

(4) the comments or corrections made by the subject of the requested credit information are included with or made a part of the report furnished to the requesting party.

(B) Entering into, performing, enforcing, furthering or adhering to any conspiracy, contract, agreement, understanding, or planned common course of action with any person, firm or organization to deny the availability of credit to any other person, firm or organization, or to adversely affect the credit standing of any such person, firm or organization, except as permitted hereinabove in subparagraph A of this Paragraph.

3. (A) Publishing or disseminating, directly or indirectly, or causing to be published or disseminated to any competitor, the name of any customer or prospective customer of metal doors and frames, for the purpose or with the effect of having that customer or potential customer boycotted or subjected to foreclosure or impediment in obtaining metal doors and frames, except as permitted hereinabove in subparagraph 2(A).

(B) Entering into, performing, enforcing, furthering, or adhering to any conspiracy, contract, agreement, understanding or planned common course of action with any person, firm or organization to boycott or refuse to deal with any customer or potential customer of metal doors and frames, except as permitted hereinabove in subparagraph 2(A).

4. (A) Publishing or disseminating, directly or indirectly, or causing to be published or disseminated, through H.M.D.B.A. or otherwise, to any competitor any information which permits the identification of any present customer or prospective customer of metal doors and frames for the purpose or with the effect of foreclosing competition for the business of such customer or prospective customer, except as permitted hereinabove in subparagraph 2(A).

(B) Entering into, performing, enforcing, furthering, or adhering to any conspiracy, contract, agreement, understanding or planned common course of action with any person, firm or organization to allocate or divide the market among competitors, whether by customer, work site, geographically or otherwise.

5. (A) Harassing, threatening, coercing, or intimidating any member of the H.M.D.B.A., any purchaser of metal doors and frames, or any supplier of metal doors and frames including, but not limited to, making threats of punishment or of imposition of economic burdens on said members, customers or suppliers, or foreclosing or limiting in any way the opportunity of said members, customers or suppliers to engage in the sale or purchase of said products, or to cause them harm, financial, economic or otherwise, or from taking action to carry out such threats; *provided however*, The following may be done:

(1) H.M.D.B.A. may collect claims against members for non-payment of periodic dues and may suspended or expel members on account of one year delinquency of such dues; and

(2) members of H.M.D.B.A. may collect claims or may bring suit against customers for lawful debts, if such action is taken on an independent basis or through a collection agency without participation or involvement of any competitor, or H.M.D.B.A., its officers and employees, or any other trade association.

(B) Entering into, performing, enforcing, furthering or adhering to any conspiracy, contract, agreement, understanding or planned common course of action with any person, firm, or organization to harass, threaten, intimidate or coerce any member of H.M.D.B.A., any purchaser of metal doors and frames, or any supplier of metal doors and frames.

6. (A) Furnishing, exchanging or circulating to any competitor or potential competitor in the manufacture, sale or distribution of metal doors and frames any information concerning any employee's employment record, background, qualifications or availability for employment unless:

(1) the information furnished is in response to a specific request from a prospective employer to a former employer for information concerning the employment qualifications of a named employee and only the requesting party is furnished such information;

(2) no recommendation is made concerning the use of such information by the recipient;

(3) the request contains or is accompanied by signed written consent of the employee to furnish such information; and

(4) the information furnished is a truthful and objective report on the employee.

(B) Failing to hire any prospective employee solely or primarily because of his employment with any member of H.M.D.B.A.

(c) Entering into, performing, enforcing, furthering, or adhering to any conspiracy, contract, agreement, understanding or planned common course of action with any person, firm or organization to prevent, restrain, control or limit employees from change of employment, except as permitted hereinabove in subparagraph A of this Paragraph.

7. (A) Communicating to any person, firm or organization any information pertaining to the union or non-union status of any person, firm or organization engaged in the manufacture, sale or distribution of metal doors and frames, or about the entry or potential entry by any firm into the business of manufacture, sale or distribution of metal doors and frames.

(B) Entering into, performing, enforcing, furthering or adhering to any conspiracy, contract, agreement, understanding or planned common course of action with any person, firm or organization to exclude other firms from enter-

ing the business of manufacture, sale or distribution of metal doors and frames, or to deprive or impede any competitor or potential competitor engaged in the manufacture, sale or distribution of such products of access to union labor, or to impose union terms upon any such competitor or potential competitor.

II

It is further ordered, That respondent Hollow Metal Door and Buck Association, Inc.:

1. Hold election for association officers, disqualifying from candidacy for such office any officer or employee of respondents Williamburg Fireproof Products Corporation, Firedoor Corporation of America, SOS Consolidated Inc. and County Firedoor Corporation, continuing such disqualification in effect for a period of five years from the date of this Order.

2. Amend its by-laws to require that members, as a condition of membership, observe the provisions of this Order and consent to be bound by the terms thereof.

3. Permit resignation of a member at any time.

4. Maintain minutes containing a complete record of all discussion and actions of the H.M.D.B.A. and all committees thereof.

III

It is further ordered, That the respondent members of H.M.D.B.A. shall not for a period of ten (10) years after the effective date of this Order participate in any trade association or similar organization, other than the H.M.D.B.A., having activities in the Metropolitan New York area or whose members manufacture or sell products for the construction industry, *provided however*, That nothing herein shall prevent respondent members from joining such association or organization as non-voting members thereof.

IV

It is further ordered, That respondents, individually, notify the Commission at least thirty (30) days prior to any proposed change in any corporate respondent such as dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in any corporation which may affect compliance obligations arising out of the Order.

V

It is further ordered, That respondents, individually, within sixty (60) days after the effective date of this Order, file with the Commission a report in writing setting forth in detail the manner and form in which each has complied with this Order.

By the Commission.

Issued May 15, 1973.

[SEAL]

CHARLES A. TOBIN,
Secretary.

[FR Doc.73-12910 Filed 6-26-73; 8:45 am]

[Docket No. C-2403]

PART 13—PROHIBITED TRADE PRACTICES

Benton & Bowles, Inc.

Subpart—Advertising falsely or misleadingly: § 13.45 Content; § 13.135 Nature of product or service; § 13.170 Qualities or properties of product or service; § 13.170-52 Medicinal, therapeutic, healthful, etc.; § 13.205 Scientific or other relevant facts. Subpart—Misrepresenting oneself and goods—Goods: § 13.1575 Comparative data or merits; § 13.1605 Content; § 13.1710 Qualities or properties; § 13.1740 Scientific or other relevant facts. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1850 Content; § 13.1885 Qualities or properties; § 13.1895 Scientific or other relevant facts.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [cease and desist order, Benton & Bowles, Inc., New York, N.Y., Docket No. C-2403, May 22, 1973]

In the Matter of Benton & Bowles, Inc., a Corporation

Consent order requiring a New York City advertising agency, among other things to cease misrepresenting the medicinal or therapeutic qualities of a non-prescription internal analgesic product, Vanquish, and misrepresenting certain scientific facts with regard to the product in advertising.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Benton & Bowles, Inc., a corporation, its successors and assigns and respondent's officers, agents, representatives and employees, directly or through any controlled corporation, wholly owned subsidiary or division in connection with the advertising, offering for sale, sale or distribution of Vanquish in the United States, do forthwith cease and desist from:

A. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails or by means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which:

1. Represents, directly or by implication, that a recommended dose of Vanquish is more effective in relief of pain than a recommended dose of any aspirin or buffered aspirin.

2. Represents, directly or by implication, that Vanquish will cause gastric discomfort less frequently than any aspirin or buffered aspirin.

3. Fails to disclose that Vanquish contains aspirin and caffeine.

B. Disseminating, or causing the dissemination of, any advertisement by any means which contains statements which are inconsistent with, negate or contradict any disclosures required by Subparagraph A above, or in any way obscure the meaning of such disclosure;

C. Disseminating, or causing the dissemination of, any advertisement by any means, for the purpose of inducing, or

which is likely to induce, directly or indirectly, the purchase of any such product in commerce, as "commerce" is defined in the Federal Trade Commission Act, which contains any of the representations prohibited in Subparagraphs A(1) and A(2) above or fails to include the disclosures required in Subparagraph A(3) above.

It is further ordered, That respondent Benton & Bowles, Inc., a corporation, its successors and assigns and respondent's officers, agents, representatives and employees, directly or through any controlled corporation, wholly owned subsidiary, or division, in connection with the advertising, offering for sale, sale or distribution of any non-prescription internal analgesic product in the United States do forthwith cease and desist from:

A. Disseminating, or causing the dissemination of, any advertisement by means of the United States mails or by means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which:

1. Represents directly or by implication, that a claim concerning the comparative performance, the comparative effectiveness, or the comparative freedom from side effects of such product has been established, when there exists a substantial question, recognized by experts qualified by scientific training and experience to evaluate the safety and efficacy of such drug products, as to the validity of such claim, unless the respondent can establish that it neither knew nor had reason to know of the existence of such substantial question; or

2. Refers to the ingredients aspirin or caffeine by any word or words other than their common, or usual name, unless (a) it is clearly and conspicuously disclosed that such word or words refer to aspirin or caffeine, and, (b) it is clearly and conspicuously disclosed that the only active analgesic ingredient in such product is aspirin and the only stimulant ingredient in such product is caffeine, if such is the case; or

3. Fails to disclose that the product contains aspirin or caffeine, if such is the case, provided, however, that Paragraphs A (2) and (3) of part II of this order shall not take effect or be binding unless or until order provisions embodying these same disclosure requirements become final with respect to Sterling Drug, Inc., co-respondent joined in the complaint issued in 722 3221.

B. Disseminating, or causing the dissemination, of any advertisement by any means, which contains statements which are inconsistent with, negate or contradict any disclosures required by Paragraph A above, or in any way obscure the meaning of such disclosures;

C. Disseminating, or causing the dissemination of, any advertisement by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of any such product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, which contains any of the repre-

sentations prohibited in Paragraph A(1) and A(2) above, or which fails to disclose the disclosures required in Paragraph A(2) and A(3) above.

D. Making any representation, directly or by implication, concerning the comparative performance, the comparative effectiveness, or the comparative freedom from side effects of such product, when there exists a substantial question, recognized by experts qualified by scientific training and experience to evaluate the safety and efficacy of such analgesic products, as to the validity of such representation, unless the respondent can establish that it neither knew nor had reason to know of the existence of such substantial question.

E. Making any statement or representations, directly or by implication, concerning the performance, effectiveness, or freedom from side effects of such product, unless there exists competent and reliable evidence to provide a reasonable basis for such representations. Notwithstanding the foregoing it shall be a complete defense in any enforcement proceeding instituted hereunder for said respondent to establish it neither knew nor had reason to know that said evidence was not competent and reliable.

F. Provided, however, that Paragraphs A(1) and D of part II of the order shall not take effect or be binding unless or until an order provision embodying the "Standard" set forth in Paragraphs A(1) and D, or any modification thereof, becomes final with respect to Sterling Drug, Inc., co-respondent joined in the complaint issued in 722 3221. Provided further that should said order against Sterling Drug, Inc., contain a standard different or modified in any respect from the "Standard" set forth in said paragraphs, both parties agree to a reopening and modification of these paragraphs for the sole purpose of incorporating said modification into these paragraphs. For the purpose of this Paragraph F the "Standard" shall mean "when there exists a substantial question, recognized by experts, qualified by scientific training and experience to evaluate the safety and efficacy of such non-prescription internal analgesic product." Furthermore, the defense of "knew or had reason to know" as set forth in Paragraphs A(1) and D of this order shall not be revised or modified or otherwise affected, even though the standard finally utilized is different or modified in any respect from the "Standard" set forth in said paragraphs.

G. Provided further that the proscriptions of this order shall apply only to claims for the prevention, treatment, or relief of pain, but not to claims for the relief of minor pain or discomfort that is incidental to the elimination, by the product, of an underlying condition causing such minor pain or discomfort, such as a cough or stuffy nose.

III

It is further ordered, That respondent corporation shall forthwith distribute a

copy of this order to each of its operating divisions.

It is further ordered, That respondent notify the Commission at least thirty (30) days prior to any proposed change in the corporate respondent such as dissolution, assignment or sale, resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any other changes in the corporation which may affect compliance obligations arising out of the order.

It is further ordered, That respondent shall, within sixty (60) days and at the end of six (6) months after the effective date of the order served upon it, file with the Commission a report, in writing, signed by respondent, setting forth in detail the manner and form of its compliance with the order to cease and desist.

By the Commission.

Issued May 22, 1973.

[SEAL] CHARLES A. TOBIN,
Secretary.

[FR Doc.73-12909 Filed 5-26-73;8:45 am]

Title 19—Customs Duties

CHAPTER I—BUREAU OF CUSTOMS, DEPARTMENT OF THE TREASURY

[T.D. 73-173]

PART 1—GENERAL PROVISIONS

Customs Stations

On March 26, 1973, a proposal to revoke the designation of San Ygnacio, Tex., as a Customs station in the Laredo, Tex., Customs district (Region VI), was published in the FEDERAL REGISTER (38 FR 7810). There were no comments received.

Accordingly, the designation of San Ygnacio, Tex., as a Customs station is hereby revoked. To reflect this revocation, the table in § 1.3(d) of the Customs Regulations is amended by deleting "San Ygnacio" from the list of "Customs stations," and "Laredo" from the "Port of entry having supervision" listing in the Laredo, Tex., district.

(Sec. 1, 37 Stat. 434; 5 U.S.C. 301, 19 U.S.C. 1)

Effective date. This amendment shall be effective on June 27, 1973.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: June 15, 1973.

JAMES B. CLAWSON,
Acting Assistant Secretary of
the Treasury.

[FR Doc.73-12963 Filed 6-26-73;8:45 am]

[T.D. 73-174]

PART 133—TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

Filing of Increased Number of Copies of Documents With Application

JUNE 14, 1973.

On February 15, 1973, a notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 4515), which proposed to increase the number of copies

of documents required by the Bureau of Customs to be filed with an application to record a copyright or trademark from 700 to 1,000. No comments were filed in response to the notice of proposed rulemaking.

The present requirements in the Customs Regulations that the size of the photographic or other likenesses of copyrighted work be 8" x 10½" is also changed to require that they be approximately 8" x 10½".

Accordingly, the proposed amendments to §§ 133.3 and 133.33 of the Customs Regulations are hereby adopted as set forth below.

Effective date. These amendments shall become effective on July 27, 1973.

VERNON D. ACREE,
Commissioner of Customs.

Approved: June 14, 1973.

EDWARD L. MORGAN,
Assistant Secretary
of the Treasury.

Paragraph (a) of § 133.3 and paragraph (a) (2) of § 133.33 are amended to read as follows:

§ 133.3 Documents and fee to accompany application.

(a) Documents. The application shall be accompanied by:

(1) A status copy of the certificate of registration certified by the United States Patent Office showing title to be presently in the name of the applicant; and

(2) One thousand copies of this certificate, or of a United States Patent Office facsimile. The copies may be reproduced privately and shall be on paper approximately 8½" x 11" in size. If the certificate consists of two or more pages, the copies may be reproduced on both sides of the paper.

(Sec. 42, 60 Stat. 440, sec. 501, 65 Stat. 290; 15 U.S.C. 1124, 31 U.S.C. 483a)

§ 133.33 Documents and fee to accompany application.

(a) * * *

(2) One thousand photographic or other likenesses reproduced on paper approximately 8" x 10½" in size of any three-dimensional work, design, print, label, or other work not readily identifiable by title and author. An application shall be excepted from this requirement if it covers a work such as a book, magazine, periodical, or similar copyrighted matter readily identifiable by title and author. One thousand likenesses of a component part of a copyrighted work, together with the name or title, if any, by which the part so depicted is identifiable, may accompany an application covering an entire copyrighted work.

(Sec. 501, 65 Stat. 290; 31 U.S.C. 483a) (E.S. 251, as amended, sec. 624, 46 Stat. 759; 19 U.S.C. 66, 1624)

[FR Doc.73-12962 Filed 6-26-73;8:45 am]

Title 5—Administrative Personnel CHAPTER I—CIVIL SERVICE COMMISSION PART 591—ALLOWANCES AND DIFFERENTIALS

Part 591 is being changed in its entirety to accommodate additional program responsibilities in the allowances area.

Former Subparts A, B, C, and D are rescinded and the subject matter redesignated as Subpart B, and retitled as "Cost of Living Allowance and Post Differential—Nonforeign Areas." In addition, the sections have been renumbered. It should be noted that there is no change in the regulations other than retitling and renumbering.

Subpart C is the new regulations governing the Allowance Based on Duty at Remote Worksites program.

Subpart A is reserved at this time for the Allowances for Uniforms program.

Part 591 of title 5 of the CFR is revised as set forth below:

Subpart A—[Reserved]

Subpart B—Cost of Living Allowance and Post Differential—Nonforeign Areas

Sec.	
591.201	Definitions.
591.202	Areas covered.
591.203	Places and rates at which allowances shall be paid.
591.204	Places and rates at which differentials shall be paid.
591.205	Establishment of rates for additional places.
591.206	Periodic review.
591.207	Deductions from allowances.
591.208	Agencies and employees covered.
591.209	Exclusion of certain employees.
591.210	Eligibility for differential.
591.211	Coordination of allowances and differentials.
591.212	Payment of allowances and differentials.

AUTHORITY: 5 U.S.C. 5941; sec. 202, E.O. 10,000; 3 CFR, 1954-58 Comp., p. 268.

Subpart C—Allowance Based on Duty at Remote Worksites

Secs.	
591.301	Purpose.
591.302	Coverage.
591.303	Responsibilities of agencies.
591.304	Criteria for determining remoteness.
591.305	Allowance rates.
591.306	Employee eligibility for an allowance.
591.307	Payment of allowance rates.
591.308	Relationship to additional pay payable under other statutes.
591.309	Effective date for payment of allowances.
591.310	Effect of regulations in this subpart on allowances established under previous statutes.

APPENDIX A—Daily transportation allowance rate schedule—commuting over land by private motor vehicle to remote duty posts.

APPENDIX B—Daily inconvenience or hardship allowance schedule—commuting over land by motor vehicle to remote duty posts.

AUTHORITY: 5 U.S.C. 5042; sec. 8, E.O. 11609.

Subpart B—Cost of Living Allowance and Post Differential—Nonforeign Areas

§ 591.201 Definitions.

In this part:
 (a) "Date of arrival" means the beginning of business on the workday of the employee's arrival at the post, or other place designated. When the employee's arrival is on a nonworkday, "date of arrival" means the beginning of business on the first workday following arrival.

(b) "Date of departure" means the close of business on the workday of the employee's departure from the post or other place designated. When the employee's departure is on a nonworkday, "date of departure" means the close of business on the last workday preceding departure.

(c) "Day or calendar day" means any day of the year. Fractional days are considered whole days.

(d) "Detail" means the temporary assignment or temporary duty of an employee away from his post of regular assignment, including all periods of leave while serving at the post of detail.

(e) "Non-foreign allowance" or "allowance" means a cost-of-living allowance payable under section 5941 of title 5, United States Code, at a post in a non-foreign area where living costs are substantially higher than in the District of Columbia.

(f) "Non-foreign area" means the States of Alaska and Hawaii, the Commonwealth of Puerto Rico, territories and possessions of the United States, and such additional areas located outside the continental United States as the Secretary of State shall designate as being within the scope of Part II of Executive Order 10000, as amended.

(g) "Non-foreign differential" or "differential" means an allowance payable under section 5941 of title 5, United States Code, at a post in a nonforeign area when conditions of environment differ substantially from conditions of environment in the States and warrant its payment as a recruitment incentive.

(h) "On assignment" or "on transfer" at a post of duty means officially occupying a position located at the post, geographically and organizationally, and having official headquarters at the post for travel and other administrative purposes.

(i) "Rate of basic pay" means the rate of pay fixed by statute for the position held by an individual, before any deductions and exclusive of additional pay of any kind, such as overtime pay, night differential, extra pay for work on holidays, or allowances and differentials.

§ 591.202 Areas covered.

The following areas are subject to this part:

Alaska (including all the Aleutian Islands east of longitude 167 degrees east of Greenwich).

American Samoa (including the Island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude

171 degrees west of Greenwich, together with Swains Island).

Canton and Enderbury Islands.
 Commonwealth of Puerto Rico.
 Guam.

Hawaii (including Ocean or Kure Island).
 Howland, Baker, and Jarvis Islands.
 Johnston or Cornwallis Island, and Sand Island.

Kingman Reef.
 Midway Islands.
 Navassa Island.
 Palmyra Island.
 Swan Islands.
 Virgin Islands of the United States.
 Wake Island.

Any small guano islands, rocks, or keys which, in pursuance of action taken under the Act of Congress, August 18, 1856, are considered as appertaining to the United States.

Any other islands to which the United States Government reserves claim, such as Christmas Island.

§ 591.203 Places and rates at which allowances shall be paid.

In accordance with section 5941 of title 5, United States Code, and section 205 of Executive Order 10000, as amended and in consideration of relative consumer price levels in the area and in the District of Columbia, and differences in goods and services available and the manner of living of persons employed in the area concerned in positions comparable to those of U.S. employees in the area, allowances are established at the following places and rates:

Alaska (including all the Aleutian Islands east of longitude 167 degrees east of Greenwich): 25 percent of rate of basic pay.

Commonwealth of Puerto Rico: 5 percent of rate of basic pay.

Hawaii (excluding Ocean or Kure Island): 15 percent of rate of basic pay.

§ 591.204 Places and rates at which differentials shall be paid.

In accordance with section 5941 of title 5, United States Code, and section 202 of Executive Order 10000, as amended, and based on (a) extraordinarily difficult living conditions, (b) excessive physical hardship, or (c) notably unhealthful conditions, differentials are established at the following places and rates:

American Samoa (including the Island of Tutuila, the Manua Islands, and all other islands of the Samoan group east of longitude 171 degrees west of Greenwich, together with Swains Island): 25 percent of rate of basic pay.

Canton Island: 25 percent of rate of basic pay.

Christmas Island: 25 percent of rate of basic pay.

Guam: 25 percent of rate of basic pay.
 Johnston or Cornwallis Island, and Sand Island: 25 percent of rate of basic pay.

Midway Islands: 25 percent of rate of basic pay.

Swan Islands: 25 percent of rate of basic pay.

Wake Island: 25 percent of rate of basic pay.

§ 591.205 Establishment of rates for additional places.

The department or agency concerned shall submit to the Commission in writ-

ing requests for the establishment of rates of allowances or differentials for places for which they have not been established by this subpart.

§ 591.206 Periodic review.

The Commission shall review from time to time, but at least annually, the places designated, the rates fixed, and the regulations in this part, which are prescribed for payment of allowances and differentials, with a view to making those changes therein as will insure that payment thereof shall continue only during the continuance of conditions justifying payment of allowances and differentials, and shall not in any instance exceed the amount justified.

§ 591.207 Deductions from allowances.

In accordance with the provisions of section 205(b)(2) of Executive Order 10000, as amended, deductions from allowances of the following classes of employees shall be made at the following places and rates: None.

§ 591.208 Agencies and employees covered.

(a) In accordance with section 5941 of title 5, United States Code, Part II of Executive Order 10000, as amended, and this part, each executive department, independent establishment, and wholly owned Government corporation shall pay (1) an allowance to each of its employees whose rate of basic pay is fixed by statute, who is located at a place for which an allowance has been established, and who is otherwise eligible to receive allowance payments; and (2) a differential to each of its employees whose rate of basic pay is fixed by statute, who is located at a place for which a differential has been established, and who is otherwise eligible to receive differential payments.

(b) Section 5941 of title 5, United States Code, Part II of Executive Order 10000, as amended, and this part apply to employees of the United States whose rates of basic pay are fixed by statute.

§ 591.209 Exclusion of certain employees.

(a) Section 5941 of title 5, United States Code, Part II of Executive Order 10000, as amended, and this part do not apply to employees in the Panama Canal Zone whose rates of basic pay are fixed by statute, or to any other groups of employees for whom allowances and differentials for service outside the continental United States or in Alaska are otherwise specifically authorized by statute.

(b) Governors of territories. A department or agency shall not pay an allowance or differential to a governor of a territory in a nonforeign area, except that on the specific request of the department or agency concerned, the Commission may authorize the payment of a differential to a governor whose pay is fixed under chapter 51 and subchapter III of chapter 53 of title 5, United States Code, if he is otherwise eligible to receive

a differential and the Commission determines that payment is warranted in the circumstances.

§ 591.210 Eligibility for differential

(a) The department or agency concerned shall determine eligibility to receive a differential of any person not included in a class enumerated in paragraph (c) of this section in accordance with paragraph (b) of this section.

(b) In order for an employee to be eligible to receive a differential, (1) he shall be a citizen or national of the United States; (2) his residence in the area to which the differential applies, at the time of receipt thereof, shall be fairly attributable to his employment by the United States; and (3) his residence in the area over an appropriate prior period of time must not be fairly attributable to reasons other than employment by the United States or by United States firms, interests, or organizations.

(c) Subject to paragraph (b) of this section, the classes of persons eligible to receive differentials include but are not limited to:

(1) Persons recruited or transferred from outside the area to which the differential concerned is applicable, except that the department or agency concerned shall exclude from those eligible to receive a differential the spouse of an individual who is stationed, employed, or resident in the differential area when the department or agency determines that the spouse is there primarily to be near the individual.

(2) Persons employed in the area to which the differential concerned is applicable but (1) who were originally recruited from outside the area and have been in substantially continuous employment by other Federal agencies, contractors of Federal agencies, or international organizations in which the United States Government participates, and whose conditions of employment provide for their return transportation to places outside the differential area concerned; or (2) who were at the time of employment temporarily present in the differential area concerned for purposes of travel or formal study and maintained residence outside the area during the period so present.

(3) Persons who are not normally residents of the area to which the differential concerned is applicable and who are discharged from the military service of the United States in the area to accept employment therein with an agency of the Federal Government.

§ 591.211 Coordination of allowances and differentials.

An employee eligible to receive an allowance at a post for which both an allowance and a differential have been established shall receive the full allowance otherwise payable to him under this part. When both an allowance and a differential are authorized at one post, the eligible employee shall be paid the full allowance first, and in addition so much of the differential as will not cause the total amount for allowances and differ-

entials to exceed a rate of 25 percent of his rate of basic pay.

§ 591.212 Payment of allowances and differentials.

(a) Payment of an allowance or a differential shall not be made for any time for which an employee does not receive basic pay.

(b) The total amount of allowances and differentials paid under authority of section 5941 of title 5, United States Code, and this part shall not exceed in any instance 25 percent of the rate of basic pay.

(c) Payment of an allowance or a differential shall begin as of the date of arrival at the post of duty on regular assignment or transfer, or on the date of entrance on duty in the case of local recruitment. Payment of an allowance or a differential shall cease on separation, or as of the date of departure on transfer to a new post of regular assignment.

(d) An allowance or a differential shall not be included in the base used in computing overtime pay, night differential, holiday pay, retirement deductions, or any other additional pay, allowance, or pay differential.

(e) Payment of an allowance or a differential is not an "equivalent increase" in pay within the meaning of section 5335 of title 5, United States Code.

(f) When an employee who is en route to, or returning from, his post of regular assignment is required to perform work in an area where payment of allowances or differentials is authorized, he shall be paid the allowances or differentials for his post of regular assignment while he is performing this work.

(g) Payment of an allowance at the rate prescribed for the post of regular assignment shall continue for all periods of temporary absence from the post on leave, including transit time. Payment of a differential at the rate prescribed for the post of regular assignment shall continue for the first 42 consecutive days of temporary absence from the post on leave, including transit time. Payment of allowances and differentials under this paragraph is authorized only if the employee returns to a post of regular assignment in a foreign or non-foreign area, unless

(1) The department or agency concerned determines that it is in the public interest not to return the employee to a post of regular assignment, or

(2) The department or agency concerned determines that the employee's failure to return to a post of regular assignment was due to compelling personal reasons, such as the health of the employee or his family, or to circumstances over which the employee has no control.

(h) (1) Payment of an allowance at the rate prescribed for the post of regular assignment shall continue for all periods of detail from the post including transit time, except that when an employee detailed to a foreign area post receives a differential authorized by the Department of State under section 5925 of title 5, United States Code, the payment of the allowance under this subpart will

be reduced to a rate which when added to the foreign post differential rate will not result in a total rate of more than 25 percent.

(2) Payment of a differential at the rate prescribed for the post of regular assignment shall continue for the first 42 consecutive calendar days on detail from the post including transit time, except that when the employee is detailed to a foreign area post for which the Department of State has authorized a differential under section 5925 of title 5, United States Code, but the employee may not be paid the differential because he is detailed from a post of regular assignment which is not in one of the several States or District of Columbia, the department or agency shall pay him the differential prescribed for his post of regular assignment for the entire period of detail (including the periods of leave granted during the period of detail). When an employee other than an employee covered by the exception in the preceding sentence has aggregated 42 days in a pay status at a differential post, he shall thereafter be paid the differential prescribed for each post of detail, but not for any time in transit. In any case the total amount of allowances and differentials payable under this part is restricted to 25 percent of the employee's basic pay as specified in section 5941 of title 5, United States Code, § 591.304, and paragraph (b) of this section. When an employee detailed to a foreign area post receives a differential authorized by the Department of State under section 5925 of title 5, United States Code, the payment of the differential under this subpart will be reduced to a rate which when added to the foreign post differential rate will not result in a total rate of more than 25 percent.

(i) Except as provided by paragraph (h) of this section, when an employee is temporarily absent from his post of regular assignment on leave and detail, payment of the differential for his post of regular assignment is limited to the first 42 consecutive calendar days of the temporary absence, including transit time.

(j) Payment of an allowance or differential to an employee serving on a part-time basis shall be prorated to cover only those periods of time for which the employee receives basic pay.

Subpart C—Allowance Based on Duty at Remote Worksites

§ 591.301 Purpose.

This subpart prescribes the regulations required by section 5942 of title 5, United States Code, for the payment of an allowance based on duty at remote worksites.

§ 591.302 Coverage.

(a) *Agencies.* This subpart applies to Executive department as defined in section 101 of title 5, United States Code, and to independent establishments as defined in section 104 of title 5, United States Code, but does not apply to Government corporations as defined in section 103 of title 5, United States Code.

(b) *Employees.* This subpart applies to each employee assigned to a permanent duty station at or within a designated remote duty post, except an employee who is a permanent or temporary resident at the remote duty post, and except foreign nationals employed at remote duty posts in foreign countries.

§ 591.303 Responsibilities of agencies.

Each agency is responsible for:

(a) Preparing recommendations to the Commission to establish or adjust an allowance for each remote duty post.

(b) Advising the Commission in a timely manner of any changes in a duty post or commuting conditions or other factors that may affect an existing allowance authorization.

§ 591.304 Criteria for determining remoteness.

(a) Except as provided by paragraphs (b) and (c) of this section a duty post shall be determined by the Commission to be a remote duty post for basic allowance eligibility purposes when:

(1) Normal ground transportation (e.g. automobile, train, bus) is available on a daily basis and the duty post is 50 miles, or more, one way from the nearest established community or suitable place of residence. Distance shall be computed in road or rail miles over the most direct route traveled from the center of the city, or other appropriate point for large cities or areas; or

(2) Daily commuting is impracticable because the location of the duty post and available transportation are such that agency management requires employees to remain at the duty posts for their workweek as a normal and continuing part of the conditions of employment; or

(3) Transportation may be accomplished only by boat, aircraft, or unusual conveyance, or under extraordinary conditions, and the distance, time, and commuting conditions result in expense, inconvenience, or hardship significantly greater than that encountered in metropolitan area commuting. A determination may only be made on an individual location basis.

(b) Except when the criterion in paragraphs (a) (2) and (3) of this section is met, the criterion in paragraph (a) (1) of this section is not met:

(1) When the duty post is within the boundary of a metropolitan area, a developed urban area, or community of sufficient size to provide adequate consumer facilities; and

(2) When the duty post is within 50 miles of the center of, or other appropriate point for large cities or areas, a metropolitan area, a developed urban area, or community of sufficient size to provide adequate consumer facilities. (This generally excludes a post of duty within 50 miles of any city of 5,000 or more population.)

(c) A determination of remoteness for a duty post outside the 50 United States will be made on an individual location basis, taking into consideration

the distance, time, commuting conditions, and the extent to which these factors result in significant expense, inconvenience, or hardship.

§ 591.305 Allowance rates.

(a) *General.* An allowance rate may not exceed \$10 a day. An allowance rate shall be established by the Commission for each post of duty determined to be remote under § 591.304, and shall be terminated or adjusted by the Commission as warranted. In determining the amount of the allowance rate, the Commission shall consider the following:

(1) Transportation expense incurred in commuting to the remote post of duty as compared to transportation expenses (including cost of public transportation service) representative of those incurred in metropolitan areas within the United States or overseas as appropriate as periodically determined by the Commission.

(2) Expenses incurred for lodging, meals, other services, and miscellaneous expenses when it is not feasible for an employee to commute daily as at duty posts determined under § 591.304(a) (2) of this subpart.

(3) Inconvenience or hardship associated with commuting to the remote duty post taking into account such factors as travel time, road conditions and terrain, type and quality of vehicle, climate conditions, and conditions that exist at those duty posts determined by the Commission to meet the criterion in § 591.304(a) (2) of this subpart.

(4) Operational or workload demands, weather conditions, or other situations which require an employee to report to or remain at his post of duty substantially beyond his normal arrival or departure time with respect to those duty posts meeting the criterion in § 591.304(a) (2) of this subpart.

(b) *Authorized allowance rates.* Each authorized allowance rate for each duty post may consist of up to three parts, separately stated as appropriate, and the authorized allowance rate shall be paid as provided in § 591.306, but no employee may be paid more than \$10 a day. The parts which go to make up the authorized allowance rate are:

(1) *Transportation Allowance.*—(i) *Commuting by private motor vehicle.* A transportation allowance schedule showing the daily transportation expense rate to be paid under the distances and conditions described, when commuting by private motor vehicle is set out as Appendix A to this subpart and is incorporated in and made part of this section.

(ii) *Travel by commercial or Government provided transportation.* The transportation allowance shall be limited to the cost of the service less normal cost for public transportation service in metropolitan areas.

(2) *Inconvenience or hardship allowance.* An allowance rate to compensate for hardship or inconvenience may not be considered unless the travel time normally exceeds one hour one way between the closest established community or suitable place of residence and the re-

mote duty post. An allowance schedule covering land travel by motor vehicle, showing the daily rates to be paid under the time factors and conditions described, for inconvenience or hardship combined, is set out as Appendix B to this subpart and is incorporated in and made part of this section.

(3) *Other commuting situations.* Notwithstanding paragraphs (b) (1) and (2) of this section, when commuting is by boat, aircraft or an unusual conveyance or under extraordinary conditions by motor vehicle, or involving factors or conditions unique to the duty post, the Commission shall establish the allowance based on the facts and circumstances of that individual remote duty post.

(4) *Miscellaneous.* When daily commuting is impracticable as determined under § 591.304(a) (2) of this subpart:

(i) The Commission may authorize a miscellaneous allowance the amount to depend on such factors as miscellaneous expenses, living conditions that exist at the duty post, or inconvenience or hardship that may be associated with this type of employment environment. When employees are required to pay a fee for lodging, meals, or other services at the remote duty post, the miscellaneous allowance shall at least equal the amount charged for the use of facilities and services.

(ii) On those days when operational or workload demands, weather conditions, or other situations result in employees reporting to or remaining at the remote duty post substantially beyond normal arrival or departure time, the maximum daily allowance rate of \$10 shall be paid.

§ 591.306 Employee eligibility for an allowance.

(a) An authorized allowance rate as prescribed by the Commission shall be paid to each employee with a permanent duty station at or within a remote post of duty approved under § 591.304 of this subpart, regardless of type of appointment or work schedule, only (1) when the employee travels the prescribed minimum distance and time, or is subject to prescribed minimum inconvenience or hardship factors, while commute from the nearest established community or suitable place of residence and the remote duty post, or (2) the employee remains at the worksite at the direction of management because daily commuting is impractical.

(b) An employee shall be paid an authorized allowance rate for those days on which he incurs unusual expense in commuting to a remote post of duty or for those days on which he is subject to extraordinary inconvenience or hardship during the commuting.

(c) An employee who resides permanently, or temporarily for his own convenience at a remote duty post is not eligible for an authorized allowance rate during his period of residence.

§ 591.307 Payment of allowance rates.

(a) An authorized allowance rate is earned on a daily basis; however, where

appropriate for administrative convenience, the rate may be averaged taking into consideration the number of non-commuting days over a period of time, and paid for each workday, excluding days in a nonpay status and periods of extended absence.

(b) The transportation allowance is paid only when expense is incurred and at the lowest rate consistent with available transportation.

(c) The inconvenience or hardship allowance is paid regardless of eligibility for transportation expense part of allowance rate when the employee is otherwise eligible.

(d) Except as provided under § 591.305(b) (4) (ii), when the necessity for remaining at the post of duty for the workweek is the basis for the allowance under § 591.304(a) (2) of this subpart the allowance rate is paid for each full day, or prorated for part of a day, that the employee remains at the duty post.

(e) The transportation allowance prescribed by paragraph (b) (1) (i) of § 591.305, or other allowance as may be prescribed by the Commission for commuting by private motor vehicle, may not be paid unless the officially approved work schedule of the employee precludes use of other transportation services that may be available at lower cost.

(f) An employee, who normally commutes on a daily basis, will not be disqualified from receiving an authorized allowance when he is officially required to remain overnight at the remote duty post, for one or more days on a temporary basis, because of the schedule of operations or the nature of assigned work.

(g) When a remote duty post is determined by the Commission under paragraph (a) (3) or paragraph (c) of § 591.304 as being basically eligible for an allowance, the Commission will determine the basis for payment of the allowance rate taking into consideration the facts and circumstances associated with commuting to the remote duty post.

§ 591.308 Relationship to additional pay payable under other statutes.

An allowance authorized under this subpart is in addition to any additional pay or allowances payable under other statutes. It shall not be considered part of the employee's rate of basic pay in computing additional pay or allowances payable under other statutes.

§ 591.309 Effective date for payment of allowances.

When the Commission authorizes an allowance for a remote duty post, it shall specify the effective date that an agency shall begin paying the allowance to its employees, except that the Commission may not specify a date earlier than January 8, 1971.

§ 591.310 Effect of regulations in this subpart on allowances established under previous statutes.

Regulations in this subpart do not require a reduction in the allowance rates

authorized under previous statutes, unless the Commission determines that an adjustment is warranted on the basis of a change in facts and circumstances on which that previous allowance was established.

APPENDIX A.—DAILY TRANSPORTATION ALLOWANCE SCHEDULE, COMMUTING OVER LAND BY PRIVATE MOTOR VEHICLE TO REMOTE DUTY POSTS

Round Trip Distance in Excess of 50 Miles	Degree A Commuting Conditions	Degree B Commuting Conditions	Degree C Commuting Conditions
up to 9 miles..	\$.20	\$.22	\$.24
10 to 19.....	.70	.77	.84
20 to 29.....	1.20	1.32	1.44
30 to 39.....	1.70	1.87	2.04
40 to 49.....	2.20	2.42	2.64
50 to 59.....	2.70	2.97	3.24
60 to 69.....	3.20	3.52	3.84
70 to 79.....	3.70	4.07	4.44
80 to 89.....	4.20	4.62	5.04
90 to 99.....	4.70	5.17	5.64
100 to 109....	5.20	5.72	6.24
110 to 119....	5.70	6.27	6.84
120 to 129....	6.20	6.82	7.44
130 to 139....	6.70	7.37	8.04
140 to 149....	7.20	7.92	8.64
150 to 159....	7.70	8.47	9.24
160 to 169....	8.20	9.02	9.84
170 and over..	8.70	9.57	10.00

Degree A Commuting Conditions. Good paved roads; climatic conditions cause intermittent driving difficulty.

Degree B Commuting Conditions. Roads typically fair but may be good for part of distance or may be unpaved for short distance; climatic conditions during part of a season, in relation to terrain, contribute to additional cost.

Degree C Commuting Conditions. Fair to poor roads; unpaved for part of distance, or travel over open range; hilly or mountainous terrain; climatic conditions during most of a season contribute to additional cost.

APPENDIX B.—DAILY INCONVENIENCE OR HARDSHIP ALLOWANCE SCHEDULE, COMMUTING OVER LAND BY MOTOR VEHICLE TO REMOTE DUTY POSTS

Round Trip Time in Excess of Two Hours	Degree A Commuting Conditions	Degree B Commuting Conditions	Degree C Commuting Conditions
up to 15 minutes....	\$.50	\$.63	\$.75
16 to 30.....	1.00	1.25	1.50
31 to 45.....	1.50	1.88	2.25
46 to 60.....	2.00	2.50	3.00
61 to 75.....	2.50	3.13	3.75
76 to 90.....	3.00	3.75	4.50
91 to 105....	3.50	4.38	5.25
106 to 120....	4.00	5.00	6.00
121 to 135....	4.50	5.63	6.75
136 to 150....	5.00	6.25	7.50
151 to 165....	5.50	6.88	8.25
166 to 180....	6.00	7.50	9.00

Degree A Commuting Conditions. Good paved roads; climatic conditions, in relation to type and quality of vehicle, cause minimal discomfort during trip.

Degree B Commuting Conditions. Roads typically fair, but may be good for part of distance and possibly unpaved for short distance; climatic conditions during part of a season, in relation to type and quality of vehicle, result in moderate discomfort during trip.

Degree C Commuting Conditions. Fair to poor roads, unpaved for part of distance; climatic conditions during most of a season, in combination with such factors as type and

quality of vehicle and terrain, result in unusual discomfort during trip.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.73-12868 Filed 6-26-73;8:45 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—PROVISIONS COMMON TO MORE THAN ONE PROGRAM

[Amdt. 1]

PART 792—CONSERVING BASE AND DESIGNATED SET-ASIDE ACREAGE

Reduction in Payments for Haying and Grazing

In order to prevent or alleviate a shortage in the supply of agricultural commodities, the regulations governing the conserving base and designated set-aside acreage, 36 FR 17561, are being amended effective with the 1973 crop year to permit haying and grazing of acreage set aside under the wheat and feed grain programs. Producers who elect to hay and graze the set-aside acreage shall be subject to a reduction in payments.

Section 792.3 is amended by adding a new sentence at the end of paragraphs (c) and (d), respectively, to read as follows:

§ 792.3 Designation, use and care of set-aside acreage under the feed grain, upland cotton, and wheat set-aside programs; approved conserving uses.

(c) *Restriction on harvesting of crops from set-aside acreage.* * * * Effective with respect to the 1973 crop year, in order to prevent or alleviate a shortage in the supply of agricultural commodities, conserving crops may, at the election of the farm operator and subject to a reduction in payments, be harvested for hay. The rate of reduction in payments for producers who harvest hay from the set-aside acreage shall be established in accordance with instructions issued by the Deputy Administrator.

(d) *Restriction on grazing.* * * * Effective with respect to the 1973 crop year, in order to prevent or alleviate a shortage in the supply of agricultural commodities, the designated set-aside acreage may, at the election of the farm operator and subject to a reduction in payments, be grazed during the five principal growing months. The rate of reduction in payments for producers who graze the set-aside acreage shall be established in accordance with instructions issued by the Deputy Administrator.

(Sec. 379b, 84 Stat. 1362, 7 U.S.C. 1379b; sec. 105, 84 Stat. 1368, 7 U.S.C. 1441 note)

Effective date. Since farmers are now completing their plans for the 1973 crop

year, it is essential that the foregoing amendment be made effective as soon as possible. It is hereby found and determined that compliance with the notice and public procedure provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest. Accordingly, this amendment shall become effective on June 27, 1973.

Signed at Washington, D.C., on June 21, 1973.

GLENN A. WEIR,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.73-12940 Filed 6-26-73; 8:45 am]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS AND GRANTS PRIMARILY FOR REAL ESTATE PURPOSES

[FHA Ins. 442.1]

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION

Subpart A—Loans and Grants for Community Domestic Water and Waste Disposal Systems

DELETION

In § 1823.1, (37 F.R. 12037), Title 7, Code of Federal Regulations, reference to Part 1890h is hereby deleted. This part is being removed from the Code of Federal Regulations effective on June 27, 1973.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Order of the Act. Sec. of Agr. 36 FR 21529; 37 FR 22008.)

Dated June 6, 1973.

FRANK B. ELLIOTT,
Acting Administrator, Farmers Home Administration.

[FR Doc.73-12942 Filed 6-26-73; 8:45 am]

[FHA Instruction 442.8]

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION

Subpart H—Association Loans for Irrigation and Drainage and Other Soil and Water Conservation Measures

DELETION

In § 1823.221 (35 FR 15091), Title 7, Code of Federal Regulations, reference to Part 1890h is hereby deleted. This part is being removed from the Code of Federal Regulations effective on June 27, 1973.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Orders of the Act. Sec. of Agr. 36 FR 21529; 37 FR 22008.)

Dated June 14, 1973.

J. R. HANSON,
Acting Deputy Administrator, Farmers Home Administration.

[FR Doc.73-12943 Filed 6-26-73; 8:45 am]

[FHA Instruction 442.9]

PART 1823—ASSOCIATION LOANS AND GRANTS—COMMUNITY FACILITIES, DEVELOPMENT, CONSERVATION, UTILIZATION

Subpart I—Processing Loans to Associations (Except for Domestic Water and Waste Disposal)

DELETION

In § 1823.251 (35 FR 1509), Title 7, Code of Federal Regulations, reference to part 1809h is hereby deleted effective on publication in the Federal Register. Part 1809h is being removed from the Code of Federal Regulations effective on June 27, 1973.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Order of Sec. of Agr. 29 FR 18210; Order of Act. Sec. of Agr., 36 FR 22008; Order of Asst. Sec. of Agr. for Rural Development and Conservation, 36 FR 21529.)

Dated June 14, 1973.

J. R. HANSON,
Acting Deputy Administrator, Farmers Home Administration.

[FR Doc.73-12944 Filed 6-26-73; 8:45 am]

SUBCHAPTER G—MISCELLANEOUS REGULATIONS

[AL 901(442)]

PART 1890h—ASSOCIATION LOANS AND GRANTS IN MAJOR DISASTER AREAS

Deletion of Part

Part 1890h, "Association Loans and Grants in Major Disaster Areas," (35 FR 14914), is deleted from Chapter XVIII of Title 7 of the Code of Federal Regulations. Authorization for loans and grants in major disaster areas was repealed by the Disaster Relief Act of 1970, P.L. 91-606.

(Sec. 339, 75 Stat. 318, 7 U.S.C. 1989; Orders of the Act. Sec. of Agr., 36 FR 21529; 37 FR 22008.)

Effective date. This deletion shall become effective on June 27, 1973.

Dated June 6, 1973.

FRANK B. ELLIOTT,
Acting Administrator, Farmers Home Administration.

[FR Doc.73-12945 Filed 6-26-73; 8:45 am]

Title 8—Aliens and Nationality

CHAPTER I—IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

PART 100—STATEMENT OF ORGANIZATION

PART 235—INSPECTION OF PERSONS APPLYING FOR ADMISSION

Miscellaneous Amendments

Pursuant to 5 U.S.C. 552 and the authority contained in 8 U.S.C. 1103 and 8 CFR 2.1, amendments, as set forth herein, are prescribed in Parts 100 and 235 of Chapter I of Title 8 of the Code of Federal Regulations.

In Part 100, §§ 100.4(b) and (c) (2) are amended to reflect the elimination of Dis-

trict No. 36—Port Isabel, Texas; the creation of a new District No. 38—Houston, Texas; and the revised territorial jurisdiction of existing District No. 14—San Antonio, Texas; also, § 100.4(c) (3) is amended to reflect the elimination of District No. 36 and the reassignment to District No. 14 of a specified port of entry. Corollary amendments of a technical nature are made in §§ 100.4(a) and 235.10.

The following amendments to Chapter I of Title 8, Code of Federal Regulations, are hereby prescribed:

Section 100.4 is amended in the following respects:

1. In paragraph (a), the last sentence is amended by changing the reference to District "36" to read "38";

2. In paragraph (b), item 14 "San Antonio, Texas" is amended to reflect jurisdiction over the specified counties in the State of Texas;

3. In paragraph (b), a new item 38 "Houston, Texas" is added;

4. In paragraph (c) (2), District No. 14—San Antonio, Tex., the listing of "Class A" ports of entry is amended by adding thereto in alphabetical sequence the following: "Brownsville, Tex.; * Corpus Christi, Tex. (the port of Corpus Christi includes, among others, the port facilities at Harbor Island, Ingleside, and Port Lavaca—Point Comfort, Tex.); * Port Isabel, Tex.;"

5. In paragraph (c) (2), a new "District No. 38—Houston, Tex." is added; and

6. In paragraph (c) (3), District No. 14—San Antonio, Tex., is amended by adding thereto in alphabetical sequence the following airport: "Brownsville, Tex., Rio Grande Valley International Airport at Brownsville, Tex."

As amended, § 100.4 reads, in pertinent part, as follows:

§ 100.4 Field service.

(a) *Regional offices.* The Northeast Regional Office, located in Burlington, Vermont, has jurisdiction over districts 1, 2, 3, 7, 21, 22, and 23 and Border Patrol sectors 1, 2, 3, and 4. The Southeast Regional Office, located in Richmond, Virginia, has jurisdiction over districts 4, 5, 6, 24, 25, 26, 27, and 28 and Border Patrol sectors 20 and 21. The Northwest Regional Office, located in St. Paul, Minnesota, has jurisdiction over districts 8, 9, 10, 11, 12, 29, 30, 31, and 32 and Border Patrol sectors 5, 6, 7, 8, and 9. The Southwest Regional Office, located in San Pedro, California, has jurisdiction over districts 13, 14, 15, 16, 17, 18, 19, 35, and 38 and Border Patrol sectors 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19.

(b) *District offices.* The following districts, which are designated by numbers, have fixed headquarters and are divided as follows:

14. *San Antonio, Texas.* The district office in San Antonio, Texas, has jurisdiction over the following counties in the State of Texas: Aransas, Atascosa, Bandera, Bastrop, Bee, Bell, Bexar, Blanco, Brazos, Brooks, Brown, Burleson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Coke, Coleman, Comal, Concho, Coryell, Crockett, De Witt, Dimmit, Duval, Edwards, Falls, Fayette, Frio, Gillespie, Glasscock, Goliad, Gonzales, Guadalupe, Hays, Hildaigo, Irion, Jackson, Jim