

designee of the organization shall maintain for a period of 90 days following the closing date of the horse show or exhibition, records containing:

(1) The dates and place of the horse show or exhibition;

(2) The show manager's name and address;

(3) A statement signed by an officer of the sponsoring organization that it will comply with the Act and will direct the show manager and all employees and agents of the sponsoring organization to comply with the provisions of the Act;

(4) The name and address of the veterinarian, if any, employed to make inspections under § 11.20;

(5) The name and address of each show judge;

(6) A copy of the official program, if any; and

(7) The identification of each horse and his owner, exhibitor, and home barn.

(b) The sponsoring organization for any horse show or exhibition shall furnish to any Veterinary Services representative, upon his request, the name and address of any person designated by the organization to maintain the records required by this section.

(c) The Deputy Administrator may, in specific cases, authorize a period of retention of records required by this section for less than 90 days.

§ 11.22 Inspection of records.

(a) Upon request and during ordinary business hours, or such other times as may be agreed upon, the sponsoring organization and any designee thereof shall permit any Veterinary Services representative to examine all records required to be kept by the regulations in this part and to make copies of such records. A room, table, or other facilities necessary for proper examination of the records shall be made available to the Veterinary Services representative.

§ 11.23 Access to premises for inspection of horses.

The sponsoring organization and the show manager of any horse show or exhibition shall, without fee, charge, assessment, or other compensation, provide the Veterinary Services representative upon request and after identification of the representative, with unlimited access to the grandstands and all other areas of the show or exhibition grounds and adjacent areas under their control, for purposes of inspection of horses or records as provided in this part.

§ 11.24 Reporting by show manager.

Within 72 hours following the conclusion of the horse show or exhibition, the show manager of the horse show or exhibition shall send by mail to the Veterinarian in Charge for the State where the horse show or exhibition was held, the information required by § 11.21(a)(7) for each horse that was reported as sore by the veterinarian designated under § 11.20, or was found by the show man-

ager to be sore or otherwise in violation of § 11.2.

TRANSPORTATION

§ 11.40 Prohibitions and requirements concerning persons involved in transportation of certain horses in commerce.

(a) It is unlawful for any person to ship, transport, or otherwise move, or deliver or receive for movement, in commerce, for the purpose of showing or exhibition, any horse which such person has reason to believe is sore.

(b) Each person who ships, transports, or otherwise moves, or delivers or receives for movement, in commerce, for the purpose of showing or exhibition, any horse, shall allow and assist in the inspection of such horse as provided in § 11.4 and shall furnish to any Veterinary Services representative upon his request and in the manner requested the following information:

(1) Name and address of the horse owner and of the shipper, if different from the owner or trainer;

(2) Name and address of the horse trainer;

(3) Name and address of the carrier transporting the horse, and of the driver of the means of conveyance used;

(4) Origin of the shipment and date thereof;

(5) Destination of shipment.

ENFORCEMENT

§ 11.41 Violations and penalties.

A violation of any provision of the Act or the regulations in this part is unlawful and any person committing such a violation is subject to a civil penalty up to \$1,000 or criminal penalties up to \$2,000 and 6 months imprisonment for each such violation, as prescribed in section 6 of the Act.

The foregoing regulations implement the Horse Protection Act and should be made effective promptly in order to effectuate the objectives of the Act. The regulations differ in some respects from the provisions proposed in the notices of rule making. The differences are due to changes made pursuant to comments from interested persons or in the interests of clarification and consistency. It does not appear that further public participation in connection with the issuance of the regulations would make additional information available to the Department. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such further public proceedings are impracticable and unnecessary and good cause is found for making the regulations effective less than 30 days after their publication in the FEDERAL REGISTER.

Effective date. The foregoing regulations shall become effective upon publication in the FEDERAL REGISTER (2-1-72).

NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Office of Management and Budget in accordance with the Federal Reports Act of 1942.

Done at Washington, D.C., this 28th day of January 1972.

F. J. MULHERN,
Administrator,
Animal and Plant Health Service.

[FR Doc.72-1524 Filed 1-31-72;8:51 am]

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 82—EXOTIC NEWCASTLE DISEASE; AND PSITTACOSIS OR ORNITHOSIS IN POULTRY

Areas Quarantined

Pursuant to the provisions of sections 1, 2, 3, and 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, sections 4, 5, 6, and 7 of the Act of May 29, 1884, as amended, and sections 3 and 11 of the Act of July 2, 1962 (21 U.S.C. 111, 112, 113, 115, 117, 120, 123, 124, 125, 126, 134b, 134f), Part 82, Title 9, Code of Federal Regulations, is hereby amended in the following respects:

In § 82.3, the introductory portion of paragraph (a) is amended by adding thereto the name of the State of Florida, and a new subparagraph (a) (5) relating to the State of Florida is added to read:

§ 82.3 Areas quarantined.

(a) * * *

(5) *Florida.* That portion of Dade County (city of Miami), bounded by a line beginning at the junction of Palmetto Expressway (Interstate 826) and Northwest 74th Street; thence, following Northwest 74th Street in an easterly direction to U.S. Highway 27; thence, following U.S. Highway 27 in a northwesterly direction to Palmetto Expressway (Interstate 826); thence, following Palmetto Expressway (Interstate 826) in a southerly direction to its junction with Northwest 74th Street.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f; 29 F.R. 16210, as amended, 36 F.R. 20707)

Effective date. The foregoing amendment shall become effective upon issuance.

The amendment quarantines a portion of Dade County, Fla. (city of Miami), because of the existence of exotic Newcastle disease. The amendment imposes certain restrictions necessary to prevent the interstate spread of exotic Newcastle disease, a communicable disease of poultry, and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of January 1972.

G. H. WISE,
Acting Administrator,
Animal and Plant Health Service.

[FR Doc.72-1410 Filed 1-31-72;8:46 am]

SUBCHAPTER D—EXPORTATION AND IMPORTATION OF ANIMALS AND ANIMAL PRODUCTS

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Deputy Administrator, Veterinary Services, Animal and Plant Health Service by § 97.1 of the regulations concerning overtime services relating to imports and exports (9 CFR 97.1), administrative instructions 9 CFR 97.2 (1971 ed.), as amended January 22, 1971 (36 F.R. 1038), April 3, 1971 (36 F.R. 6413), May 14, 1971 (36 F.R. 8861), September 21, 1971 (36 F.R. 18716), and December 9, 1971 (36 F.R. 23356), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein as follows:

WITHIN METROPOLITAN AREA

ONE HOUR

Delete: San Juan, P.R.

TWO HOURS

Add: San Juan, P.R.

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

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER (2-1-72).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal and Plant Health Service.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making them effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 24th day of January 1972.

J. M. HEJL,
Acting Deputy Administrator,
Veterinary Services, Animal
and Plant Health Service.

[FR Doc.72-1409 Filed 1-31-72;8:46 am]

SUBCHAPTER E—VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS: ORGANISMS AND VECTORS

PART 113—STANDARD REQUIREMENTS

Miscellaneous Amendments

On November 3, 1971, there was published in the FEDERAL REGISTER (36 F.R. 21058) a notice of proposed rule making with respect to proposed amendments to the regulations relating to viruses, serums, toxins, and analogous products in Part 113 of Title 9, Code of the Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158).

After due consideration of all relevant matters, including the proposals set forth in the aforesaid notice of rule making, and the comments and views submitted by interested persons, and pursuant to the authority contained in the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158), the proposed amendments of Part 113 of Subchapter E, Chapter I, Title 9, of the Code of the Federal Regulations, as contained in the aforesaid notice are hereby adopted, except that the term "Deputy Administrator" is substituted for the term "Director" in § 113.25(d), and are set forth in full herein.

1. Section 113.25(d) is amended to read:

§ 113.25 Culture media for detection of bacteria and fungi.

(d) A determination shall be made by the licensee for each biological product of the ratio of inoculum to medium which shall result in sufficient dilution of such product to prevent bacteriostatic and fungistatic activity. The determination may be made by tests on a representative biological product for each group of comparable products containing identical preservatives at equal or lower concentrations. Inhibitors or neutralizers of preservatives, approved by the Deputy Administrator, may be considered in determining the proper ratio.

2. Section 113.26 (a) (3) and (b) (3) are amended to read:

§ 113.26 Detection of viable extraneous bacteria and fungi in all biological products except live vaccines.

(a) * * *

(3) Soybean-Casein Digest Medium shall be used to test biological products for fungi; provided, that Fluid Thioglycollate Medium without beef extract shall be substituted when testing biological products containing mercurial preservatives.

(b) * * *

(3) Incubation shall be for an observation period of 14 days at 30° to 35° C. to test for bacteria and 14 days at 20° to 25° C. to test for fungi.

Effective date. Thirty days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 26th day of January 1972.

G. H. WISE,
Acting Administrator,
Animal and Plant Health Service.

[FR Doc.72-1458 Filed 1-31-72;8:50 am]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[13th Gen. Rev. of the Export Reg.; Amdt. 31]

PART 377—SHORT SUPPLY CONTROLS

Commodities Subject to Semimonthly Reporting Requirements

Part 377 is amended as set forth below.

Effective date: January 27, 1972.

RAUER H. MEYER,
Director,
Office of Export Control.

Semimonthly reports from exporters on the export of the ferrous and nickel-bearing scrap commodities listed in Supplement No. 3 to Part 377 are no longer required. Therefore, § 377.1(c) (3) and Supplement No. 3 to Part 377 are deleted.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959-1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959-1963 Comp.)

[FR Doc.72-1440 Filed 1-31-72;8:49 am]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 72-45]

PART 12—SPECIAL CLASSES OF MERCHANDISE

Importation of Motor Vehicles and Motor Vehicle Engines

Under the provisions of title II of the Clean Air Act, as amended by the Clean Air Amendments of 1970 (42 U.S.C. 1857f-1, as amended by Public Law 91-604), the Department of Health, Education, and Welfare and the Environmental Protection Agency have promulgated regulations in 40 CFR Part 85 which prescribe standards for the control of emissions from certain motor vehicles and motor vehicle engines.

The importation into the United States of any motor vehicle or engine manufactured after the effective date of any standard which is applicable to such vehicle or engine (or which would have been applicable to such vehicle or engine had it been manufactured for importation into the United States) is prohibited by Public Law 91-604 unless the

motor vehicle or engine is covered by a certificate of conformity with such applicable standard or is exempted by the Administrator of the Environmental Protection Agency. The regulations which deal with the admission and refusal of motor vehicles and engines subject to standards promulgated under the provisions of the Clean Air Act which are offered for importation into the customs territory of the United States, are amended as follows:

ENTRY OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES UNDER THE CLEAN AIR ACT, AS AMENDED

§ 12.73 Federal motor vehicle air pollution control.

(a) *Standards prescribed by the Department of Health, Education, and Welfare or the Environmental Protection Agency.* Certain new motor vehicles and new motor vehicle engines are subject to emission standards prescribed by the U.S. Environmental Protection Agency or the Department of Health, Education, and Welfare under section 202 of the Clean Air Act, as amended (42 U.S.C. 1857f-1, sec. 6, Public Law 91-604), as set forth in regulations in 40 CFR Part 85. For purposes of this section, "motor vehicle" means any self-propelled vehicle designed for transporting persons or property on a street or highway, and "new motor vehicle" and "new motor vehicle engine" mean a motor vehicle or engine, respectively, manufactured after the effective date of a regulation issued under section 202 of the Act which is applicable to such vehicle or engine (or would have been applicable to such vehicle or engine had it been manufactured for importation into the United States).

(b) *Requirements for entry and release.* Each motor vehicle or motor vehicle engine offered for importation or imported into the customs territory of the United States shall be refused entry unless there is filed with the entry, in duplicate, a declaration verified by the importer or consignee which contains:

- (1) The name and address of the importer and the consignee;
- (2) The make, model, and model year of the vehicle or engine;
- (3) The vehicle identification number of such vehicle, or the serial number of such engine (if not chassis mounted);
- (4) The date of entry, the vessel or carrier of importation, the port or point of entry, and the entry number (where applicable);

(5) A statement that—

(i) Such 1968, 1969, or 1970 model year motor vehicle or motor vehicle engine is covered by a certificate of conformity with Federal motor vehicle emission standards; or

(ii) Such 1971 or subsequent model year motor vehicle or motor vehicle engine is covered by a certificate of conformity with Federal motor vehicle emission standards and is tagged or labeled in accordance with applicable regulations in 40 CFR Part 85; or

(iii) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, is being imported solely for purposes of display and will not be sold or operated on the public streets or highways; or

(iv) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, and the importer or consignee is a member of the armed forces of a foreign country on assignment in the United States, or is a member of the Secretariat of a public international organization so designated pursuant to 59 Stat. 669 (22 U.S.C. 288 (b)) on assignment in the United States or is a member of the personnel of a foreign government on assignment in the United States who comes within the class of persons for whom free entry of motor vehicles has been authorized by the Department of State, and that such vehicle or engine will not be sold in the United States; or

(v) The importer or consignee is a nonresident of the United States importing such motor vehicle or motor vehicle engine solely for personal use for a period not exceeding 1 year, and such vehicle or engine will not be sold in the United States; or

(vi) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards, is being imported solely for purposes of testing, and will not be sold or operated on the public streets or highways except in accordance with 40 CFR 85.201, or

(vii) Such motor vehicle or motor vehicle engine is intended solely for export; or

(viii) Such motor vehicle or motor vehicle engine is not subject to the Clean Air Act or regulations thereunder for reasons specified in the declaration; or

(ix) Such motor vehicle or motor vehicle engine is one of a class of vehicles or engines for which an application for certification of conformity is pending before the Administrator of the U.S. Environmental Protection Agency and is being imported under bond in accordance with 40 CFR 85.202 pending issuance of such certification; or

(x) Such motor vehicle or motor vehicle engine is not covered by a certificate of conformity with Federal motor vehicle emission standards but will be brought into conformity with such standards and is being imported under bond in accordance with 40 CFR 85.203; or

(xi) Neither the importer nor the consignee possess sufficient information to make any of the preceding declarations but the importer or consignee will seek to determine such information, and such motor vehicle or motor vehicle engine is being imported under bond in accordance with 40 CFR 85.204.

(c) *Release under bond.* If a declaration filed in accordance with paragraph (b) of this section states that the entry is being made under circumstances described in paragraph (b) (5) (ix), (x), or

(xi) of this section, the entry shall be accepted only if the importer or consignee gives a bond on Customs Form 7551, 7553, or 7595 for the production of a declaration that the vehicle is in conformity with Federal emission standards or, in the case of an entry made under circumstances described in paragraph (b) (5) (xi) of this section, for the production of an appropriate declaration under paragraph (b) (5) (i) through (x) of this section. The bond shall be in the amount required under § 25.4(a) of this chapter. Within 90 days after such entry, or such additional period as the district director of customs may allow for good cause shown, the importer or consignee shall deliver to the district director the prescribed declaration. If the declaration is not delivered to the district director of customs for the port of entry of such vehicles or engines within 90 days of the date of entry or such additional period as may be allowed by the district director, for good cause shown, the importer or consignee shall deliver or cause to be delivered to the district director of customs those motor vehicles or motor vehicle engines which were released in accordance with this paragraph. In the event that any such motor vehicle or motor vehicle engine is not redelivered within 5 days following the date specified in the preceding sentence, liquidated damages shall be assessed in the full amount of a bond given on Form 7551. When the transaction has been charged against a bond given on Form 7553, or 7595, liquidated damages shall be assessed in the amount that would have been demanded under the preceding sentence if the merchandise had been released under a bond given on Form 7551.

(d) *Merchandise refunded entry.* If a motor vehicle or motor vehicle engine is denied entry under the provisions of paragraph (b) of this section, the district director of customs shall refuse to release the merchandise for entry into the United States and shall give notice of such refusal to the importer.

(e) *Disposition of merchandise refused entry into the United States; redelivered merchandise.* Motor vehicles or motor vehicle engines which are denied entry under paragraph (b) of this section or which are redelivered in accordance with paragraph (c) of this section and which are not exported under customs supervision within 90 days from the date of notice of refusal of admission or date of redelivery shall be disposed of under customs laws and regulations: *Provided, however,* That any such disposition shall not result in an introduction into the United States of a motor vehicle or motor vehicle engine not covered by a certificate of conformity with Federal motor vehicle emission standards.

(f) *Prohibited importations.* The importation of motor vehicles and motor vehicle engines, otherwise than in accordance with the provisions of this section, is prohibited.

(Sec. 484, 46 Stat. 722, as amended, sec. 203, 79 Stat. 993, as amended; 19 U.S.C. 1484, 42 U.S.C. 1857f-2, 1857g)

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

Approved: January 21, 1972.

EUGENE T. ROSSIDES,
Assistant Secretary
of the Treasury.

Approved: December 23, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator, Environmental
Protection Agency.

[FR Doc. 72-1446, Filed 1-31-72; 8:51 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER C—AIR PROGRAMS

PART 85—CONTROL OF AIR POLLU- TION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Subpart N—Importation of Motor Vehicles and Motor Vehicle Engines

The Clean Air Amendments of 1970 (Public Law 91-604) revised the importation provisions of the Clean Air Act (42 U.S.C. 1857f-2) to prohibit the importation of any vehicle or engine unless it is covered by a certificate of conformity with Federal emission standards applicable during the model year in which it was built or unless it is exempted by the Administrator. The regulations set forth below, along with procedural regulations published in this issue of the FEDERAL REGISTER by the Bureau of Customs,¹ prescribe provisions to implement the 1970 Amendments.

These regulations comprising a new Subpart N in Part 85 are effective 30 days following publication. Since the amendments to the Act relating to imports are already in effect, the Agency finds that it is in the public interest and that good cause exists for the adoption of these regulations without prior notice or opportunity for public participation.

The Agency is undertaking a study of the operation of the regulations on importation of motor vehicles and motor vehicle engines with a view to improving the effectiveness of the regulations in preventing the importation of vehicles and engines which do not conform to Federal emission standards. Further amendments or additions to these regulations may be proposed at a later date.

A new Subpart N of Part 85 of Title 40 of the Code of Federal Regulations is added as follows:

Subpart N—Importation of Motor Vehicles and Motor Vehicle Engines

- Sec.
85.200 Applicability.
85.201 Admission for testing.
85.202 Admission pending certification.
85.203 Admission pending modification.
85.204 Admission pending receipt of information.
85.205 Waiver of conditions of admission.
85.206 Storage and prohibited operation or sale of vehicles or engines conditionally admitted.
85.207 Prohibited importation; penalties.

AUTHORITY: The provisions of this Subpart N issued under 42 U.S.C. 1857g, as amended by sec. 15(c) (2), Public Law 91-604; 84 Stat. 1713.

§ 85.200 Applicability.

(a) The provisions of this subpart are applicable to new motor vehicles and new motor vehicle engines which are offered for importation or imported into the United States by any person. As used in this subpart, "new motor vehicles" and "new motor vehicle engines" mean new and used motor vehicles or engines manufactured after the effective date of a regulation issued under section 202 of the Act which is applicable to such vehicles or engines (or which would have been applicable to such vehicles or engines had they been manufactured for importation into the United States). The term United States means the customs territory of the United States as defined in 19 U.S.C. 1202, and the Virgin Islands, Guam, and American Samoa.

(b) Regulations prescribing further procedures for entry of motor vehicles and motor vehicle engines into the customs territory of the United States, as defined in 19 U.S.C. 1202, are set forth in 19 CFR 12.73.

§ 85.201 Admission for testing.

A motor vehicle or motor vehicle engine offered for importation or imported pursuant to 19 CFR 12.73(b)(5)(vi), solely for purposes of testing, may be operated on the public streets or highways for a period not to exceed 1 year from the date of importation if the importer or consignee receives prior written approval of such operation from the Administrator. Requests for such approval shall be in writing, and shall briefly describe the proposed testing program, including the estimated duration of such program.

§ 85.202 Admission pending certification.

A motor vehicle or motor vehicle engine offered for importation or imported pursuant to 19 CFR 12.73(b)(5)(ix) under a declaration that it is one of a class of vehicles or engines represented by test vehicles or engines for which an application for certification of conformity with Federal motor vehicle emission standards is pending before the Administrator may be conditionally admitted into the United States, but shall be refused final admission unless:

(a) Not later than 5 days following such conditional admission the importer or consignee has submitted to the Administrator a written request that such

vehicle or engine be permitted conditional admission pending certification of the test vehicle which represents the class of vehicles or engines to which such vehicle or engine belongs, which request shall contain the following:

(1) Identification of the test vehicle or engine which represents such vehicle or engine;

(2) Identification of the place where such vehicle or engine will be stored while the application for certification is pending before the Administrator: *Provided*, That such vehicle or engine shall not be stored on the premises of, or subject to access by or control of, any dealer;

(3) An acknowledgement of responsibility for the custody of the vehicle or engine while certification is pending; and
(b) The Administrator has issued the requested certificate of conformity.

§ 85.203 Admission pending modification.

Any motor vehicle or motor vehicle engine offered for importation or imported pursuant to 19 CFR 12.73(b)(5)(x) under a declaration that it is not covered by a certificate of conformity with Federal motor vehicle emission standards may be conditionally admitted into the United States, but shall be refused final admission unless:

(a) Not later than 5 days following such conditional admission, the importer or consignee has submitted to the Administrator a written request that he be allowed to modify the vehicle or engine so that it will be in conformity with applicable emission standards, which request shall contain the following:

(1) A statement, acceptable to the Administrator, that specifies the modifications which are necessary to render the vehicle or engine in conformity with a test vehicle or engine for which a certificate of conformity has been issued; or, if the vehicle or engine cannot be modified to bring it within a class of vehicles or engines represented by a test vehicle or engine for which a certificate of conformity has been issued, the request shall state that the importer or consignee will demonstrate that the vehicle or engine is in conformity with applicable emission standards by testing the vehicle or engine or causing it to be tested in accordance with test procedures prescribed in 40 CFR Part 85;

(2) The date by which the modifications will be accomplished;

(3) Identification of the place where the vehicle or engine will be stored pending a determination of conformity under this paragraph: *Provided*, That such vehicle or engine shall not be stored on the premises of, or subject to access by or control of any dealer;

(4) An acknowledgement of responsibility for the custody of the vehicle or engine while the modifications are being made and while a determination of conformity is pending;

(5) Authorization for representatives of the Environmental Protection Agency to inspect or test the vehicle or engine at any reasonable time for the purpose of making a determination of conformity; and

¹ See 19 CFR 12.73, F.R. Doc. 72-1446, *supra*.

(b) The Administrator has issued a written determination stating that the vehicle or engine is in conformity with Federal motor vehicle emission standards.

§ 85.204 Admission pending receipt of information.

Any motor vehicle or motor vehicle engine offered for importation or imported pursuant to 19 CFR 12.73(b)(5) (xi) under a declaration that the importer or consignee does not possess sufficient information to make a knowledgeable declaration may be conditionally admitted into the United States, but shall be refused final admission unless:

(a) Not later than 5 days following such conditional admission, the importer or consignee has submitted to the Administrator a written request that such vehicle or engine be permitted entry pending receipt of sufficient information to determine whether such vehicle or engine is covered by a certificate of conformity, and what modifications or testing, if any, are required to bring the vehicle or engine into conformity with applicable emission standards, which request shall contain the following:

(1) Identification of the place where the vehicle or engine will be stored while the receipt of the information is pending; *Provided*, That such vehicle shall not be stored on the premises of or subject to access by or control of, any dealer; and

(2) An acknowledgement of responsibility for the custody of the vehicle or engine during the period; and

(b) The importer or consignee redeclares the vehicle in accordance with 19 CFR 12.73(b)(5) (i) through (x).

§ 85.205 Waiver of conditions of admission.

Upon the written request of the importer or consignee, and for good cause shown, the Administrator may waive any of the conditions of admission set forth in §§ 85.201, 85.202(a), 85.203(a), and 85.204(a), and may give written consent to admission of a vehicle or engine upon such terms and conditions as the Administrator may specify.

§ 85.206 Storage and prohibited operation or sale of vehicles or engines conditionally admitted.

A motor vehicle or engine conditionally admitted pursuant to § 85.202, § 85.203, or § 85.204 shall be stored and shall not be operated on the public highways or sold until such vehicle or engine has been granted final admission. Failure to comply with this provision shall constitute a violation of section 203(a)(1) of the Clean Air Act, as amended.

§ 85.207 Prohibited importation; penalties.

(a) The importation of any motor vehicle or motor vehicle engine otherwise than in accordance with any applicable provisions of this subpart and the bonding and entry regulations of the Bureau of Customs set forth in 19 CFR 12.73 is prohibited.

(b) Any vehicle or engine conditionally admitted pursuant to § 85.202, § 85.203, or § 85.204 and not granted final admission within 90 days of such conditional admission, or within such additional time as the Bureau of Customs may allow for good cause shown pursuant to 19 CFR 12.73(c), shall be deemed to be unlawfully imported into the United States in violation of section 203(a)(1) of the Clean Air Act unless such vehicle or engine shall have been delivered to the Bureau of Customs for export or other disposition under applicable Customs laws and regulations. Any importer or consignee who violates section 203(a)(1) of the Clean Air Act is subject to a civil penalty of not more than \$10,000 for each violation. In addition to the penalty provided in the Clean Air Act, any importer or consignee who fails to deliver such vehicle or engine to the Bureau of Customs is liable for liquidated damages in the amount of the bond required by applicable Customs laws and regulations.

WILLIAM D. RUCKELSHAUS,
Administrator.

Dated: December 23, 1971.

[FR Doc.72-1489 Filed 1-31-72; 8:51 am]

PART 106—PUBLIC HEARINGS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT

Redesignation of Delegated Authority

Part 106 prescribes the procedures which will be followed with respect to public hearings and hearing boards created pursuant to the provisions of section 10(f) of the Federal Water Pollution Control Act (FWPCA). These procedures provide in §§ 106.2(f), 106.3(a), 106.4(e), 106.4(f), 106.5(a), 106.6, 106.8(b), 106.9, and 106.13(b) for certain actions which may be taken by the Deputy Assistant Administrator for Water Programs. Since enforcement of the FWPCA is the responsibility of the Office of the Assistant Administrator for Enforcement within the Environmental Protection Agency, the above noted references to the Deputy Assistant Administrator for Water Programs are inconsistent with the internal organization of the Agency and delegations of responsibilities by the Administrator. For this reason the amendments to Part 106 promulgated herewith will designate the "Assistant Administrator for Enforcement" in place of the "Deputy Assistant Administrator for Water Programs".

No substantive change in the regulation is being made and only agency organization and procedure will be affected by the above described redesignation. For these reasons, compliance with the notice of proposed rule making and effective date provisions of section 553 title 5 U.S.C. is impracticable, unnecessary and contrary to the public interest, and good cause exists for the adoption of the amendments to Part 106 as set forth below without further notice and public procedure.

Effective date. The amendments to Part 106 to title 40, Chapter I, as set forth below shall be effective on the date of their publication in the *FEDERAL REGISTER* (2-1-72).

Dated: January 26, 1972.

WILLIAM D. RUCKELSHAUS,
Administrator.

Sections 106.2(f), 106.3(a), 106.4 (e) and (f), 106.5(a), 106.6, 106.8(b), 106.9, and 106.13(b) of Part 106 are hereby amended to read as follows:

§ 106.2 Definitions.

(f) "Assistant Administrator for Enforcement" means the Assistant Administrator for Enforcement in the Environmental Protection Agency.

§ 106.3 Initiation of proceedings for public hearings; appointment of Board.

(a) In any case where the Administrator finds that the conditions precedent to the calling of a public hearing under the Act exist, he will call such a hearing, and may either fix the time and place thereof, or authorize the Assistant Administrator for Enforcement to do so.

§ 106.4 Organization and general procedures of the Board.

(e) The Assistant Administrator for Enforcement shall provide for the Board such clerical and technical assistance as may be necessary.

(f) The Board shall designate an executive secretary, from personnel provided by the Assistant Administrator for Enforcement, who shall maintain and have custody of all official records and other documents pertaining to the functions of the Board, and shall perform such other duties related to its functions as the Board may prescribe.

§ 106.5 Notice of hearing.

(a) The Assistant Administrator for Enforcement shall issue and serve notice of hearing as herein provided and, if the time and place of the hearing have not been fixed by the Administrator, shall fix such time and place.

§ 106.6 Service.

Notice of hearing, findings, conclusions and recommendations of the Board, and any other documents relating to the functions of the Board, may be served by mailing a copy thereof addressed to each person or agency to be served at their respective residences, offices or place of business as ascertained by the Assistant Administrator for Enforcement or the Board, as the case may be.

§ 106.6 Parties.

(b) The Assistant Administrator for Enforcement shall have all the rights of a party to the hearing.

§ 106.9 Presentation of evidence by the Assistant Administrator for Enforcement.

The Assistant Administrator for Enforcement shall arrange for the presentation of evidence concerning the pollution, the person or persons discharging any matter causing or contributing to the pollution and remedial measures, if any, recommended by him.

§ 106.13 Final findings and recommendations.

(b) Upon submission of such findings, conclusions and recommendations, the Board shall be terminated and all records pertaining to its functions transferred to the custody of the Assistant Administrator for Enforcement.

(Sec. 10, 70 Stat. 505, 506; 33 U.S.C. 1160)

[FR Doc.72-1414 Filed 1-31-72;8:45 am]

Title 20—EMPLOYEES' BENEFITS

Chapter V—Manpower Administration, Department of Labor

PART 614—UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEN

Schedule of Remuneration

The issuance of Executive Order 11638, 36 F.R. 24913, providing increased pay and allowances for members of the uniformed services, makes it necessary to amend § 614.19 of Title 20 of the Code of Federal Regulations, which contains the schedule of remuneration for each pay grade of ex-servicemen used in the administration of the program of unemployment compensation for ex-servicemen established by subchapter II of chapter 85 of title 5 of the United States Code (5 U.S.C. 8521-8525).

The provisions of 5 U.S.C. 553 which require notice of proposed rulemaking, public participation in their adoption, and delay in effective date are not applicable because such notice, public participation, and delay are found not to be in the public interest which in this instance requires the prompt implementation of the amended schedule of remuneration by the several State agencies administering such program. Accordingly, this change is effective upon publication in the FEDERAL REGISTER (2-1-72).

Section 614.19 of Title 20, Code of Federal Regulations, is revised to read:

§ 614.19 Schedule of remuneration.

(a) The schedule provided in this paragraph applies to first claims under the UCX program filed on or after March 5, 1972.

Pay Grades: Monthly rate

1. Commissioned officer:	
0-10	\$3,590
0-9	3,374
0-8	3,074
0-7	2,711
0-6	2,319
0-5	1,873
0-4	1,541
0-3	1,269
0-2	966
0-1	767
2. Warrant officer:	
W-4	\$1,495
W-3	1,232
W-2	1,046
W-1	876
3. Enlisted personnel:	
E-9	\$1,264
E-8	1,084
E-7	939
E-6	808
E-5	647
E-4	545
E-3	497
E-2	466
E-1	428

(b) The deletion from paragraph (a) of this section of schedules of remuneration applicable to periods of time prior to March 5, 1972, and heretofore published in 36 F.R. 22975; 36 F.R. 3465; 35 F.R. 9000; 34 F.R. 12434; 33 F.R. 10086; 33 F.R. 3635; 32 F.R. 20974; 30 F.R. 13120; 29 F.R. 13102; and 23 F.R. 8699, does not revoke such schedules.

(5 U.S.C. 8508 and 8521(a)(2))

Signed at Washington, D.C., this 21st day of January 1972.

MALCOLM R. LOVELL, Jr.,
Assistant Secretary for Manpower.
[FR Doc.72-1397 Filed 1-31-72;8:45 am]

PART 617—TEMPORARY COMPENSATION

The Emergency Unemployment Compensation Act of 1971, title II of Public Law 92-224, hereinafter the Act, provides that a State, whose unemployment compensation law is approved by the Secretary under section 3304 of the Internal Revenue Code of 1954 and contains a requirement that extended compensation be payable thereunder as provided by the Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, may if it so desires, enter into an agreement with the Secretary whereby its State employment security agency will pay compensation under the Act to eligible individuals during periods of unemployment as specified in the Act. To implement the Act, Title 20 of the Code of Federal Regulations is hereby amended by adding thereto a new Part 617.

The provisions of 5 U.S.C. 553 which require notice of proposed rulemaking, public participation in their adoption, and delay in effective date are not applicable because notice, public participation, and delay are found not to be in the public interest. Compensation under the Act cannot be paid to unemployed workers in the absence of agreements with States and unless such agreements are entered into before January 30, 1972, the date of the beginning of the earliest

week for which compensation may be paid under the Act, there will be delay in the payment of the compensation since it will not then be payable until a week after the week in which the agreement is entered into.

The regulations shall become effective on the date of their publication in the FEDERAL REGISTER (2-1-72).

As added, Part 617 reads as follows:

Sec.	
617.1	Purpose.
617.2	Definitions.
617.3	Applicable State for an individual.
617.4	Effective period.
617.5	Temporary benefit period.
617.6	Entitlement.
617.7	Exhaustee.
617.8	Amount of temporary compensation.
617.9	No duplication.
617.10	Recovery including restitution and offset.
617.11	Computation of rate of unemployment and 13-week exhaustion rate.
617.12	Determination of temporary indicators.
617.13	Announcement of the beginning and ending of a temporary benefit period.
617.14	Payments to States.
617.15	Information, reports, and studies.

AUTHORITY: The provisions of this Part 617 issued under Public Law 92-224; Secretary's Order No. 7-71, dated March 10, 1971.

§ 617.1 Purpose.

These regulations are promulgated to implement the Emergency Unemployment Compensation Act of 1971, title II of Public Law 92-224 under which a State, whose unemployment compensation law is approved by the Secretary under section 3304 of the Internal Revenue Code of 1954 and contains a requirement that extended compensation be payable thereunder as provided by the Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, may, if it so desires, enter into an agreement with the Secretary of Labor whereby its State employment security agency will pay, as agent of the Secretary, compensation under the Act to eligible individuals during periods of unemployment as specified in the Act.

§ 617.2 Definitions.

For purposes of these regulations:

(a) The term "Act" means the Emergency Unemployment Compensation Act of 1971, title II of Public Law 92-224.

(b) The term "eligible State" means a State which has entered into an agreement with the Secretary under the Act: *Provided*, That the State law is approved by the Secretary under section 3304 of the Internal Revenue Code of 1954 and contains, as of the date such agreement is entered into, a requirement that extended compensation be payable thereunder as provided by the Extended Compensation Act.

(c) The term "Extended Compensation Act" means the Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373.

(d) The term "temporary compensation" means the compensation for a temporary period provided by the Act.

(e) The terms "temporary on" and "temporary off" indicators mean the indicators determined pursuant to § 617.12.

(f) The term "temporary period of eligibility" means the weeks in an exhaustee's benefit year which begin in a temporary benefit period; and if his benefit year ends within an extended benefit period, any weeks subsequent to his benefit year which begin in a temporary benefit period.

(g) The term "week" means, for purposes of payments of temporary compensation, a week as defined in the unemployment compensation law of the individual's applicable State and, for purposes of computations of "temporary on" and "temporary off" indicators and the beginning and ending of a temporary benefit period, a calendar week.

(h) The terms, "base period," "benefit year," "compensation," "Secretary," "State," "State agency," and "State law" shall have the meanings given to them by section 205 of the Extended Compensation Act.

(i) The terms "additional compensation," "extended compensation," "regular compensation," and "eligibility period" shall have the meanings given to them by § 615.2 of this chapter.

(j) The terms national "on" and "off" indicators and State "on" and "off" indicators mean the indicators determined pursuant to § 615.13 of this chapter.

(k) The term "extended benefit period" means the period determined in accordance with § 615.15 of this chapter.

§ 617.3 Applicable State for an individual.

(a) The applicable State for an individual is the State with respect to which he most recently exhausted his right to extended compensation (including the liable State as provided in the Interstate Benefit Payment Plan and the paying State as defined in § 616.6(e) of this chapter), if such State is an eligible State.

(b) Temporary compensation is payable to an individual only by his applicable State determined pursuant to paragraph (a) of this section.

§ 617.4 Effective period.

(a) Except as provided in paragraph (b) of this chapter, temporary compensation is payable with respect to weeks of unemployment beginning after January 29, 1972, or beginning after the week in which the State enters into an agreement under the Act, if later: *Provided*, That such weeks of unemployment begin in a temporary benefit period.

(b) No temporary compensation is payable for any week of unemployment, even though such week is in a temporary benefit period, if it—

- (1) Ends after June 30, 1972; or
- (2) Ends after September 30, 1972, in the case of an individual who had a week ending before July 1, 1972, with respect to which temporary compensation was payable to him.

§ 617.5 Temporary benefit period.

(a) A temporary benefit period in an eligible State shall begin on the first day

of the third calendar week following the week for which there is a "temporary on" indicator in that State, but in no event with a week beginning before January 30, 1972, or the week after the week in which the State enters into an agreement under the Act, if later.

(b) Except as provided in paragraph (c) of this section, a temporary benefit period in an eligible State shall end on the last day of the third calendar week after the first week for which there is a "temporary off" indicator in that State.

(c) A temporary benefit period which becomes effective in any eligible State shall continue for not less than 26 consecutive weeks, but in no event shall temporary compensation be paid for weeks after those specified in § 617.4(b).

§ 617.6 Entitlement.

(a) *Conditions.* An individual is entitled to temporary compensation for a week of unemployment which begins in his temporary period of eligibility if, with respect to such week, he is an exhaustee under § 617.7 and he meets the requirements of the unemployment compensation law of his applicable State as provided in the Act and these regulations.

(b) *Terms and conditions of State law.* Only those terms and conditions of the unemployment compensation law of an individual's applicable State which apply to claims for, and payment of, extended compensation shall apply to claims for, and payment of, temporary compensation.

(c) *Effect of prior disqualifications.* If the week of unemployment for which an individual claims temporary compensation is a week to which a disqualification for regular, extended, or additional compensation applies, or would apply but for the fact that the individual has exhausted his rights to such compensation, the individual shall not be entitled to temporary compensation for that week.

§ 617.7 Exhaustee.

(a) An individual is an exhaustee with respect to a week of unemployment if—

(1) He is an exhaustee of regular compensation under the provisions of § 615.4 (b) and (c) of this chapter; and

(2) He is an exhaustee of extended compensation; that is, he has received, prior to such week, all the extended compensation available to him under any State law (after partial or total reduction of his right to extended compensation, if any) in his most recent eligibility period, including an individual who had no extended compensation available to him because he had become an exhaustee of regular compensation as provided in § 615.4(c)(3) of this chapter or because his eligibility period under the unemployment compensation law of his applicable State ended prior to the beginning of such week; and

(3) He has no right to regular or extended compensation with respect to such week under the unemployment compensation law of his applicable State or of any other State or to payments with respect to such week under the Railroad Unemployment Insurance Act or the Trade Expansion Act of 1962, and he is not receiving any compensation with re-

spect to such week under the unemployment compensation law of the Virgin Islands or Canada.

(b) An individual shall be deemed to be an exhaustee under paragraph (a) of this section even though—

(1) There is an appeal pending with respect to wages or employment, or both, that were not included in the original monetary determination of his regular compensation for the benefit year on which his right to extended compensation was determined; or

(2) By reason of a seasonal provision in the unemployment compensation law of his applicable State that establishes the weeks of the year in which regular compensation may be paid to individuals on the basis of wages in seasonal employment, (i) he may be entitled to regular or extended compensation, or both, with respect to future weeks of unemployment, but such compensation is not payable with respect to the week of unemployment for which he is claiming temporary compensation, and (ii) he is otherwise an exhaustee within the meaning of this section with respect to his rights to regular compensation and extended compensation under such State seasonal provision, during the portion of the year in which that week of unemployment occurs.

§ 617.8 Amount of temporary compensation.

(a) *Weekly amount.*—(1) *Total unemployment.* The weekly amount of temporary compensation payable to any individual for a week of total unemployment in his temporary period of eligibility shall be equal to the amount of regular compensation (including dependents' allowances) payable to him for a week of total unemployment during his current benefit year, or if he has no current benefit year, during his most recent benefit year. If the individual had more than one weekly amount of regular compensation for total unemployment during such benefit year, the weekly amount of temporary compensation for total unemployment shall be the weekly amount specified in the unemployment compensation law of his applicable State with respect to extended compensation.

(2) *Partial unemployment.* The weekly benefit amount of temporary compensation payable for a week of less than total unemployment shall be based on the weekly benefit amount determined pursuant to subparagraph (1) of this paragraph.

(b) *Total amount: individual's temporary compensation account.* (1) The State agency shall establish a temporary compensation account for each individual who files a claim for temporary compensation in an amount equal to the lesser of—

(i) Fifty percent of the total amount of regular compensation (including dependents' allowances) payable to him during his most recent benefit year; or

(ii) Thirteen times his average weekly benefit amount of regular compensation (including dependents' allowances) payable to him with respect to his most recent benefit year. For the purposes of this subparagraph the average weekly

benefit amount shall be determined pursuant to paragraph (a)(1) of this section.

(2) If, after a temporary compensation account is established, it is determined as the result of a redetermination or appeal that the individual was entitled to more or less of regular or more or less of extended compensation with respect to his most recent benefit year, an appropriate change shall be made in the individual's temporary compensation account, and his status as an exhaustee shall be redetermined as of the new date of his exhaustion of extended compensation.

§ 617.9 No duplication.

(a) No individual shall be paid additional compensation and temporary compensation with respect to the same week. If both are payable by a State with respect to the same week, the State may pay temporary compensation instead of additional compensation with respect to the week. If temporary compensation is payable to an individual by his applicable State and additional compensation is payable to him for the same week by another State, he may elect which of the two types of compensation to claim.

(b) An individual who is entitled to both temporary compensation and a training allowance under section 203 of the Manpower Development and Training Act of 1962 with respect to a week shall be treated as he would have been treated had he been entitled to both regular compensation and such a training allowance.

§ 617.10 Recovery including restitution and offset.

(a) Except as provided in paragraph (b) of this section, overpayments of temporary compensation shall be recovered from an individual in accordance with the provisions of the unemployment compensation law of his applicable State relating to recovery of overpayments: *Provided*, That recovery by offset is effectuated only by offset against temporary compensation that subsequently becomes payable to the individual.

(b) The provisions of 5 U.S.C. 8507 shall apply to overpayments of compensation, including temporary compensation, to Federal civilian workers or ex-servicemen (UCFE/X) on claims filed pursuant to 5 U.S.C. chapter 85.

(c) If there is recovery of any overpayment of temporary compensation under paragraph (a) or (b) of this section, the amount restored or offset shall be credited or returned, as the case may be, to the appropriate account of the United States.

§ 617.11 Computation of rate of unemployment and 13-week exhaustion rate.

(a) "Temporary on" and "temporary off" indicators: The Secretary shall determine with respect to a State the "rate of unemployment" for the purposes of the State's "temporary on" and "temporary off" indicators. In making such determination with respect to any week he shall use the sum of the quotients ob-

tained in computing (1) the "rate of insured unemployment" for the period consisting of such week and the immediately preceding twelve weeks, as provided in § 615.14 (b) and (c) of this chapter and (2) the thirteen-week exhaustion rate, as provided in paragraph (b) of this section.

(b) Exhaustion rate: In determining the "13-week exhaustion rate" with respect to any week for purposes of paragraph (a) of this section, the Secretary shall use a fraction, the numerator of which will be 25 percent of the number of exhaustions of regular compensation under the State law during the most recent 12 calendar months ending before the week with respect to which such rate is computed and the denominator of which will be the average monthly employment covered under the State law used for computing the rate of insured unemployment for the 13-week period consisting of the week with respect to which the exhaustion rate is computed and the immediately preceding 12 weeks. The quotient obtained is to be computed to four decimal places and is not to be otherwise rounded.

(c) After exhaustion data for any month have been used to calculate an exhaustion rate under paragraph (b) of this section, such data shall not after such use be changed for the purpose of that calculation or any similar calculation for any subsequent period.

§ 617.12 Determination of temporary indicators.

(a) There is a "temporary on" indicator in a State for a week if the Secretary determines that with respect to such State—

(1) The "rate of unemployment", as determined in accordance with § 617.11, for the period consisting of such week and the immediately preceding 12 weeks equaled or exceeded 6.5 percent; and

(2) There is a State or National "on" indicator for such week; or

(3) There is neither a State nor a National "on" indicator for such week, but

(i) Within the 52-week period ending with such week, there had been a State or National "on" indicator for a week; and

(ii) There would be a State "on" indicator for such week except that the rate of insured unemployment (not seasonally adjusted) for the period consisting of such week and the immediately preceding 12 weeks was less than 120 percent of the average of such rates (computed in accordance with § 615.14(b) (2) of this chapter) for the corresponding 13-week period in each of the preceding 2 calendar years.

(b) There is a "temporary off" indicator in a State for a week if the Secretary determines that with respect to such State the "rate of unemployment," as determined in accordance with § 617.11, for the period consisting of such week and the immediately preceding 12 weeks, was less than 6.5 percent.

(c) The Secretary shall make a determination whether there is a "temporary on" indicator or a "temporary off" indi-

cator in any State within thirteen (13) calendar days after the end of the week for which he is making the determinations.

§ 617.13 Announcement of the beginning and ending of a temporary benefit period.

(a) The Secretary shall publish in the *FEDERAL REGISTER* his finding that there is a "temporary on" or a "temporary off" indicator in an eligible State and the beginning or ending date of the temporary benefit period in such State. He shall also notify appropriate news media and the heads of all State agencies of each of his findings and their effect.

(b) Whenever the head of a State agency of an eligible State is notified of the Secretary's finding that a "temporary on" indicator or a "temporary off" indicator will begin or end a temporary benefit period in his State, he shall promptly announce such finding through appropriate news media in the State. In the case of a temporary benefit period that is about to begin, the announcement shall also describe clearly which unemployed individuals may be eligible for temporary compensation during the temporary benefit period.

§ 617.14 Payments to States.

(a) *Temporary compensation.* The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each eligible State an amount equal to 100 percent of the temporary compensation paid by such State. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account in the Unemployment Trust Fund to the account of the State in such Fund; except that no such payment shall be made with respect to temporary compensation for which the State is entitled to reimbursement under the provisions of any Federal law other than the Act.

(b) *Costs of administration.* The Secretary will include in the amount granted to each State for the costs of administration of the State law such amount as he determines to be necessary for the proper and efficient administration of the Act. Sections 303(a) (8) and 303(a) (9) of the Social Security Act shall apply to such amounts.

§ 617.15 Information, reports and studies.

State agencies are required to furnish to the Secretary such information and reports and to make such studies as he finds necessary or appropriate for carrying out the purposes of the Act, including such information, reports, and studies as he finds necessary or appropriate to meet the mandate of the Congress in section 206 of the Act.

Signed at Washington, D.C., this 21st day of January 1972.

MALCOLM R. LOVELL, Jr.
Assistant Secretary for Manpower.

[FR Doc.72-1406 Filed 1-31-72; 8:46 am]