

13. Table G-16 in § 1910.95 is amended by correcting "C1/T1+C2/T2 Cn/Tn" to read $C_1/T_1 + C_2/T_2 + \dots + C_n/T_n$.

14. Section 1910.96(b) (2) (iii) is amended by correcting the second sentence to read "As used in this subparagraph "Dose to the whole body" shall be deemed to include any dose to the whole body, bonad, active bloodforming organs, head and trunk, or lens of the eye".

15. Section 1910.103(c) (3) (ii) (d) is amended by correcting the reference "subparagraph (i) (ix) (b)" in the fourth line to read "subparagraph (1) (ix) (b)".

16. Section 1910.107(a) (5) is amended by correcting the reference "subparagraph (3)" to read "subparagraph (4)".

17. Section 1910.109(i) (2) (iii) (c) is amended by correcting the word "manual" to read "Manual".

18. Section 1910.109(i) (6) (i) (a) is amended by correcting the paragraph designations to read as follows:

§ 1910.109 Explosives and blasting agents.

(i) * * *

(6) *General precautions.* (i) Electrical installations shall conform to the requirements of Subpart S of this part, for ordinary locations. They shall be designed to minimize damage from corrosion.

(ii) In areas where lightning storms are prevalent, lightning protection shall be provided. (See the Lightning Protection Code, NFPA 78-1968.)

(iii) Provisions shall be made to prevent unauthorized personnel from entering the ammonium nitrate storage area.

19. Section 1910.110(b) (14) (xvi) is amended by correcting the paragraph designated (b) (14) (xvi) to read (b) (14) (xiv).

20. Section 1910.115 is amended by correcting the fifth and eighth items in the list of sources of standards to read as follows:

- § 1910.105-106 ---- NFPA No. 30-1969, Flammable and Combustible Liquids Code.
- § 1910.109 ---- NFPA No. 495-1970, Code for the Manufacture, Transportation, Storage, and Use of Explosives and Blasting Agents.

21. Section 1910.147 is amended by correcting the fifth item in the list of sources of standards to read as follows:

- § 1910.145(a)-(e) -- ANSI Z35.1-1968, Specifications for Accident Prevention Signs and ANSI B114.1-1971, Slow-Moving Vehicle Identification Emblem.

22. Section 1910.157(c) (4) (iii) is amended by correcting the reference to

"Subparagraph (5)" to read "subparagraph (3)".

23. Table L-3 in § 1910.157(d) (4) (iii) is amended by correcting the third extinguisher type referenced "Storage-pressure water and/or antifreeze" to read "Stored-pressure water and/or antifreeze".

24. Section 1910.168(a) (15) is amended by inserting initial quotation marks before the word "Specifications" in eighth line.

25. Section 1910.178(c) (2) is amended by deleting the third sentence of the paragraph.

26. Section 1910.179(g) (3) (vii) is amended by correcting the word "related" to read "released".

27. Section 1910.180(f) (1) is amended by correcting the paragraph designation .180(f) (1) to .180(f).

28. Section 1910.213(p) (4) is amended by correcting the word "contract" in the second sentence to read "contact".

29. Table O-6 in § 1910.215 is amended by correcting the first minimum outside diameter of flanges in column B from $\frac{3}{8}$ " to $\frac{3}{4}$ ".

30. Section 1910.217(b) (7) (vii) is amended by correcting the second paragraph designated as .217(b) (7) (vii) to .217(b) (7) (viii).

31. Section 1910.221 is amended by correcting the second, sixth, and seventh items in the list of sources of standards to read as follows:

- § 1910.213 ---- ANSI O1.1-1954 (R-1971), Safety Code for Woodworking Machinery.
- § 1910.217 ---- ANSI B11.1-1971, Safety Standard for Construction, Care, and Use of Mechanical Power Presses.
- § 1910.218 ---- ANSI B24.1-1971, Safety Standard for Forging.

32. Section 1910.246 is amended by correcting the eighth, ninth, and tenth items in the list of sources of standards to read as follows:

- 1910.243(c) ---- ANSI B7.1-1970, Safety Code for the Use, Care, and Protection of Abrasive Wheels.
- 1910.243(d) ---- ANSI A10.3-1970, Explosive Actuated Fastening Tools.
- 1910.243(e) ---- ANSI B71.1-1968, Safety Specifications for Power Lawn Mowers.

33. Section 1910.252(a) (6) (vi) (a) (6) is amended by correcting "Provided, however, That" in the fourth line to read "provided, however, that".

34. Section 1910.252(b) (2) (iii) (b) (2) is amended by correcting the word "Automatic" to read "Automatic".

35. Section 1910.254 is amended by correcting the third, fifth, and sixth

items in the list of standards organizations to read as follows:

- (c) Compressed Gas Association, Inc., 500 Fifth Avenue, New York, N.Y. 10036
- (e) American Welding Society, 345 East 47th Street, New York, N.Y. 10017
- (f) Rubber Manufacturers Association, 444 Madison Avenue, New York, N.Y. 10022

36. Section 1910.261(e) (11) is amended by correcting the word "marker" to read "barker".

37. Section 1910.262(b) (22) is amended by correcting the word "calendar" to read "calender".

38. Section 1910.262(m) is amended by correcting the heading "Silver and ribbon lappers (cotton)" to read "Silver and ribbon lappers (cotton)".

39. Section 1910.263(1) (9) (ix) is amended by correcting the heading "Flues and dampers" to read "Flues and dampers".

40. Section 1910.265(a) (2) is amended by correcting the reference "1910.05" in the last sentence to read "1910.5".

41. Section 1910.266(a) (2) is amended by correcting the reference "1910.05" to read "1910.5".

42. Section 1910.266(c) (2) (vii) is amended by correcting "Hands tools" to read "Handtools".

43. Section 1910.268 is amended by correcting the last item in the lists of sources of standards to read as follows:

- 1910.266 ---- ANSI O3.1-1971, Pulpwood Logging Safety Standards.
- 44. Section 1910.309(a) is amended by correcting the sixteenth and twentieth items in the list of sections to read as follows:
- 110-17 (a), (b), and (c) ---- Guarding of Live Parts.
- 240-16 (a), (b), (c), and (d) ---- Location in Premises (for Overcurrent Protection Devices).

45. The following sections are amended by correcting the reference "National Electrical Code, NFPA 70-1971; ANSI C1-1971 (Rev. of 1968)" to read "National Electrical Code, NFPA No. 70-1971; ANSI C1-1971 (Rev. of C1-1968)":

- § 1910.66(c) (22) (i)
- § 1910.66(c) (22) (vii)
- § 1910.68(b) (4)
- § 1910.68(c) (5) (iv) (e)
- § 1910.94(a) (2) (iii)
- § 1910.103(b) (3) (iii) (e)
- § 1910.178(c) (2)
- § 1910.308(a)
- § 1910.308(d)
- § 1910.309(a)
- § 1910.309(b)

Signed at Washington, D.C., this 23 day of May 1974.

JOHN STENDER,
Assistant Secretary of Labor.
[FR Doc.74-12643 Filed 5-31-74; 8:45 am]

PART 1926—OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR CONSTRUCTION

Miscellaneous Amendments; Corrections

Pursuant to authority in sections 6 and 8(g) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593, 1600; (29 U.S.C. 655, 657)), in Secretary of Labor's Order No. 12-71 (36 FR 8754), and section 107 of the Contract Work Hours and Safety Standards Act, as amended (83 Stat. 96; 40 U.S.C. 333), Part 1926 of Title 29 of the Code of Federal Regulations is hereby amended as set forth below.

A number of typographical and clerical errors appeared in Part 1926 of Title 29 of the Code of Federal Regulations (37 FR 27503). The purpose of this amendment is to correct the errors in the standards text.

Since the corrections make no substantive change in the standards, it is not necessary to provide notice of proposed rulemaking, opportunity for public participation therein, nor any delay in the effective date under section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 or section 107 of the Contract Work Hours and Safety Standards Act or 5 U.S.C. 553.

Effective June 3, 1974, Part 1926 of Title 29 is amended as follows:

1. Section 1926.451(d)(8) is amended by correcting the word "or" to read "of".

2. Section 1926.500(d)(1) is amended by correcting the reference "paragraph (f)(i)" in the first sentence to read "paragraph (f)(1)".

3. Section 1926.914(e) is amended by correcting the word "furnished" in the seventh line to read "finished".

Signed at Washington, D.C., this 28th day of May, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc.74-12644 Filed 5-31-74;8:45 am]

Title 31—Money and Finance: Treasury SUBTITLE A—OFFICE OF THE SECRETARY OF THE TREASURY

PART 0—STANDARDS OF CONDUCT

PART 3—CLAIMS REGULATIONS

Miscellaneous Amendments

The Department of the Treasury finds it necessary to amend its regulations in Part 0 and Part 3 in order to make them conform to the reorganization of the Fiscal Service as mandated by Treasury Department Orders No. 229 and 229-1, appearing at 39 FR 2280 and 39 FR 10454 respectively. In particular Part 0, Appendix A, is amended to change the reference therein from the Bureau of Accounts to the Bureau of Government Financial Operations and to amend the list of the officers and employees of such Bureau who are required to file statements of financial interests. Part 0, Appendix A, is further amended to delete the references to the Treasurer of the

United States and to the Office of the Treasurer of the United States. In addition, Part 3, § 3.7(c), is amended to change the reference therein from the Bureau of Accounts to the Bureau of Government Financial Operations.

The Department finds that notice to the public, of these amendments, is not necessary under 5 U.S.C. 553 as the amendments are wholly intra-Departmental and have no public effect. Therefore, Title 31 of the Code of Federal Regulations, Subtitle A, is amended as follows:

1. Part 0, Appendix A, is amended by:
(a) Deleting the paragraph entitled *Bureau of Accounts*.

(b) Inserting after the paragraph entitled *Bureau of Engraving and Printing* the following:

Bureau of Government Financial Operations:

All officials GS-16 and above.
Director, Domestic Banking Staff.
Director, Foreign Banking Staff.
Director, Division of Facilities Management.
Assistant Comptroller, Audit Staff.
Chief, Procurement Branch.

(c) Deleting the paragraph entitled *Office of the Treasurer, United States*.

2. Part 3, § 3.7(c), is amended by substituting a reference to the "Bureau of Government Financial Operations" for the reference to the "Bureau of Accounts."

These amendments shall become effective on June 3, 1974, retroactive to February 1, 1974 and March 12, 1974, the effective dates of Treasury Department Orders No. 229 and 229-1.

(Treasury Department Orders No. 229 and 229-1)

Dated: May 28, 1974.

[SEAL] WARREN F. BRECHT,
Assistant Secretary
for Administration.

[FR Doc.74-12611 Filed 5-31-74;8:45 am]

Title 32—National Defense CHAPTER XII—DEFENSE SUPPLY AGENCY

SUBCHAPTER B—MISCELLANEOUS

[DSA Reg. 5515.2]

PART 1280—INVESTIGATING AND PROCESSING CERTAIN NONCONTRACTUAL CLAIMS AND REPORTING RELATED LITIGATION

APRIL 3, 1974.

The Defense Supply Agency is revising Part 1280 of Title 32, Code of Federal Regulations. The purpose of this revision is to provide current citations to the Army regulations which have superseded those previously prescribed for the processing of some claims. It reflects new Army claims processing procedures effected upon the reorganization of the Army. Finally, it provides specific procedures for Air Force processed claims.

Part 1280 is added to Title 32 of the Code of Federal Regulations, reading as set forth below. (This publication supersedes Part 1280 published in Volume 35, No. 184, dated Tuesday, September 22, 1970.)

Sec.

- 1280.1 Purpose and scope.
- 1280.2 Definitions.
- 1280.3 Significant changes.
- 1280.4 Responsibilities.
- 1280.5 Procedures.

AUTHORITY: 5 U.S.C. 301; 10 U.S.C. 125; 28 U.S.C. 2672; and DoD Directive 5105.22 dated December 9, 1965.

§ 1280.1 Purpose and scope.

(a) This Part 1280 provides procedures for investigating and processing claims and related litigation:

(1) By civilian and military personnel of DSA for property lost or damaged incident to service (31 U.S.C. 240-243).

(2) Incident to use of Government vehicles and other property of the United States not cognizable under other law (10 U.S.C. 2737).

(3) Based on Negligence of Civilian and Military Employees under the Federal Tort Claims Act, 28 U.S.C. 1346(b), 2671 thru 2680.

(4) In favor of the United States, other than contractual, for loss, damage, or destruction of real or personal property in the possession, custody, or control of DSA.

(b) This Part 1280 is applicable to HQ DSA and DSA field activities, except non-appropriated funds and related activities established pursuant to DSAR 1330.2, Open Messes and Other Military Sundry Associations and Funds, and DSAR 1330.4, Civilian Nonappropriated Funds and Related Activities. Claims involving these activities are processed pursuant to the regulations referenced therein.

§ 1280.2 Definitions.

(a) *Claims Investigating Officer*. A military officer or civilian employee of DSA, appointed in accordance with this Part 1280, to investigate and process claims within the purview of this Part 1280.

(b) *Member of the Army, member of the Navy, member of the Marine Corps, member of the Air Force*. Officers and enlisted personnel of these Military Services.

§ 1280.3 Significant changes.

This revision provides current citations to the Army regulations which have superseded those previously prescribed for the processing of some claims. It reflects the new Army claims processing procedures effected upon the reorganization of the Army. Finally, it provides specific procedures for Air Force processed claims.

§ 1280.4 Responsibilities.

(a) *DSA field activities*. (1) Heads of DSA Primary Level Field Activities are responsible for:

(i) Designating a qualified individual under their command, preferably one experienced in the conduct of investigations, as the Claims Investigating Officer for the activity.

(ii) Authorizing Heads of subordinate activities to appoint Claims Investigating Officers where necessary.

(2) The Commander, DSA Administrative Support Center (DSASC) is re-

sponsible for designating a qualified individual, preferably one experienced in the conduct of investigations, as the Claims Investigating Officer for DSASC and HQ DSA.

(3) Claims Investigating Officers are responsible for the expeditious conduct of all investigations and the processing of reports in accordance with appropriate Departmental regulations as prescribed by this Part 1280. To ensure prompt investigation of every incident while witnesses are available, and before damage has been repaired, the duties of personnel as Claims Investigating Officers will ordinarily have priority over any other assignments they may have.

(4) The Counsel, DSA Field Activities are responsible for:

(i) Receiving claims reports and information about related litigation, and processing these reports and information in accordance with this Part 1280 and appropriate Departmental regulations.

(ii) Providing directions and guidance to Claims Investigating Officers in the investigation and processing of claims.

(b) The Counsel, DSA (DSAH-G) is responsible for:

(1) Providing guidance to Counsel at DSA field activities on all claims and litigation matters within the purview of this Part 1280.

(2) Receiving claims reports and information on related litigation forwarded to HQ DSA, Attention: DSAH-G, and processing these in accordance with this Part 1280 and appropriate Departmental regulations.

(3) Maintaining this Part 1280 in a current status and reviewing it annually.

§ 1280.5 Procedures.¹

(a) *Claims by military and civilian personnel of DSA for property lost or damaged incident to service* (31 U.S.C. 240-243). (1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 27-20 where the claimant is a member of the Army or a DSA civilian employee; JAGINST 5800.7A where the claimant is a member of the Navy or Marine Corps; or AFM 112-1 where the claimant is a member of the Air Force.

(2) The completed report will be forwarded by the Claims Investigating Officer to one of the following activities for settlement:

(i) Where the claimant is a DSA civilian employee or a member of the Army; the Staff Judge Advocate designated in AR 27-20, Appendix F, as the Area Claims Authority where the claim arose.

(ii) Where the claimant is a member of the Navy or Marine Corps the cognizant adjudicating authority as listed in JAGINST 5800.7A, paragraph 2124.

¹ Copies of the Military Department regulations mentioned herein may be obtained from the Departments of the Army and Navy, and the Superintendent of Documents, U.S. Government Printing Office.

(iii) Where the claimant is a member of the Air Force; the Base Staff Judge Advocate of the nearest Air Force Base.

(b) *Claims incident to the use of Government property not cognizable under any other law* (10 U.S.C. 2737). (1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 27-20 where the claimant is a member of the Army or a DSA civilian employee; JAGINST 5800.7A where the claimant is a member of the Navy or Marine Corps; or AFM 112-1 where the claimant is a member of the Air Force.

(2) The completed report will be forwarded by the Claims Investigating Officer to the Counsel for his activity or, if the activity has no Counsel, to the next higher echelon having such a position.

(3) The activity Counsel receiving the Claims Investigating Officer's report will review the report, and take all necessary action to assure that it is complete and in accordance with the appropriate regulation. He will forward the report together with his comments and recommendations to one of the following activities for settlement. Where the incident giving rise to the claim was occasioned by an act or omission of:

(i) *DSA civilian personnel.* Counsel, DSA.

(ii) *A member of the Army.* The Staff Judge Advocate designated in AR 27-20, Appendix F, as the Area Claims Authority where the claim arose.

(iii) *A member of the Navy or Marine Corps.* The Director of the Navy Law Center in the Naval District in which the incident giving rise to the claim occurred.

(iv) *A member of the Air Force.* The Base Staff Judge Advocate of the Air Force Base nearest the place where the incident giving rise to the claim occurred.

(c) *Claims under the Federal Tort Claims Act arising from negligence of DSA military or civilian personnel.* (1) The Claims Investigating Officer will conduct his investigation and prepare all necessary forms and reports in accordance with the appropriate portions of AR 27-20 where the claim involves a member of the Army or a DSA civilian employee; JAGINST 5800.7A where the claim involves a member of the Navy or Marine Corps; or AFM 112-1 where the claim involves a member of the Air Force.

(2) The completed report of investigation will be forwarded by the Claims Investigating Officer to one of the following activities for settlement. Where the incident giving rise to the claim was occasioned by an act or omission of:

(i) *DSA civilian personnel or a member of the Army.* The Staff Judge Advocate designated in AR 27-20, Appendix F, as the Area Claims Authority where the incident giving rise to the claim occurred.

(ii) *A member of the Navy or Marine Corps.* The Director of the Navy Law Center in the Naval District in which the incident giving rise to the claim occurred.

(iii) *A member of the Air Force.* The Base Staff Judge Advocate of the Air Force Base nearest the place where the incident giving rise to the claim occurred.

(d) *Tort claims in favor of the United States for damage to or loss or destruction of DSA property, or property in its custody or control.* (1) These claims will be investigated and processed in accordance with the provisions of AR 27-40, Chapter 5, except:

(i) The duties of the claims officer will be performed by the Claims Investigating Officer.

(ii) The duties of the Staff Judge Advocate will be performed by Counsel, except where the property is a GSA motor pool system vehicle (see paragraph (e) of this section).

(iii) The reports of the Claims Investigating Officer will be furnished direct to Counsel for his activity or, if his activity has no Counsel, to the next higher echelon having such a position.

(iv) With respect to reports referred to them, Counsel are authorized to give receipts for any payments received and to execute releases where payment in full is received, except where the property is a GSA motor pool system vehicle (see paragraph (e) of this section). Offers of compromise will be processed pursuant to DSAM 7000.1, Chapter 12, Section V, paragraph 120502.

(v) Where payment in full is not received after reasonable efforts have been made to collect the claim administratively, Counsel will refer the case directly to the U.S. Attorney unless:

(a) The amount of the claim exceeds \$10,000, in which event the case will be referred to Counsel, DSA.

(b) The amount of the debt is less than \$250; or the record clearly shows that the debtor is unable to pay; or the debtor cannot be located; in which event the file may be closed and the debt treated as an uncollectable which does not have to be referred to the General Accounting Office.

(2) If, at any stage of the processing of a claim under paragraph (d), a claim is filed against the Government arising out of the same incident, or it becomes apparent that one will be filed, the claim under paragraph (d) will be treated as a counterclaim, and included under the report filed in accordance with the applicable paragraph of this Part 1280.

(e) *Claims involving GSA motor pool system vehicles.* (1) Where a motor pool system vehicle issued to a DSA activity is involved in an accident giving rise to a claim under the Federal Tort Claims Act, the claim will be handled pursuant to paragraph (c) of this section.

(2) In the event of damage to a motor pool system vehicle which is not due to the fault of the operator, Counsel receiving the report will submit the report to GSA's Regional Counsel for the region that issued the vehicle pursuant to the Federal Property Management Regulation, paragraph 101-39.805. Damages to motor pool system vehicles caused by the negligence of vehicle operator em-

played by DSA or caused by the negligence or misconduct of any other officer or employee of DSA are reimbursed to General Services Administration (GSA). Determination affixing responsibility will be made by the Counsel to which the report is referred, after considering the views of GSA.

f. *Reporting legal proceedings.* (1) All process and pleadings served on any personnel or activity of DSA, and related to a claim covered by this Part 1280 or involving an incident which may give rise to a claim covered by this Part 1280, together with other immediately available data concerning the commencement of legal proceedings, will be promptly referred to Counsel for the activity involved, or, if the activity has no Counsel, to the next higher echelon having such a position.

(2) Any Military Service member or civilian employee of DSA (or his personal representative) against whom a domestic civil action or proceeding is brought for damage to property, or for personal injury or death, on account of his operation of a motor vehicle (Government- or privately-owned) in the scope of his employment (28 U.S.C. 2679) will:

(i) Upon receipt of process and pleadings or any other information regarding the commencement of such action or proceeding, immediately inform the Head of his activity and Counsel as specified in subparagraph (1) of this paragraph.

(ii) Promptly deliver all process and pleadings served upon him, or an attested true copy thereof, to Counsel.

(3) Upon receipt of information or process and pleadings pursuant to paragraph (f)(1) or (2) of this section, Counsel will promptly prepare and process reports in accordance with the appropriate portions of AR 27-40 except that:

(i) If the incident giving rise to the litigation was occasioned by an act or omission of a member of the Navy or Marine Corps, or a member of the Air Force, information and reports required to be furnished to The Judge Advocate General of the Army will be furnished instead to The Judge Advocate General of the Navy and Air Force respectively.

(ii) If the litigation is under the Federal Tort Claims Act and no administrative claim has been filed, Counsel will immediately advise the U.S. Attorney and furnish him a report of all information the activity has with respect to the claim and an affidavit by the Claims Investigating Officer to the effect that no administrative claim has been filed. Two copies of the foregoing will be provided to the appropriate Military Service Judge Advocate General. If an administrative claim has been filed and has been referred to a Military Service, a copy of the process and pleadings and any information not previously furnished will be sent to the appropriate Military Service Judge Advocate General.

By order of the Director, Defense Supply Agency.

GEORGE W. JOHNSON, JR.,
Colonel, U.S. Air Force
Staff Director, Administration.

[FR Doc. 74-11875 Filed 5-31-74; 8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 74-4C]

ENFORCEMENT; CIVIL AND CRIMINAL PENALTY PROCEDURES

This amendment revises the Coast Guard procedures for enforcement of the civil and criminal penalty provisions of all statutes that the Coast Guard is authorized to enforce.

Previously, civil and criminal penalty enforcement procedures appeared in 46 CFR, Subchapter 250. Subpart 250 is deleted in CGD 74-68 appearing at page 19481 of this issue of the FEDERAL REGISTER.

Since the adoption of the procedures in Subpart 250, the Coast Guard has been authorized to enforce new laws relating to environment, ports and waterways safety, and recreational boating, among others. These revised procedures apply to enforcement of the penalty provisions of the statutes to which Subpart 250 applied and the new statutes. As revised by this amendment the procedures appear in the general provisions of the Coast Guard regulations in Title 33.

The revised procedures implement the procedural requirements in recently enacted statutes such as The Federal Water Pollution Control Act (33 U.S.C. 1251). The revised procedures provide adequate notice as to violation and liabilities, and provide a fair and equitable system of penalty assessment consistent with all statutory safeguards including an opportunity for a hearing. The revised procedures permit the Coast Guard to pursue an effective law enforcement program with a fair and reasonable civil penalty program effectuated by District Commanders and their maritime safety, port safety, boating safety, and legal staffs.

Sections 2.01-10(b), 91.01-10(b), 96.01-10(b), 100.50(b), and 105.40 of Title 33 are amended by deleting the reference to Subpart 250 and substituting the reference to Title 33.

Since the regulations in this amendment prescribe procedures relating to the management of the Coast Guard administrative civil penalty procedures, further notice and public procedures are unnecessary and they may be made effective in less than 30 days after publication in the FEDERAL REGISTER.

In consideration of the foregoing, Parts 1, 2, 91, 96, 100, and 105 of Title 33, Code of Federal Regulations are amended as follows:

PART 1—GENERAL PROVISIONS

1. By adding a new Subpart 1.07 to read as follows:

Subpart 1.07—Enforcement; Civil and Criminal Penalty Procedures

Sec.	Purpose.
1.07-1	Purpose.
1.07-5	Reporting and investigating violations.
1.07-9	Civil penalty procedure.
1.07-13	Payment and collection of civil penalties.
1.07-15	Criminal penalties.
1.07-19	Civil and criminal penalties.
1.07-23	Final action; transfer of cases.
Appendix.	

AUTHORITY: Sec. 3, 60 Stat. 238, and sec. 633, 63 Stat. 545, sec. 2, 63 Stat. 496, as amended; 5 U.S.C. 552, 14 U.S.C. 2, 633.

Subpart 1.07—Enforcement; Civil and Criminal Penalty Procedures

§ 1.07-1 Purpose.

This part describes procedures for enforcement of penalty provisions of all statutes that the Coast Guard is authorized to enforce.

§ 1.07-5 Reporting and investigating violations.

(a) Any person may report an apparent violation of any law, regulation, or order that is enforced by the Coast Guard to any Coast Guard facility.

(b) When an apparent violation is detected by a Coast Guard Officer, he may inform the person believed to have committed the violation, in writing or orally, of the nature of the violation.

(c) Each report made under this section is investigated or evaluated by Coast Guard personnel. The result of the investigation or evaluation is the basis for determining the enforcement action the Coast Guard will take.

§ 1.07-9 Civil penalty procedure.

(a) When civil penalty action is appropriate for a violation, the person charged with the violation or a vessel's owner is notified in writing of—

- (1) The charges against him;
- (2) The law or regulation that he is charged with violating;
- (3) The amount of the maximum penalty that may be assessed; and
- (4) The procedures in this subpart for assessing and collecting the civil penalty.

(b) Within 15 days after the day he receives a notice of violation described in paragraph (a) of this section or within such longer period as may be allowed in the notice, the person charged with the violation may provide, in writing or in person, any information or material that denies, explains, or mitigates the violation.

(c) All information or material provided in writing or in person is considered in determining whether to assess a civil penalty, close the case without action, remit or mitigate the penalty, or take other action under the applicable statute. If it is determined to assess

a civil penalty, the person charged with the violation is notified of the amount of the penalty assessed, and, if mitigation or remission is considered appropriate under the circumstances of a particular case, of the mitigated amount of the penalty or that the penalty is remitted.

(d) Within 30 days after the day he receives a notice of the assessment of a civil penalty or such longer period as may be allowed in the notice, the person charged with the violation may appeal the assessment of the penalty, in writing, to the Commandant via the Coast Guard official who signed the notice.

§ 107-13 Payment and collection of civil penalties.

(a) Authority for the collection of civil penalties is delegated to the Commander of each Coast Guard District.

(b) Payment of a civil penalty may be made by check or postal money order payable to the United States Coast Guard.

(c) If the assessed or mitigated amount of a civil penalty is not paid within 30 days of receipt of a notice of assessment or notice of the Commandant's final action on appeal or within such longer period as may be allowed in the notice, the Coast Guard may initiate appropriate legal proceedings to collect the penalty.

(d) When a civil penalty of not more than \$200 has been assessed under the Federal Boat Safety Act of 1971, the matter may be referred for collection of the penalty directly to the Federal magistrate of the jurisdiction wherein the person liable may be found for collection procedures under supervision of the district court and pursuant to order issued by the court delegating such authority under section 636(b) of Title 28, United States Code.

§ 1.07-15 Criminal penalties.

(a) Prosecution in the Federal courts for violations of those laws or regulations enforced by the Coast Guard which provide, upon conviction, for punishment by fine or imprisonment is a matter finally determined by the Department of Justice. This final determination consists of deciding whether and under what conditions to prosecute or to abandon prosecution.

(b) Except in those cases where the approval of the Commandant is required, the District Commander is authorized to determine whether or not a violation of a statute carrying a criminal penalty is one which would justify referral of the case to the United States Attorney. The Commandant's approval is required in the following cases where evidence of a criminal offense is disclosed:

(1) Marine casualties or accidents resulting in death.

(2) Marine Boards (46 CFR Part 136).

(3) Violations of port security regulations (33 CFR Parts 6, 121 to 126 inclusive).

(c) The District Commander will identify the laws or regulations which were violated and make specific recommendations concerning the proceedings

to be instituted by the United States Attorney in every case.

§ 1.07-19 Civil and criminal penalties.

(a) If a violation of law or regulation carries both a civil and a criminal penalty, the District Commander is authorized to determine whether to initiate civil penalty proceedings or to refer the case to the United States Attorney for prosecution in accordance with § 1.07-15.

(b) When the United States Attorney declines to institute criminal proceedings, the District Commander decides whether to initiate civil penalty proceedings or to close the case.

§ 1.07-23 Transfer of cases.

The Commander of a Coast Guard District Commander or to the Commandant for action.

PART 2—GENERAL DUTIES AND JURISDICTION

2. By amending paragraph (b) of § 2.01-10 by deleting the words "46 CFR Subpart 2.50 (Subchapter A—Procedures Applicable to the Public)", and substituting "33 CFR, Subpart 1.07."

PART 91—INTERPRETIVE RULING

3. By amending paragraph (b) of § 91.01-10 by deleting the words "46 CFR 2.50-20 to 2.50-30, inclusive (Subchapter A—Procedures Applicable to the Public)", and substituting "33 CFR Subpart 1.07."

PART 96—INTERPRETIVE RULINGS

4. By amending paragraph (b) of § 96.01-10 by deleting the words "46 CFR 2.50-20 to 2.50-30, inclusive (Subchapter A—Procedures Applicable to the Public)", and substituting "33 CFR Subpart 1.07."

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

5. By amending paragraph (b) of § 100.50 by deleting the words "46 CFR 2.50-1 to 2.50-40; inclusive," and substituting "33 CFR Subpart 1.07."

PART 105—NORTH ATLANTIC PASSENGER ROUTES

6. By amending § 105.40 by deleting the words "46 CFR 2.50-20" and substituting "33 CFR 1.07-9."

APPENDIX

This appendix lists penalty provisions of statutes the Coast Guard is authorized to enforce. It includes penalty provisions of laws that the Coast Guard enforces and administers under this part. It also includes penalty provisions of laws that another agency administers, but the Coast Guard enforces when violations occur on the high seas and waters over which the United States has jurisdiction. Although this list is intended to be complete, the omission of any statute from the list has no effect upon the authority of the Coast Guard to enforce a statute not listed. It also states the penalty procedure for violation of each provision ("civil" or "criminal") used by the Coast Guard.

TITLE 8—ALIENS AND NATIONALITY

CHAPTER 8—THE COOLY TRADE

- 8 U.S.C. 334—Punishment for engaging in cooly trade (criminal)
- 8 U.S.C. 338—Involuntary transportation of Chinese, Japanese, etc. for purpose of holding to service; penalty (criminal)

TITLE 14—COAST GUARD

CHAPTER 5—FUNCTIONS AND POWERS

- 14 U.S.C. 83—Unauthorized aids to maritime navigation; penalty (criminal)
- 14 U.S.C. 84—Interference with aids to navigation; penalty (criminal)
- 14 U.S.C. 85—Failure to maintain lights; penalty (criminal)

CHAPTER 17—ADMINISTRATION

- 14 U.S.C. 638 Coast Guard ensigns and pennants (criminal)
- 14 U.S.C. 639—Penalty for unauthorized use of words "Coast Guard" (criminal)

CHAPTER 25—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY

- 14 U.S.C. 892—Unauthorized use of Coast Guard Auxiliary flags, pennants, uniforms, insignia (criminal)

TITLE 15—COMMERCE AND TRADE

CHAPTER 24—TRANSPORTATION OF GAMBLING DEVICES

- 15 U.S.C. 1176—Penalties (criminal)

TITLE 16—CONSERVATION

CHAPTER 5A—PROTECTION AND CONSERVATION OF WILDLIFE GAME, FUR-BEARING ANIMALS AND FISH

- 16 U.S.C. 668cc-4—Importation of endangered species; penalties for violations; civil penalties for nonwillful violations (civil and criminal)

CHAPTER 10—NORTHERN PACIFIC HALIBUT FISHING

- 16 U.S.C. 772e—Penalties and forfeitures (criminal)
- 16 U.S.C. 772f—Penalties relative to records and reports (civil)

CHAPTER 10A—SCKEYEE OR PINK SALMON FISHING

- 16 U.S.C. 776c—Penalties and forfeitures (criminal)

CHAPTER 11—REGULATION OF LANDING, CURING AND SALE OF SPONGES TAKEN FROM GULF OF MEXICO AND STRAITS OF FLORIDA

- 16 U.S.C. 783—Punishment for violations of law; liability of vessels (criminal)

CHAPTER 13—REGULATIONS OF TRANSPORTATION IN INTERSTATE COMMERCE OF BLACK BASS AND OTHER FISH

- 16 U.S.C. 853—Penalty (criminal)

CHAPTER 14—REGULATION OF WHALING

- 16 U.S.C. 916f—Violations; fines and penalties (criminal)

CHAPTER 16—TUNA CONVENTIONS

- 16 U.S.C. 957—Violations; fines and forfeitures (criminal)

CHAPTER 17—NORTHWEST ATLANTIC FISHERIES

- 16 U.S.C. 989—Penalties (criminal)

CHAPTER 19—NORTH PACIFIC FISHERIES

- 16 U.S.C. 1030—Penalties (criminal)

CHAPTER 21—PROHIBITION OF FOREIGN FISHING VESSELS IN THE TERRITORIAL WATERS OF THE UNITED STATES

- 16 U.S.C. 1082—Violations and penalties (criminal)

CHAPTER 21B—PROHIBITION OF CERTAIN FOREIGN VESSELS IN UNITED STATES FISHERIES

18 U.S.C. 1100a—Violations and penalties, separate violations (civil)

CHAPTER 24—CONSERVATION AND PROTECTION OF FUR SEALS, OTHER WILDLIFE, AND SEA OTTERS

SUBCHAPTER III—PROTECTION OF SEA OTTERS ON THE HIGH SEAS

16 U.S.C. 1184—Penalties for violations (criminal)

CHAPTER 31—MARINE MAMMAL PROTECTION

16 U.S.C. 1375—Penalties (civil and criminal)
16 U.S.C. 1376—Seizure and forfeiture of cargo; penalties (civil)

TITLE 18—CRIMES AND CRIMINAL PROCEDURE

CHAPTER 3—ANIMALS, BIRDS AND FISH

18 U.S.C. 43—Transportation of wildlife taken in violation of State, National, or foreign laws (criminal)

CHAPTER 7—ASSAULT

18 U.S.C. 111—Assaulting, resisting, or impeding certain officers or employees (criminal)

18 U.S.C. 113—Assault within maritime and territorial jurisdiction (criminal)

18 U.S.C. 114—Maiming within maritime and territorial jurisdiction (criminal)

CHAPTER 11—BRIBERY, GRAFT AND CONFLICTS OF INTEREST

18 U.S.C. 201—Bribery of public officials and witnesses (criminal)

18 U.S.C. 203—Compensation to members of Congress, officers, and others in matters affecting the Government (criminal)

18 U.S.C. 205—Activities of officers and employees in claims against and other matters affecting the Government (criminal)

18 U.S.C. 219—Officers and employees acting as agents of foreign principals (criminal)

CHAPTER 13—CIVIL RIGHTS

18 U.S.C. 241—Conspiracy against rights of citizens (criminal)

18 U.S.C. 242—Deprivation of rights under color of law (criminal)

18 U.S.C. 244—Discrimination against person wearing uniform of armed forces (criminal)

18 U.S.C. 238—Conspiracy to defraud the Government with respect to claims (criminal)

18 U.S.C. 237—False, fictitious, or fraudulent claims (criminal)

CHAPTER 19—CONSPIRACY

18 U.S.C. 371—Conspiracy to commit offense or to defraud United States (criminal)

18 U.S.C. 372—Conspiracy to impede or injure officer (criminal)

CHAPTER 25—COUNTERFEITING AND FORGERY

18 U.S.C. 496—Customs matters (criminal)

18 U.S.C. 498—Military or naval discharge certificates (criminal)

18 U.S.C. 499—Military, naval or official passes (criminal)

CHAPTER 27—CUSTOMS

18 U.S.C. 545—Smuggling goods into the United States (criminal)

18 U.S.C. 546—Smuggling goods into foreign countries (criminal)

CHAPTER 29—ELECTIONS AND POLITICAL ACTIVITIES

18 U.S.C. 592—Troops at polls (criminal)

18 U.S.C. 593—Interference at polls (criminal)

18 U.S.C. 594—Intimidation of voters (criminal)

18 U.S.C. 596—Polling armed forces (criminal)

18 U.S.C. 602—Solicitation of political contributions (criminal)

18 U.S.C. 603—Place of solicitation (criminal)

18 U.S.C. 607—Making political contributions (criminal)

CHAPTER 31—EMBEZZLEMENT AND THEFT

18 U.S.C. 641—Public money, property, or records (criminal)

18 U.S.C. 642—Tools and materials for counterfeiting purposes (criminal)

18 U.S.C. 643—Accounting generally for public money (criminal)

18 U.S.C. 651—Disbursing officer falsely certifying full payment (criminal)

18 U.S.C. 652—Disbursing officer paying lesser in lieu of lawful amounts (criminal)

18 U.S.C. 653—Disbursing officer misusing public funds (criminal)

18 U.S.C. 654—Officer or employee of United States converting property of another (criminal)

18 U.S.C. 659—Interstate or foreign baggage, express or freight; State prosecutions (criminal)

18 U.S.C. 661—Within special maritime and territorial jurisdiction (criminal)

18 U.S.C. 662—Receiving stolen property within special maritime and territorial jurisdiction (criminal)

CHAPTER 33—EMBLEMS, INSIGNIA AND NAMES

18 U.S.C. 701—Official badges, identification cards, other insignia (criminal)

18 U.S.C. 702—Uniform of armed forces and Public Health Service (criminal)

18 U.S.C. 704—Military medals or decorations (criminal)

18 U.S.C. 705—Badge or medal of veteran's organizations (criminal)

CHAPTER 35—ESCAPE AND RESCUE

18 U.S.C. 751—Prisoners in custody of institution or officer (criminal)

18 U.S.C. 752—Instigating or assisting escape (criminal)

18 U.S.C. 755—Officer permitting escape (criminal)

18 U.S.C. 756—Internee of belligerent nation (criminal)

18 U.S.C. 757—Prisoners of war or enemy aliens (criminal)

CHAPTER 37—ESPIONAGE AND CENSORSHIP

18 U.S.C. 793—Gathering, transmitting or losing defense information to aid foreign government (criminal)

18 U.S.C. 794—Gathering or delivering defense information to aid foreign government (criminal)

18 U.S.C. 795—Photographing and sketching defense installations (criminal)

18 U.S.C. 796—Use of aircraft for photographing defense installations (criminal)

18 U.S.C. 797—Publication and sale of photographs of defense installations (criminal)

18 U.S.C. 798—Disclosure of classified information (criminal)

CHAPTER 40—INFORMATION, MANUFACTURE, DISTRIBUTION AND STORAGE OF EXPLOSIVE MATERIALS

18 U.S.C. 844—Penalties (criminal)

CHAPTER 41—EXTORTION AND THREATS

18 U.S.C. 872—Extortion by officers or employees of the United States (criminal)

18 U.S.C. 873—Blackmail (criminal)

CHAPTER 43—FALSE PERSONATION

18 U.S.C. 911—Citizen of the United States (criminal)

18 U.S.C. 912—Officer or employee of the United States (criminal)

18 U.S.C. 913—Impersonator making arrest or search (criminal)

CHAPTER 44—FIREARMS

18 U.S.C. 924—Penalties (criminal)

CHAPTER 45—FOREIGN RELATIONS

18 U.S.C. 952—Diplomatic codes and correspondence (criminal)

18 U.S.C. 957—Possession of property in aid of foreign government (criminal)

18 U.S.C. 960—Expedition against friendly nation (criminal)

18 U.S.C. 961—Strengthening armed vessel of foreign national (criminal)

18 U.S.C. 962—Arming vessel against friendly nation (criminal)

18 U.S.C. 963—Detention of armed vessel (criminal)

18 U.S.C. 964—Delivering armed vessel to belligerent nation (criminal)

18 U.S.C. 965—Verified statements as prerequisite to vessel's departure (criminal)

18 U.S.C. 966—Departure of vessel forbidden for false statements (criminal)

18 U.S.C. 967—Departure of vessel in aid of neutrality (criminal)

18 U.S.C. 969—Exportation of arms, liquors, and narcotics to Pacific Islands (criminal)

CHAPTER 47—FRAUD AND FALSE STATEMENTS

18 U.S.C. 1001—Statements and entries generally (criminal)

18 U.S.C. 1002—Possession of false papers to defraud United States (criminal)

18 U.S.C. 1015—Naturalization, citizenship or alien registry (criminal)

18 U.S.C. 1016—Acknowledgement of appearance or oath (criminal)

18 U.S.C. 1017—Government seals wrongfully used and instruments wrongfully sealed (criminal)

18 U.S.C. 1018—Official certificates or writings (criminal)

18 U.S.C. 1022—Delivery of certificate, voucher, receipt for military or naval property (criminal)

18 U.S.C. 1023—Insufficient delivery of mover or property for military or naval science (criminal)

18 U.S.C. 1024—Purchase or receipt of military, naval, or veteran's facilities (criminal)

18 U.S.C. 1025—False pretences on high seas and other waters (criminal)

CHAPTER 49—FUGITIVES FROM JUSTICE

18 U.S.C. 1071—Concealing person from arrest (criminal)

18 U.S.C. 1072—Concealing escaped prisoner (criminal)

18 U.S.C. 1073—Flight to avoid prosecution or giving testimony (criminal)

18 U.S.C. 1074—Flights to avoid prosecution for damaging or destroying any building or other real or personal property (criminal)

CHAPTER 50—GAMBLING

18 U.S.C. 1082—Gambling ships (criminal)

18 U.S.C. 1083—Transportation between shore to ship; penalties (criminal)

CHAPTER 51—HOMICIDE

18 U.S.C. 1111—Murder (criminal)

18 U.S.C. 1112—Manslaughter (criminal)

18 U.S.C. 1113—Attempt to commit murder or manslaughter (criminal)

18 U.S.C. 1115—Misconduct or neglect of ship officers (criminal)

CHAPTER 57—LABOR

18 U.S.C. 1231—Transportation of strike-breakers (criminal)

CHAPTER 59—LIQUOR TRAFFIC

18 U.S.C. 1262—Transportation into state prohibiting sale (criminal)

18 U.S.C. 1263—Marks and labels on packages (criminal)

CHAPTER 61—LOTTERIES

- 18 U.S.C. 1301—Importing or transporting lottery tickets (criminal)

CHAPTER 65—MALICIOUS MISCHIEF

- 18 U.S.C. 1361—Government property or contracts (criminal)
- 18 U.S.C. 1362—Communications lines, stations or systems (criminal)
- 18 U.S.C. 1363—Buildings or property within special maritime and territorial jurisdiction (criminal)
- 18 U.S.C. 1364—Interference with foreign commerce by violence (criminal)

CHAPTER 61—MILITARY AND NAVY

- 18 U.S.C. 1381—Enticing desertion and harboring deserters (criminal)
- 18 U.S.C. 1382—Entering military, naval or Coast Guard property (criminal)
- 18 U.S.C. 1383—Restrictions in military areas and zones (criminal)

CHAPTER 69—NATIONALITY AND CITIZENSHIP

- 18 U.S.C. 1424—Personation or misuse of papers in naturalization proceedings (criminal)
- 18 U.S.C. 1426—Reproduction of naturalization or citizenship papers (criminal)

CHAPTER 71—OBSCENITY

- 18 U.S.C. 1462—Importation or transportation of obscene matters (criminal)
- 18 U.S.C. 1465—Transportation of obscene matters for sale or distribution (criminal)

CHAPTER 73—OBSTRUCTION OF JUSTICE

- 18 U.S.C. 1501—Assault on process server (criminal)
- 18 U.S.C. 1503—Influencing or injuring officers, jurors or witnesses generally (criminal)
- 18 U.S.C. 1505—Obstruction of proceedings before departments, agencies, and committees (criminal)
- 18 U.S.C. 1510—Obstruction of criminal investigation (criminal)

CHAPTER 77—PEONAGE AND SLAVERY

- 18 U.S.C. 1581—Peonage; obstructing enforcement (criminal)
- 18 U.S.C. 1582—Vessels for slave trade (criminal)
- 18 U.S.C. 1583—Enticement into slavery (criminal)
- 18 U.S.C. 1584—Sale into involuntary servitude (criminal)
- 18 U.S.C. 1585—Seizure, detention, transportation or sales of slaves (criminal)
- 18 U.S.C. 1586—Service on vessels in slave trade (criminal)
- 18 U.S.C. 1587—Possession of slaves aboard vessel (criminal)
- 18 U.S.C. 1588—Transportation of slaves from United States (criminal)

CHAPTER 79—PERJURY

- 18 U.S.C. 1621—Perjury generally (criminal)
- 18 U.S.C. 1622—Subornation of perjury (criminal)

CHAPTER 81—PIRACY AND PRIVATEERING

- 18 U.S.C. 1651—Piracy under law of nations (criminal)
- 18 U.S.C. 1652—Citizens as pirates (criminal)
- 18 U.S.C. 1653—Aliens as pirates (criminal)
- 18 U.S.C. 1654—Arming or serving on privateers (criminal)
- 18 U.S.C. 1655—Assault on commander as piracy (criminal)
- 18 U.S.C. 1656—Conversion or surrender of vessel (criminal)
- 18 U.S.C. 1657—Corruption of seamen and confederating with pirates (criminal)
- 18 U.S.C. 1658—Plunder of distressed vessel (criminal)

- 18 U.S.C. 1659—Attack to plunder vessel (criminal)
- 18 U.S.C. 1660—Receipt of pirate property (criminal)
- 18 U.S.C. 1661—Robbery ashore (criminal)

CHAPTER 83—POSTAL SERVICE

- 18 U.S.C. 1695—Carriage of matter out of mail on vessels (criminal)
- 18 U.S.C. 1698—Prompt delivery of mail from vessel (criminal)
- 18 U.S.C. 1699—Certification of delivery from vessel (criminal)
- 18 U.S.C. 1719—Franking privilege (criminal)

CHAPTER 95—RACKETEERING

- 18 U.S.C. 1953—Interstate transportation of wagering paraphernalia (criminal)
- 18 U.S.C. 1955—Prohibition of illegal gambling business (criminal)

CHAPTER 99—RAPE

- 18 U.S.C. 2031—Special maritime and territorial jurisdiction (criminal)
- 18 U.S.C. 2032—Carnal knowledge of female under 16 (criminal)

CHAPTER 101—RECORDS AND REPORTS

- 18 U.S.C. 2017—Concealment, removal, or mutilation generally (criminal)
- 18 U.S.C. 2074—False weather reports (criminal)
- 18 U.S.C. 2075—Officer failing to make returns or reports (criminal)

CHAPTER 103—ROBBERY AND BURGLARY

- 18 U.S.C. 2111—Special maritime and territorial jurisdiction (criminal)
- 18 U.S.C. 2112—Personal property of the United States (criminal)
- 18 U.S.C. 2114—Mail, money, or other property of the United States (criminal)
- 18 U.S.C. 2116—Railway or steamboat post office (criminal)
- 18 U.S.C. 2117—Breaking or entering carrier facilities (criminal)

CHAPTER 105—SABOTAGE

- 18 U.S.C. 2152—Fortifications, harbor defenses, or defensive sea areas (criminal)
- 18 U.S.C. 2153—Destruction of war material, war premises, or war utilities (criminal)
- 18 U.S.C. 2154—Production of defective war material, war premises, or war utilities (criminal)
- 18 U.S.C. 2155—Destruction of national-defense materials or national-defense premises or national-defense utilities (criminal)
- 18 U.S.C. 2156—Production of defective national-defense materials, national-defense premises, or national-defense utilities (criminal)

CHAPTER 107—SEAMEN AND STOWAWAYS

- 18 U.S.C. 2191—Cruelty to seamen (criminal)
- 18 U.S.C. 2192—Incitation of seamen to revolt or mutiny (criminal)
- 18 U.S.C. 2193—Revolt or mutiny of seamen (criminal)
- 18 U.S.C. 2194—Shanghaiing sailors (criminal)
- 18 U.S.C. 2195—Abandonment of sailors (criminal)
- 18 U.S.C. 2196—Drunkenness or neglect of duty by seamen (criminal)
- 18 U.S.C. 2197—Misuse of federal certificate, license, or document (criminal)
- 18 U.S.C. 2198—Seduction of female passenger (criminal)
- 18 U.S.C. 2199—Stowaways on vessels or aircraft (criminal)

CHAPTER 109—SEARCHES AND SEIZURES

- 18 U.S.C. 2231—Assault or resistance (criminal)
- 18 U.S.C. 2232—Destruction or removal of property to prevent seizure (criminal)

- 18 U.S.C. 2233—Rescue of seized property (criminal)
- 18 U.S.C. 2234—Authority exceeded in executing warrant (criminal)
- 18 U.S.C. 2235—Search warrant procured maliciously (criminal)
- 18 U.S.C. 2236—Searches without warrant (criminal)

CHAPTER 111—SHIPPING

- 18 U.S.C. 2271—Conspiracy to destroy vessels (criminal)
- 18 U.S.C. 2272—Destruction of vessel by owner (criminal)
- 18 U.S.C. 2273—Destruction of vessel by non-owner (criminal)
- 18 U.S.C. 2274—Destruction or misuse of vessel by person in charge (criminal)
- 18 U.S.C. 2275—Firing or tampering with vessels (criminal)
- 18 U.S.C. 2276—Breaking and entering vessel (criminal)
- 18 U.S.C. 2277—Explosives or dangerous weapons aboard vessels (criminal)
- 18 U.S.C. 2278—Explosives on vessels carrying steerage passengers (criminal)
- 18 U.S.C. 2279—Boarding vessels before arrival (criminal)

CHAPTER 113—STOLEN PROPERTY

- 18 U.S.C. 2314—Transportation of stolen goods, securities, moneys, fraudulent State tax stamps, or articles used in counterfeiting (criminal)
- 18 U.S.C. 2316—Transportation of cattle (criminal)
- 18 U.S.C. 2318—Transportation, sale, or receipt of phonograph records bearing forged or counterfeit labels (criminal)

CHAPTER 115—TREASON, SEDITION, AND SUBVERSIVE ACTIVITIES

- 18 U.S.C. 2381—Treason (criminal)
- 18 U.S.C. 2382—Misprison or treason (criminal)
- 18 U.S.C. 2383—Rebellion or insurrection (criminal)
- 18 U.S.C. 2384—Seditious conspiracy (criminal)
- 18 U.S.C. 2385—Advocating overthrow of government (criminal)
- 18 U.S.C. 2387—Activities affecting armed forces generally (criminal)
- 18 U.S.C. 2388—Activities affecting armed forces during war (criminal)

CHAPTER 117—WHITE SLAVE TRAFFIC

- 18 U.S.C. 2421—Transportation generally (criminal)

TITLE 19—CUSTOMS DUTIES

CHAPTER 1—COLLECTION DISTRICTS, PORTS, AND OFFICERS

- 19 U.S.C. 70—Obstruction of revenue officers by masters of vessels (criminal)

CHAPTER 3—THE TARIFF AND RELATED PROVISIONS

- 19 U.S.C. 507—Officers to make character known; penalty for unreasonable neglect or refusal to assist an officer (criminal)

CHAPTER 4—TARIFF ACT OF 1930

- 19 U.S.C. 1432—Manifest to specify sea and ship's stores (civil)
- 19 U.S.C. 1436—Failure to report or enter vessel; additional penalty where vessel carrying nonimportable goods or liquor (criminal)
- 19 U.S.C. 1438—Unlawful return of foreign vessel's papers (criminal)
- 19 U.S.C. 1439—Delivery of manifest (civil)
- 19 U.S.C. 1440—Correction of manifest (civil)
- 19 U.S.C. 1445—Penalties for failure to have permit and certified manifest (civil)
- 19 U.S.C. 1453—Lading and unlading of merchandise or baggage; penalties (civil)

- 19 U.S.C. 1454—Unloading of passengers; penalty (civil)
 19 U.S.C. 1455—Boarding and discharging inspectors (civil)
 19 U.S.C. 1584—Falsity or lack of manifest; aities for failure to report or file manifest (civil)
 19 U.S.C. 1464—Same; penalties in connection with sealed vessels and vehicles (criminal)
 19 U.S.C. 1465—Same; supplies (criminal)
 19 U.S.C. 1581—Boarding vessels (criminal)
 19 U.S.C. 1584—Falsity or lack of manifest; penalties (civil)
 19 U.S.C. 1585—Departure before report or entry (criminal)
 19 U.S.C. 1586—Unlawful unloading or transshipment (civil and criminal)
 19 U.S.C. 1595a.—Penalty for aiding unlawful importation (civil)
 19 U.S.C. 1599—Officers not to be interested in vessels or cargo (civil)
 19 U.S.C. 1620—Award of compensation to informers; United States officers (criminal)

CHAPTER 5—SMUGGLING

- 19 U.S.C. 1708—Lading vessel in foreign port with liquor for importation (civil and criminal)

TITLE 21—FOOD AND DRUGS

- CHAPTER 13—DRUG ABUSE—PREVENTION, CONTROL
 21 U.S.C. 960—Possession on board vessels (criminal)

- TITLE 33—NAVIGATION AND NAVIGABLE WATERS
 CHAPTER 1—NAVIGABLE WATERS GENERALLY

- 33 U.S.C. 1—Regulations for navigation of waters generally (criminal)
 33 U.S.C. 2—Regulations for navigation of "South and Southwest Passes" of Mississippi River (criminal)
 33 U.S.C. 3—Regulations to prevent injuries from target practice (criminal)

CHAPTER 3—NAVIGATION RULES FOR HARBORS, RIVERS, AND INLAND WATERS GENERALLY

- 33 U.S.C. 157a—Regulations for navigation or operation under bridges over navigable waters—lights, signals, and other navigational means and appliances; departure from rules (civil)
 33 U.S.C. 158—Penalty for violations by pilot, engineer, mate or master (civil)
 33 U.S.C. 159—Penalty for violations by vessel (civil)

CHAPTER 4—NAVIGATION RULES FOR GREAT LAKES AND THEIR CONNECTING AND TRIBUTARY WATERS

- 33 U.S.C. 244—Penalty for violation of provisions (civil)

CHAPTER 5—NAVIGATION RULES FOR RED RIVER OF THE NORTH AND RIVERS EMPTYING INTO GULF OF MEXICO AND TRIBUTARIES

- 33 U.S.C. 303—Penalty for violation by vessel (civil)

CHAPTER 6—GENERAL DUTIES OF SHIP OFFICERS AND OWNERS AFTER COLLISION OR OTHER ACCIDENT

- 33 U.S.C. 361—Reports or accidents generally; penalty (civil)
 33 U.S.C. 362—Report of probable loss of vessel; penalty (civil)
 33 U.S.C. 368—Penalty for failure to give aid, etc. (criminal)

CHAPTER 8—SUMMARY TRIALS FOR CERTAIN OFFENSES AGAINST NAVIGATION LAWS

- 33 U.S.C. 395—Limit of sentence (criminal)

CHAPTER 9—PROTECTION OF NAVIGABLE WATERS AND OF HARBOR AND RIVER IMPROVEMENTS GENERALLY

- 33 U.S.C. 406—Penalty for wrongful construction of bridges, piers, etc. (criminal)
 33 U.S.C. 410—Exception as to floating loose timber, sack rafts, etc.; violation of regulations (criminal)
 33 U.S.C. 411—Penalty for wrongful deposit of refuse; use of or injury to harbor improvements and obstruction of navigable waters generally (criminal)
 33 U.S.C. 421—Deposit of refuse, etc., in Lake Michigan near Chicago (criminal)
 33 U.S.C. 441—New York Harbor of Hampton Roads, and Harbor of Baltimore; deposit of refuse prohibited; penalty (criminal)
 33 U.S.C. 443—Permit for dumping; penalty for taking or towing boat or scow without permit (criminal)
 33 U.S.C. 445—Equipment and marking of boats or scows (criminal)
 33 U.S.C. 447—Bribery of inspector; penalty (criminal)
 33 U.S.C. 448—Return of permit; penalty for failure to return (criminal)
 33 U.S.C. 449—Disposition of dredged matter; persons liable; penalty (criminal)
 33 U.S.C. 452—Taking shellfish or otherwise interfering with navigation in New York Harbor channels; penalty (criminal)

CHAPTER 10—ANCHORAGE GROUNDS AND HARBOR REGULATIONS GENERALLY

- 33 U.S.C. 471—Establishment by Secretary of Transportation of anchorage grounds and regulations generally (civil)
 33 U.S.C. 474—Anchorage and general regulations for Saint Mary's River (civil)

CHAPTER 11—BRIDGES OVER NAVIGABLE WATERS

- 33 U.S.C. 495—Failure to comply with regulations; penalty, removal of bridge (criminal)
 33 U.S.C. 499—Regulations for drawbridges; penalties for violations; enforcement (criminal)
 33 U.S.C. 502—Criminal liability for failure to alter bridge obstructing navigation (criminal)
 33 U.S.C. 519—Alteration of bridges; non-compliance with orders; penalties; removal of bridge (criminal)
 33 U.S.C. 533—Penalties, maintenance and operation of bridges, obedience to subpoena, etc. (criminal)

CHAPTER 12—RIVER AND HARBOR IMPROVEMENTS GENERALLY

- 33 U.S.C. 555—Duty of shipowners and officers to furnish information required by Secretary of the Army (criminal)
 33 U.S.C. 601—Mississippi River, regulation of reservoirs at headwaters (criminal)

CHAPTER 20—POLLUTION OF THE SEA BY OIL

- 33 U.S.C. 1005—Penalties for violations; liability of vessel (criminal)
 33 U.S.C. 1007—Personnel for enforcement of provisions; arrest of offenders and procedures; ship fittings and equipment; civil penalty (civil)
 33 U.S.C. 1008—Oil record book—printing regulations by Secretary (criminal)

CHAPTER 24—VESSEL BRIDGE-TO-BRIDGE COMMUNICATION

- 33 U.S.C. 1208—Penalties (civil)

CHAPTER 25—PORTS AND WATERWAYS SAFETY PROGRAM

- 33 USC 1226—Civil penalties; proceedings for collection (civil)
 33 U.S.C. 1227—Criminal penalties (criminal)

CHAPTER 26—WATER POLLUTION PREVENTION AND CONTROL

- 33 U.S.C. 1321(b)—Congressional declaration of policy against discharges of oil or hazardous substances; liability; penalties (civil and criminal)
 33 U.S.C. 1321(j)—Oil and hazardous substance liability; regulations (civil)
 33 U.S.C. 1321(p)—Financial responsibility (civil)
 33 U.S.C. 1322—Marine sanitation devices (civil)

CHAPTER 27—OCEAN DUMPING

- 33 U.S.C. 1415—Dumping—penalties; assessment of civil penalty by Administrator; Court action for appropriate relief (civil and criminal)

TITLE 42—PUBLIC HEALTH AND WELFARE

CHAPTER 6A—THE PUBLIC HEALTH SERVICE

- 42 U.S.C. 271—Penalties for violation of quarantine laws (criminal)

TITLE 43—PUBLIC LANDS

CHAPTER 29—SUBMERGED LANDS

- 43 U.S.C. 1333—Outer Continental Shelf lands—laws and regulations governing (criminal)

TITLE 46—SHIPPING

CHAPTER 2—REGISTRY AND RECORDING

- 46 U.S.C. 30—Surrender of certificate granted to purchaser (civil)
 46 U.S.C. 32—Surrender of certificate granted to agent (civil)
 46 U.S.C. 37—Surrender of certificate obtained or loss of original (civil)
 46 U.S.C. 38—Penalty for not obtaining new registry (civil)
 46 U.S.C. 40—Change of master; indorsement on certificate of registry (civil)
 46 U.S.C. 45—Numbers for vessels (civil)
 46 U.S.C. 46—Names and home ports marked on bow and stern (civil)
 46 U.S.C. 58—Penalty for misconduct by officers (criminal)
 46 U.S.C. 59—Penalty for neglect by officers (criminal)
 46 U.S.C. 62—Making or using forged papers (criminal)
 46 U.S.C. 77—Tonnage (civil)
 46 U.S.C. 831—Gross and net tonnage statements; penalty for false statements (civil)
 46 U.S.C. 83j—Penalty for failure to display tonnage mark (civil)

CHAPTER 2A—LOADLINES FOR AMERICAN VESSELS

- 46 U.S.C. 85g—Penalties for violations of sections 85–85g; seizure of vessel (civil and criminal)
 46 U.S.C. 88g—Penalties for violations of sections 88–88j; seizure of vessels (civil and criminal)
 46 U.S.C. 108—Licensed yacht must comply with law; penalty for violation (civil)

CHAPTER 6—REGULATION AS TO VESSELS CARRYING STEERAGE PASSENGERS

- 46 U.S.C. 151—Accommodations for steerage passengers in vessels from foreign ports (criminal)
 46 U.S.C. 152—Berths for passengers (civil)
 46 U.S.C. 153—Light, air, and accommodations for passengers (civil)
 46 U.S.C. 154—Food (criminal)
 46 U.S.C. 155—Hospitals, surgeon, and medicine (civil)
 46 U.S.C. 156—Discipline and cleanliness; space for exercise of passengers (civil)
 46 U.S.C. 156a—Transportation of animals by vessels carrying steerage passengers (criminal)
 46 U.S.C. 157—Visiting parts of vessels occupied by passengers (criminal)

- 46 U.S.C. 158—Boarding vessels on arrival; passenger lists (civil)
 46 U.S.C. 159—Death of passengers; payment to collector for (civil)
 46 U.S.C. 161—Vessels carrying immigrant passengers to foreign countries; withholding clearance papers (criminal)

CHAPTER 7—CARRIAGE OF EXPLOSIVES OR DANGEROUS SUBSTANCES

- 46 U.S.C. 170—Regulation of carriage of explosives or other dangerous articles on vessels (civil and criminal)

CHAPTER 9—LOG BOOKS

- 46 U.S.C. 203—Penalty for omitting entries (civil)

CHAPTER 10A—REGULATIONS OF GREAT LAKES PILOTS AND PILOTAGE

- 46 U.S.C. 216e—Violations; civil penalties; enforcement (civil)

CHAPTER 11—OFFICERS AND CREWS OF VESSELS

- 46 U.S.C. 222—Complement of officers and crew of vessels; penalties (civil)
 46 U.S.C. 224—Licensing of officers (civil)
 46 U.S.C. 224a—Same; Officers Competency Certificates Convention, 1936 (civil)
 46 U.S.C. 229b—Licenses of radiotelegraph operators as officers; granting of licenses; necessity of carrying licensed operators; penalty (civil)
 46 U.S.C. 229e—Same; oath; affirmation of application; perjury; penalty (criminal)
 46 U.S.C. 229f—Same; exhibition of license (civil)
 46 U.S.C. 231—Oath of licensed officers; perjury; alteration of certificate or license (criminal)
 46 U.S.C. 232—Exhibition of licenses (civil)
 46 U.S.C. 235—Watch duty of deck officer (civil)
 46 U.S.C. 239—Investigation of marine casualties—casualty involving loss of life; reports (criminal)
 46 U.S.C. 246—Registration of purser and surgeons; creation of staff departments; on vessels, medical division; purser's division; offenses; penalties (civil and criminal)
 46 U.S.C. 249c—Regulations governing manufacture, sale, possession or display of decorations; penalties (criminal)

CHAPTER 12—REGULATION OF VESSELS IN DOMESTIC COMMERCE

- 46 U.S.C. 265—Exchange, when vessel is in another district (civil)
 46 U.S.C. 267—Presentation of license for removal by indorsement; surrender (civil)
 46 U.S.C. 276—Change of master (civil)
 46 U.S.C. 277—Inspection of documents (civil and criminal)
 46 U.S.C. 319—Fine for trading without license (civil)
 46 U.S.C. 321—Penalty for illegal enrollment or license (civil)
 46 U.S.C. 322—Penalty for malfeasance (civil and criminal)
 46 U.S.C. 323—Penalty for forgery and alteration (civil)
 46 U.S.C. 324—Penalty for obstructing officers (civil)

CHAPTER 13—PASSENGERS AND PAPERS OF VESSELS ENGAGED IN FOREIGN COMMERCE

- 46 U.S.C. 355—Penalty for failure to deposit papers (civil)

CHAPTER 14—INSPECTION OF STEAM VESSELS

- 46 U.S.C. 362—Domestic and foreign vessels—laws applicable; reciprocal acceptance of foreign certificates of inspection; fees (civil)
 46 U.S.C. 369—Examination and approval by Commandant of the Coast Guard—technical staff; qualifications and appointment; duty to pass on plans and specifications; notice of disapproval (civil and criminal)

- 46 U.S.C. 390d—Small passenger-carrying vessel; violations; penalty; liability; jurisdiction (civil)
 46 U.S.C. 391a—Vessels carrying certain cargoes in bulk, penalties (civil and criminal)
 46 U.S.C. 398—Navigating barge without certificate (civil)
 46 U.S.C. 402—Penalty for receiving passengers in absence of unexpired certificate of approval (civil)
 46 U.S.C. 403—Punishment for certifying falsely (criminal)
 46 U.S.C. 407—Punishments for improper construction of boilers and unfired pressure vessels (civil)
 46 U.S.C. 408—Boiler plates (criminal)
 46 U.S.C. 410—Counterfeiting stamps (criminal)
 46 U.S.C. 413—Obstructing safety valves (criminal)
 46 U.S.C. 436—Penalty for failure to make repairs on notice (civil)

CHAPTER 15—TRANSPORTATION OF PASSENGERS AND MERCHANDISE BY STEAM VESSELS

- 46 U.S.C. 452—Penalty for carrying too many passengers (civil and criminal)
 46 U.S.C. 457—Regattas or marine parades; penalties for violations (civil)
 46 U.S.C. 461—Penalty for failure to keep list of passengers (civil)
 46 U.S.C. 471—Punishment for failure to keep watchman (civil)
 46 U.S.C. 479—Penalty for not providing proper accommodations for passengers (civil)
 46 U.S.C. 481—Regulations for vessels subject to Coast Guard—lifesaving and firefighting equipment, muster lists, tackle and hawsers, bilge systems (civil and criminal)
 46 U.S.C. 492—Copies of laws governing marine vessels (civil)
 46 U.S.C. 497—Title 52 of the Revised statutes as contained in Title 46 of the United States Code; penalty for failure to comply with provisions of (civil and criminal)
 46 U.S.C. 498—Same; penalty in cases not provided for (civil)

CHAPTER 16—REGULATIONS OF MOTOR BOATS

- 46 U.S.C. 526c—Violations generally; penalties (civil)

CHAPTER 18—MERCHANT SEAMEN

- 46 U.S.C. 542a—Demanding or receiving remuneration for supplying seamen for merchant vessels; penalty (criminal)
 46 U.S.C. 546—Penalty for personating shipping commissioner (criminal)
 46 U.S.C. 562—Shipment of crew; indenture of apprentice to be produced to commissioner (civil)
 46 U.S.C. 563—Same; shipping agreements (criminal)
 46 U.S.C. 567—Penalty for shipping without agreement (civil)
 46 U.S.C. 568—Penalty for knowingly shipping seamen without articles (civil)
 46 U.S.C. 571—Shipping seamen in foreign ports; penalty (civil)
 46 U.S.C. 575—Penalty for shipping without articles (civil)
 46 U.S.C. 577—Posting copy of agreement (civil)
 46 U.S.C. 599—Wages of seamen; advances and allotments (criminal)
 46 U.S.C. 623—Penalty for neglect of master (civil)
 46 U.S.C. 626—Payment to district court of money and effects of deceased seamen (civil)
 46 U.S.C. 641—Discharge; mode (civil)
 46 U.S.C. 642—Accounting as to wage (civil)
 46 U.S.C. 643—Continuous discharge book and certificate of identification—issuance (civil and criminal)
 46 U.S.C. 652—Examination of witnesses (civil)

- 46 U.S.C. 653—Complaint that vessel is unseaworthy (civil)
 46 U.S.C. 658—Discharge of crew on account of unseaworthiness; penalty for sending unseaworthy vessel to sea (criminal)
 46 U.S.C. 660—Refusal to pay wages and charges (criminal)
 46 U.S.C. 660-1—Space and accommodations for crew; hospital compartments (civil)
 46 U.S.C. 662—Complaint as to provisions or water; examination (civil)
 46 U.S.C. 664—Permission from master to enter complaint as to provisions or water (civil)
 46 U.S.C. 667—Penalty for failure to keep medicines (civil)
 46 U.S.C. 668—Weights and measures (civil)
 46 U.S.C. 669—Clothing and heat (civil)
 46 U.S.C. 670—Slop chests (civil)
 46 U.S.C. 672—Requirements, qualifications, and regulations as to crews—officers and pilots (civil and criminal)
 46 U.S.C. 672a—Nationality of crews—officers and pilots (civil)
 46 U.S.C. 673—Requirements as to watches; duties of seamen; hours of work; penalty (civil)
 46 U.S.C. 676—Rules as to list of crew (criminal)
 46 U.S.C. 677—Production of copy of list on return of vessel; production of persons named (civil)
 46 U.S.C. 684—Wages or discharge in case of sale (criminal)
 46 U.S.C. 701—Merchant seamen; various offenses; penalties (criminal)
 46 U.S.C. 710—Carrying sheath knives (civil)

CHAPTER 19—WRECKS AND SALVAGE

- 46 U.S.C. 728—Duty of master to assist persons in danger (criminal)
 46 U.S.C. 738b—Operator of vessel to give notice of routes; avoidance of ice regions; penalty (civil)
 46 U.S.C. 738c—Speed of vessel in ice region; penalty (civil)

CHAPTER 24—MERCHANT MARINE ACT, 1920

- 46 U.S.C. 882—Number of passengers cargo vessels may carry (civil)
 46 U.S.C. 883-1—Corporation as citizen; fisheries and transportation of merchandise or passengers between points in United States (civil)
 46 U.S.C. 883a—Reports required of United States vessels rebuilt abroad; penalty for failure to report (civil)

CHAPTER 25—SHIP MORTGAGES

- 46 U.S.C. 941—Failure of master to exhibit documents; unlawful acts by mortgagee; liability of collector of customs (criminal)

CHAPTER 27—MERCHANT MARINE ACT, 1936

- 46 U.S.C. 1132—Citizenship of officers and crew vessels documented under laws of United States (criminal)

CHAPTER 29—NAUTICAL INSTRUCTION

- 46 U.S.C. 1333—Inspection of vessels (criminal)

CHAPTER 33—FEDERAL BOAT SAFETY ACT OF 1971

- 46 U.S.C. 1483—Criminal penalties (criminal)
 46 U.S.C. 1484—Civil penalties (civil)

TITLE 47—TELEGRAPHS, TELEPHONES, AND RADIOTELEGRAPHS

CHAPTER 2—SUBMARINE CABLES

- 47 U.S.C. 21—Willful injury to; punishment (criminal)
 47 U.S.C. 22—Negligent injury to; punishment (criminal)
 47 U.S.C. 24—Vessels laying cables; signals; avoidance of buoys (criminal)
 47 U.S.C. 25—Fishing vessels; duty to keep nets from cables (criminal)

- 47 U.S.C. 27—Offending vessels to show nationality (criminal)
 47 U.S.C. 37—Licenses for landing or operating cable connecting United States with foreign country; violations; punishment (criminal)

TITLE 50—WAR AND NATIONAL DEFENSE

CHAPTER 12—VESSELS IN TERRITORIAL WATERS OF THE UNITED STATES

- 50 U.S.C. 192—Seizure and forfeiture; fine and imprisonment (criminal)

Effective date. This amendment becomes effective on June 4, 1974.

C. R. BENDER,
Admiral, U.S. Coast Guard,
Commandant.

[FR Doc.74-12824 Filed 5-31-74;8:45 am]

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 207—NAVIGATION REGULATIONS

Anacostia River, Washington, D.C.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; (33 U.S.C. 1)), § 207.127 is hereby prescribed establishing and governing the use and navigation of a restricted area in Anacostia River at the U.S. Naval Administrative Unit, Washington Navy Yard, Washington, D.C. In the interest of national security notice of proposed rule making and public procedures thereto are considered unnecessary. Accordingly, § 207.127 of Title 33 of the Code of Federal Regulations shall become effective July 3, 1974, as follows:

§ 207.127 Anacostia River, at U.S. Naval Administrative Unit, Washington Navy Yard, Washington, D.C.; U.S. Navy restricted area.

(a) *The area.* The waters in the Anacostia River included by a line beginning at latitude 38°52'19", longitude 76°59'45"; thence to latitude 38°52'17", longitude 76°59'47"; thence to latitude 38°52'15", longitude 76°59'41"; thence to latitude 38°52'17", longitude 76°59'39".

(b) *The regulations.* No person in the water, vessel or other craft shall enter or remain in the restricted area at any time except as authorized by the enforcing agency.

(c) The regulations in this section shall be enforced by the Commanding Officer, U.S. Naval Administrative Unit, and such agencies as he may designate.

[Regs., May 15, 1974, 1522-01 Anacostia River, Washington, D.C.—DAEN-CWO-N] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

For the Adjutant General.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.74-12801 Filed 5-31-74;8:45 am]

Title 45—Public Welfare

SUBTITLE A—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, GENERAL ADMINISTRATION

PART 25—HEARING EXAMINERS-SUPPLEMENTAL SECURITY INCOME

Appointment, Pay, and Removal of Supplemental Security Income Hearing Examiners

The amendments to the regulations set forth herein add a new Part 25 setting forth the rules for appointment, pay, and removal of individuals appointed as Hearing Examiners, SSI, pursuant to section 1631(d)(2) of the Social Security Act (42 U.S.C. 1383(d)(2)) to conduct hearings under the Supplemental Security Income Program, as required by section 1631(c) of the Social Security Act (42 U.S.C. 1383(c)). Proposed regulations establishing the procedures for such hearings and which provide the due process protections to which claimants are entitled were published as interim regulations in 39 FR 5778, on February 15, 1974.

The regulations set forth herein guarantee the right of the public to a hearing conducted by an independent and impartial hearing officer. Because the Civil Service Commission has determined that it is not required to provide registers from which qualified individuals could be appointed to serve as administrative law judges to conduct hearings pursuant to section 1631(c) of the Social Security Act (42 U.S.C. 1383(c)), the hearing officers will be appointed to Schedule A, Excepted Service, Attorney-Examiner (General) positions. Within the limitations imposed by the laws and regulations applicable to appointments in the Excepted Service, the regulations create a special status for individuals appointed to these positions.

The regulations provide that an individual appointed to conduct hearings is to be designated as a hearing examiner, SSI. The qualification standards require that an applicant be duly licensed and authorized to practice as an attorney. The type and quality of experience an applicant must demonstrate closely parallels that now required for appointment to administrative law judge positions.

The selection and appointment procedures are to follow to the extent possible those employed by the Office of Administrative Law Judges of the Civil Service Commission, e.g., establishment of registers from which selections are to be made, qualification inquiries, written demonstrations, panel interviews, and other appropriate procedures. Appointments are to be made only with the prior approval of the Secretary.

The regulations further provide that individuals appointed to these positions may be removed only for good cause established and determined by the Secretary after opportunity for a hearing on

the record. No hearing examiner may be reassigned without the prior approval of the Secretary. They may be detailed only in certain specified instances. Hearing examiners will be given performance ratings; however, no unsatisfactory rating may be given without the concurrence of the Secretary. The determination of whether work of a hearing examiner is of an acceptable level of competence for purposes of within-grade increases also shall be made with the proviso that the Secretary must approve a recommendation to withhold such within-grade increases.

Inasmuch as the regulations relate to agency management or personnel, the Secretary of Health, Education, and Welfare finds that publication with notice of proposed rule making, as well as publication at least 30 days prior to an effective date, are unnecessary.

For purpose of future amendment to our revision of these regulations, consideration will be given to any comments pertaining to this amendment which are submitted in writing to the Commissioner of Social Security, Department of Health, Education, and Welfare Building, Fourth and Independence Avenue, SW., Washington, D.C. 20201, on or before August 2, 1974.

Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquiries Section, Office of Public Affairs, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4146, 330 Independence Avenue SW., Washington, D.C. 20201.

(Secs. 1102, 1631(d)(2), of the Social Security Act, as amended, 49 Stat. 647, as amended 86 Stat. 1476, 42 U.S.C. 1302, 1383(d)(2))

Effective date. These regulations shall be effective June 3, 1974.

(Catalog of Federal Domestic Assistance Program No. 13.807, Supplemental Security Income Program.)

Dated: May 29, 1974.

CASPAR W. WEINBERGER,
Secretary of Health,
Education, and Welfare.

Subtitle A of Title 45 of the Code of Federal Regulations is amended by adding thereto a new Part 25 to read as follows:

Sec.	
25.1	Coverage.
25.2	Status of persons and positions.
25.3	Definitions.
25.8	Basic qualification requirements.
25.9	Appointments.
25.11	Promotion.
25.12	Reassignment.
25.17	Reemployment.
25.18	Restoration.
25.19	Details to other duties.
25.20	Pay.
25.25	Performance rating.
25.26	Reduction-in-force.
25.27	Separation.