex, Trenton, N.J. 08625.	Office of the Municipal Clerk, Township of Long Beach, 6805 Long Beach Blvd., Brant Beach, N.J. 08008.	Do.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do.	do.	Borough of Ship Bottom.	H 34 029 3060 01.	do.	Office of the Borough Clerk, Borough Hall, 17th and Blvd., Ship Bottom, N.J. 08008.	Do.
Do.	do.	Borough of Surf City.	H 34 029 3300 01.	do.	Office of the Borough Clerk, Borough Hall, Surf City, N.J. 08040.	Do.
Texas	Galveston	Galveston	H 48 167 2570 01.	Texas Water Development Board, 301 West 2d St., Austin, Tex. 78711. State Board of Insurance, 11th and San Jacinto, Austin, Tex. 78711.	Director of Public Works, City of Galveston, City Hall, 823 Rosenberg, Galveston, Tex. 77550.	Do.
Do.	do.	La Marque	H 48 167 3850 01. H 48 167 3850 02.	do.	Office of the City Clerk, City of La Marque, 322 Laurel, La Marque, Tex. 77568.	Do.
Do.	Harris	Clear Lake City.	H 48 201 1365 01. H 48 201 1365 02.	do.	Clear Lake City Water Authority, 900 Bay Area Blvd., Houston, Tex. 77058.	Do.
Do.	do.	Seabrook	H 48 201 6247 01. H 48 201 6247 02. H 48 201 6247 03. H 48 201 6247 04.	do.	Seabrook City Hall, 1700 1st St., Seabrook, Tex. 77586.	Do.
Do.	Jefferson	Groves	H 48 245 2905 01. H 48 245 2905 02.	do.	Building Official, City of Groves, Public Works Office Bldg., McKinley Ave. at Highway 366, Groves, Tex. 77619.	Do.
Do.	do.	Lakeview	H 48 245 3830 01. H 48 245 3830 02.	do.	Office of the Town Clerk, Town of Lakeview, 640 Duff Dr., Port Arthur, Tex. 77640.	Do.
Do.	do.	Port Arthur.	H 48 245 5430 01. H 48 245 5430 02.	do.	Office of Urban Development, 1st Floor, City Hall, 444 4th St., Port Arthur, Tex. 77640.	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 F.R. 17804, Nov. 28, 1968), as amended (secs. 408–410, Public Law 91–152, Dec. 24, 1969), 42 U.S.C. 4001–4127; and Secretary's delegation of authority to Federal Insurance Administrator, 34 F.R. 2680, Feb. 27, 1969)

Effective date: May 26, 1970.

GEORGE K. BERNSTEIN,
Federal Insurance Administrator.

[F.R. Doc. 70-6448; Filed, May 25, 1970; 8:45 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 870—RESTRICTION ON GARNISHMENT

Computation of multiple of the Federal minimum hourly wage for pay periods other than weekly; exemption for State-regulated garnishments.

On December 5, 1969, there was published in the FEDERAL REGISTER (34 F.R. 19296) notice of proposed rule making regarding the computation of a multiple of the Federal minimum hourly wage equivalent to that set forth in section 303(a) of the Consumer Credit Protection Act (CCPA), and exemption of State-regulated garnishments. After consideration of all relevant matter presented by interested persons, and pursuant to sections 303(a), 305, and 306 of the CCPA (82 Stat. 163, 164; 15 U.S.C. 1673, 1675, 1676), 29 CFR Chapter V is hereby amended by adding a new Part 870 to read as set forth below:

Subpart A—General

Sec.
870.1 Purpose and scope.
870.2 Amendments to this part.

Subpart B—Determinations and Interpretations

870.10 Maximum part of aggregate disposable earnings subject to garnishment.

Subpart C—Exemption for State-Regulated Garnishments

870.50 General provision.
870.51 Exemption policy.
870.52 Application for exemption of State-regulated garnishments.
870.53 Action upon an application for exemption.
870.54 Standards governing the granting of an application for exemption.
870.55 Terms and conditions of every exemption.
870.56 Termination of exemption.

AUTHORITY: The provisions of this Part 870 issued under secs. 303, 305, 306, 82 Stat. 163, 164; 15 U.S.C. 1673, 1675, 1676.

Subpart A—General

§ 870.1 Purpose and scope.

(a) This part sets forth the procedures and any policies, determinations, and interpretations of general application whereby the Secretary of Labor carries out his duties under section 303 of the CCPA dealing with "multiples" of weekly restrictions on garnishment of earnings, and section 305 permitting exemptions for State-regulated garnishments in certain situations.

(b) Functions of the Secretary under the CCPA to be performed as provided in this part are assigned to the Administrator of the Wage and Hour Division (hereinafter referred to as the Administrator) who, under the general direction and control of the Assistant Secretary, Wage and Labor Standards Administration, shall be empowered to take final and binding actions in administering the provisions of this part. The Administrator is empowered to subdelegate any of his duties under this part. Any legal advice and assistance required for administration of this part shall be provided by the Solicitor of Labor.

§ 870.2 Amendments to this part.

The Administrator may, at any time upon his own motion or upon written request of any interested person setting forth reasonable grounds therefor, amend any rules in this part.

Subpart B—Determinations and Interpretations

§ 870.10 Maximum part of aggregate disposable earnings subject to garnishment.

(a) *Statutory provision.* Section 303(a) of the CCPA provides that, with some exceptions,

> the maximum part of the aggregate disposable earnings of an individual for any workweek which is subjected to garnishment may not exceed
>
> (1) 25 per centum of his disposable earnings for that week, or
>
> (2) the amount by which his disposable earnings for that week exceed thirty times the Federal minimum hourly wage prescribed by section 6(a)(1) of the Fair Labor Standards Act of 1938, in effect at the time the earnings are payable,
>
> whichever is less. In the case of earnings for any pay period other than a week, the Secretary of Labor shall be regulation prescribe a multiple of the Federal minimum hourly wage equivalent in effect to that set forth in paragraph (2).

(b) *Weekly pay period.* The statutory exemption formula applies directly to the aggregate disposable earnings for 1 workweek, or a lesser period. Its intent is to protect from garnishment, and save to an individual earner, the specified amount of compensation for his personal services rendered in the workweek, or lesser period. Thus, so long as the Federal minimum wage prescribed by section 6(a)(1) of the Fair Labor

Standards Act of 1938 is $1.60 an hour—

(1) If an individual's disposable earnings for a workweek or lesser period are $48 (30 x $1.60) or less, his earnings may not be garnished in any amount.

(2) If an individual's disposable earnings for a workweek or lesser period are more than $48, but less than $64, only the amount above $48 is subject to garnishment.

(3) If an individual's disposable earnings for a workweek or lesser period are $64 or more, 25 percent of his disposable earnings is subject to garnishment.

(c) *Pay for a period longer than 1 week.* In the case of disposable earnings which compensate for personal services rendered in more than 1 workweek, the weekly statutory exemption formula must be transformed to a formula applicable to such earnings providing equivalent restrictions on wage garnishment.

(1) The 25 percent part of the formula would apply to the aggregate disposable earnings for all the workweeks compensated.

(2) The "multiple" of the Federal minimum hourly wage equivalent to that applicable to the disposable earnings for 1 week is represented by the following formula: The number of workweeks, or fractions thereof (x) x 30 x the applicable Federal minimum wage ($1.60). For the purpose of this formula, a calendar month is considered to consist of 4⅓ workweeks. Thus, so long as the Federal minimum hourly wage is $1.60 an hour, the "multiple" applicable to the disposable earnings for a 2-week period is $96 (2 x 30 x $1.60); for a monthly period, $208 (4⅓ x 30 x $1.60); and for a semimonthly period, $104 (2⅙ x 30 x $1.60). The "multiple" for any other pay period longer than 1 week shall be computed in a manner consistent with section 303(a) of the Act and with this paragraph.

Subpart C—Exemption for State-Regulated Garnishments

§ 870.50 General provision.

Section 305 of the CCPA authorizes the Secretary to "exempt from the provisions of section 303(a) garnishments issued under the laws of any State if he determines that the laws of that State provide restrictions on garnishment which are substantially similar to those provided in section 303(a)."

§ 870.51 Exemption policy.

(a) It is the policy of the Secretary of Labor to permit exemption from section 303(a) of the CCPA garnishments issued under the laws of a State if those laws considered together cover every case of garnishment covered by the Act, and if those laws provide the same or greater protection to individuals. Differences in text between the restrictions of State laws and those in section 303(a) of the Act are not material so long as the State laws provide the same or greater restrictions on the garnishment of individuals' earnings.

(b) In determining whether State-regulated garnishments should be exempted from section 303(a) of the CCPA, or whether such an exemption should be terminated, the laws of the State shall be examined with particular regard to the classes of persons and of transactions to which they may apply; the formulas provided for determining the maximum part of an individual's earnings which may be subject to garnishment; restrictions on the application of the formulas; and with regard to procedural burdens placed on the individual whose earnings are subject to garnishment.

(c) Particular attention is directed to the fact that subsection (a) of section 303, when considered with subsection (c) of that section, is read as not requiring the raising of the subsection (a) restrictions as affirmative defenses in garnishment proceedings.

§ 870.52 Application for exemption of State-regulated garnishments.

(a) An application for the exemption of garnishments issued under the laws of a State may be made in duplicate by a duly authorized representative of the State. The application shall be filed with the Administrator of the Wage and Hour Division, Department of Labor, Washington, D.C. 20210.

(b) Any application for exemption must be accompanied by two copies of all the provisions of the State laws relating to the garnishment of earnings, certified to be true and complete copies by the Attorney General of the State. In addition, the application must be accompanied by a statement, in duplicate, signed by the Attorney General of the State, showing how the laws of the State satisfy the policy expressed in § 870.51(a) and setting forth any other matters which the Attorney General may wish to state concerning the application.

§ 870.53 Action upon an application for exemption.

(a) The Administrator shall grant or deny within a reasonable time any application for the exemption of State-regulated garnishments. The State representative shall be notified in writing of the decision. In the event of denial, a statement of the grounds for the denial shall be made. To the extent feasible and appropriate, the Administrator may afford to the State representative and to any other interested persons an opportunity to submit orally or in writing data, views, and arguments on the issue of whether or not an exemption should be granted and on any subsidiary issues.

(b) If an application is denied, the State representative shall have an opportunity to request reconsideration by the Administrator. The request shall be made in writing. The Administrator shall permit argument whenever the opportunity to do so has not been afforded under paragraph (a) of this section, and may permit argument in any other case.

(c) General notice of every exemption of State-regulated garnishments and of its terms and conditions shall be given by publication in the FEDERAL REGISTER.

§ 870.54 Standards governing the granting of an application for exemption.

The Administrator may grant any application for the exemption of State-regulated garnishments whenever he finds that the laws of the State satisfy the policy expressed in § 870.51(a).

§ 870.55 Terms and conditions of every exemption.

(a) It shall be a condition of every exemption of State-regulated garnishments that the State representative have the powers and duties (1) to represent, and act on behalf of, the State in relation to the Administrator and his representatives, with regard to any matter relating to, or arising out of, the application, interpretation, and enforcement of State laws regulating garnishment of earnings; (2) to submit to the Administrator in duplicate and on a current basis, a certified copy of every enactment by the State legislature affecting any of those laws, and a certified copy of any decision in any case involving any of those laws, made by the highest court of the State which has jurisdiction to decide or review cases of its kind, if properly presented to the court; and (3) to submit to the Administrator any information relating to the enforcement of those laws, which the Administrator may request.

(b) The Administrator may make any exemption subject to additional terms and conditions which he may find appropriate to carry out the purposes of section 303(a) of the Act.

§ 870.56 Termination of exemption.

(a) After notice and opportunity to be heard, the Administrator shall terminate any exemption of State-regulated garnishments when he finds that the laws of the State no longer satisfy the purpose of section 303(a) of the Act or the policy expressed in § 870.51(a). Also, after notice and opportunity to be heard, the Administrator may terminate any exemption if he finds that any of its terms or conditions have been violated.

(b) General notice of the termination of every exemption of State-regulated garnishments shall be given by publication in the FEDERAL REGISTER.

Effective date. This part shall become effective on the date of its publication in the FEDERAL REGISTER, except § 870.10, which shall become effective on July 1, 1970.

Signed at Washington, D.C., this 20th day of May 1970.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 70-6450; Filed, May 25, 1970; 8:47 a.m.]