nearest even figure; e.g., 0.45, report as 0.4; 0.55, report as 0.6.

All percentages, except for milling yield, shall be stated in whole and tenth percent to the nearest tenth percent. Milling yield shall be stated to the nearest whole percent.

GRADES, GRADE REQUIREMENTS, AND GRADE DESIGNATIONS

§ 68.261 Grades and grade requirements for the classes of brown rice for processing. (See also § 68.263.)

U.S. grade—	Maximum limits of—										
		Seeds and heat-damaged kernels			Red rice and damaged kernels (singly or combined)	Chalky kernels[1]	Broken kernels				
	Paddy kernels	Total (singly or combined)	Heat-damaged kernels	Objectionable seeds			Total	Removed by a 6 plate or a 6½ sieve[2]	Other types[3]	Well-milled kernels	
	Percent	*Number in 500 g*	*Number in 500 g*	*Number in 500 g*	*Number in 500 g*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
No. 1	20	10	1	2	1	2	5	1	1	1	
No. 2	2	40	2	10	2	4	10	2	2	3	
No. 3	2	70	4	20	4	6	15	3	5	10	
No. 4	2	100	8	35	8	8	25	4	10	10	
No. 5	2	150	15	50	15	15	35	6	10	10	
Sample grade	U.S. sample grade shall be brown rice for processing which: (a) does not meet the requirements for any of the grades from U.S. Nos. 1 to 5 inclusive, (b) contains more than 14.5 pct of moisture, (c) is musty, or sour, or heating, (d) has any commercially objectionable foreign odor, (e) contains more than 0.2 pct of related material or more than 0.1 pct of unrelated material, (f) contains live weevils or other live insects, or (g) is otherwise of distinctly low quality.										

[1] For the special grade parboiled brown rice for processing see section 68.263(a).
[2] Plates should be used for southern production rice and sieves should be used for western production rice, but any device or method which gives equivalent results may be used.
[3] These limits do not apply to the class mixed brown rice for processing.

§ 68.262 Grade designation.

(a) The grade designation for all classes of brown rice for processing, except Mixed Brown Rice for Processing, shall include in the following order: (1) The letters "U.S."; (2) the number of the grade or the words "Sample grade," as warranted; (3) the class; and (4) each applicable special grade (see § 68.264).

(b) The grade designation for the class Mixed Brown Rice for Processing shall include in the following order: (1) The letters "U.S."; (2) the number of the grade or the words "Sample grade," as warranted; (3) the class; (4) each applicable special grade (see § 68.264); (5) the percentage of whole kernels of each type in the order of predominance; and when applicable; (6) the percentage of broken kernels of each type in the order of predominance; and (7) the percentage of seeds, related material, and unrelated material.

NOTE: Broken kernels other than long grain, in Mixed Brown Rice for Processing, shall be certificated as "medium or short grain."

§ 68.263 Special grades and special grade requirements.

The following special grades are established for brown rice for processing. Except as provided in this section, all grades and grade requirements of the standards shall apply to such rice.

(a) *Parboiled brown rice for processing.* Parboiled brown rice for processing shall be rice in which the starch has been gelatinized by soaking, steaming, and drying. Grades U.S. Nos. 1 to 5 inclusive shall contain not more than 10.0 percent of ungelatinized kernels. Grades U.S. No. 1 and U.S. No. 2 shall contain not more than 0.1 percent, grades U.S. No. 3 and U.S. No. 4 not more than 0.2 percent, and grade U.S. No. 5 not more than 0.5 percent of nonparboiled rice.

NOTE: The maximum limits for "chalky kernels" shown in § 68.261 are not applicable to the special grade "parboiled brown rice for processing."

(b) *Smutty brown rice for processing.* Smutty brown rice for processing shall be rice which contains more than 3.0 percent of smutty kernels.

§ 68.264 Special grade designation.

The grade designation for parboiled or smutty brown rice for processing shall include, following the class, the word(s) "Parboiled" or "Smutty," as warranted, and all other information prescribed in § 68.262.

Effective date. The amended United States Standards for Brown Rice for Processing become effective June 1, 1976.

For a period of 6 months after adoption of these amendments, official inspection personnel shall, upon request, show on inspection certificates the grade under both the "old" and "new" standards.

Approved at Washington, D.C. on March 24, 1976.

DONALD E. WILKINSON,
Administrator.

[FR Doc.76-8973 Filed 3-29-76;8:45 am]

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—FOOD DISTRIBUTION

[Amdt. 34]

PART 250—DONATION OF FOODS FOR USE IN UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Submission to State Governors of Plans of Operation for Food Distribution to Households

The regulations for the operation of the Food Distribution Program (31 FR 14297), as amended, are further amended for the purpose of implementing the provisions of Part III of Attachment A of OMB Circular A-95 (Revised) (38 FR 32874) by providing for the submission of State plans of operation for food distribution to households, and any amendment thereto, to the State Governor for review and comment on their relationship to other State plans and programs.

Since implementation of the provisions of OMB Circular A-95 (Revised) is Federal policy, compliance with proposed rulemaking and public participation procedures is impracticable and unnecessary.

Accordingly, in § 250.6, paragraph (e) is amended by inserting after the second sentence two new sentences, as follows:

§ 250.6 Obligations of distributing agencies.

* * * * *

(e) *Household distribution.* * * * Each State distributing agency shall submit its

plan of operation and any amendment thereto to the State Governor, or his delegated authority, for comment on its relationship to other State plans and programs. The Governor, or his delegated authority, shall be allowed a period of 45 days, prior to submission of the plan or amendment to FNS by the State distributing agency, to make such comments and attach them to the plan or amendment. * * *

(Catalog of Federal Domestic Assistance Program No. 10.550, National Archives Reference Section).

Effective date: This amendment becomes effective March 30, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

MARCH 25, 1976.

[FR Doc.76-8899 Filed 3-29-76;8:45 am]

CHAPTER III—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

PART 301—DOMESTIC QUARANTINE NOTICES

Witchweed

Correction

In the FEDERAL REGISTER document appearing at page 11466, March 19, 1976 which amended § 301.80-2a make the following corrections:

1. On page 11468, middle column, the seventh paragraph from the top, the last figure in the last line should read "1525".

2. On page 11469, first column, third paragraph from the bottom, first line, delete "Eugene T.," and insert "W.W."

3. On page 11469, middle column, third paragraph from the bottom, first line, delete "F.F.," and insert "F.R.,".

4. On page 11472, middle column, seventh paragraph from the top, first line, delete figure "1" and insert figure "2".

5. On page 11475, middle column, the document number appearing in the file line reading "FR Doc. 5958" should read "FR Doc. 7958".

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

[Reg. ER-951, Amdt. 8]

PART 234—FLIGHT SCHEDULES OF CERTIFICATED AIR CARRIERS; REALISTIC SCHEDULING REQUIRED

Expansion of Designated Domestic Passenger Flights Reported on CAB Form 438

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. February 2, 1976.

By Notice of Proposed Rulemaking EDR-284,[1] dated April 22, 1975, the Board proposed to amend Part 234 of the Economic Regulations (14 CFR Part 234) to (1) increase the number of designated domestic passenger flights reported on CAB Form 438 from the top 100 to the top 200 city pairs, and (2) eliminate the exclusion of the reporting of city pairs less than 200 miles apart.

Comments in response to the notice were received from Eastern Air Lines, Inc. (Eastern), Northwest Airlines, Inc. (Northwest), Trans World Airlines, Inc. (TWA), Western Air Lines, Inc. (Western), and the Aviation Consumer Action Project (ACAP). Upon consideration of the comments, the Board has determined to adopt the rule as proposed and the tentative findings and conclusions set forth in EDR-284 are incorporated herein and made final.[2]

Western and ACAP supported the proposed rule, while Eastern, although in favor of the proposal, suggested some revisions. TWA was basically not opposed to the Board's proposal but noted the possibility of a distortion in the reported data. Northwest was alone in its opposition to the proposal.

Eastern's position is that each carrier should be required to report system-wide on-time performance data. According to Eastern, the expansion of data reported would further promote competition among carriers in the area of on-time service and would dispel any complaints that data collected by the Board are based on an unrepresentative sample.

We cannot concur with Eastern's suggestion. The basic purposes of the on-time reporting requirement can be met only if meaningful comparisons of carrier results in specific markets, where they compete under similar conditions, are permitted. The differences in route structure and operating conditions are so great among the industry as a whole that summary system percentages may not be meaningful. Additionally, summary system statistics offer no information to the passenger who is interested in obtaining the most reliable schedule performance from a particular origin to a particular destination.

ACAP supports the revisions to § 234.8 proposed by EDR-284.[3]

TWA's comment included an observation concerning a possible distortion inherent in the basic reporting structure, which might be magnified by adopting this rule and thereby increasing the proportion of short-haul markets reported. TWA therefore suggested that the Board should consider adopting variable on-time tolerance standards which would increase with the length of flight.

The Board has dealt with this problem before in establishing the present 15-minute standard. We do not believe that a sliding scale for determining whether a flight is on time for reporting purposes would further TWA's goal of reducing any distortion that might exist in the comparison of short- and long-haul markets. Many markets have unique characteristics, such as congestion at the destination airport or the type of aircraft flown, which could be used as an argument for applying a different standard when determining on-time performance. The establishment of varying

[1] 40 F.R. 18450, April 28, 1975, Docket 27765.

[2] We have also taken this occasion to make an editorial amendment to § 234.8, in order to clarify that the subject reports are to be filed with our Bureau of Accounts and Statistics.

[3] ACAP has also filed a separate petition for rulemaking (Doc. 27891) seeking changes in the manner of determining carriers' compliance with their schedules, under § 234.3.

standards for each of these situations, however, would only serve to confuse the traveling public as to what, in fact, is considered on time.

Northwest claimed that the proposed rule would create an undue increase in the reporting burden of air carriers: *i.e.*, the slight increase in sample reliability resulting from the increased reporting coverage would not be commensurate with the considerable increase in the cost to carriers entailed by such increase in the number of city pairs reported.

In light of the other comments received supporting this proposal, and the need for on-time performance data for city pairs below the 100 top markets which we tentatively found in EDR–284, we are not persuaded by Northwest's conclusory assertion of undue burden. Upon consideration of all the comments, we have therefore determined to make final our conclusion that the increase in the number of city pairs reported is needed, to improve the comparative evaluation of carrier on-time performance which Part 234 seeks to facilitate and in order to provide the traveling public with data for judging comparative performance in a larger number of city pairs. We have further concluded that these benefits to the traveling public warrant the additional burden on the reporting carriers.

The rule is being made effective April 29, 1976. Thus it will first become effective with respect to flights operated in May 1976, that being the first full calendar month commencing after the effective date hereof. By the terms of § 234.8, the first report reflecting the amendments made herein will be due within 45 days of the end of May 1976.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 234 of the Economic Regulations (14 CFR Part 234), effective April 29, 1976, as follows:

Amend § 234.8, "Reporting of schedule arrival performance," by revising paragraph (a) to read as follows:

§ 234.8 Reporting of schedule arrival performance.

(a) Each certificated route air carrier scheduling nonstop passenger flights between any of the 200 top-ranking pairs of points in terms of revenue-passenger volume as set forth in Table 6 "Domestic City-Pair Summary: Top-Ranked 1000 City Pairs in Terms of Number of Passengers" in the Board's *Domestic Origin-Destination Survey of Airline Passenger Traffic* shall, with respect to any such flights for each month, file in duplicate with the Board's Bureau of Accounts and Statistics a "Monthly Report of Schedule Arrival Performance on Designated Passenger Flights," CAB Form 438.[1] The same information may be submitted on any comparable form prepared on automatic data processing equipment. Such substitute form shall be subject to prior approval by the Board's Bureau of Accounts and Statistics and shall be submitted in duplicate and contain the same column headings arranged in the same sequence as CAB Form 438. During any period that a carrier's obligation to provide service between a pair of points is suspended by the Board, the report need not be filed for such pair of points. The report shall be filed within 45 days of the end of the month which it covers and shall be certified to be correct by a responsible officer of the reporting carrier.

* * * * *

(Secs. 204 and 407 of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 757; 49 U.S.C. 1324, 1377.)

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.76–8960 Filed 3–29–76;8:45 am]

[1] CAB Form 438 can be obtained from the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 76–93]

PART 1—GENERAL PROVISIONS

Field Organization Changes

On December 30, 1975, notice of a proposal to revoke the designation of Mackinac Island, Michigan, as a Customs station in the Detroit, Michigan, Customs district (Region IX), was published in the FEDERAL REGISTER (40 FR 59745). No comments were received in response to the notice.

Accordingly, the designation of Mackinac Island, Michigan, is hereby revoked. To reflect this revocation, the table in section 1.3(d) of the Customs Regulations (19 CFR 1.3(d)), is amended by deleting "Mackinac Island, Mich." from the column headed "Customs stations" and "Do." (indicating Sault Ste. Marie.) from the column headed "Port of entry having supervision".

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

Effective date. This amendment shall be effective March 30, 1976.

VERNON D. ACREE,
Commissioner of Customs.

Approved: March 18, 1976.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.76–8905 Filed 3–29–76;8:45 am]

Title 20—Employee's Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Regulations No. 4]

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950.....)

Subpart D—Old-Age, Disability, Dependents' and Survivors' Insurance Benefits; Period of Disability

FATHER'S INSURANCE BENEFITS (A NEW CATEGORY) AND MISCELLANEOUS AMENDMENTS REFLECTING CHANGES IN WIFE'S, CHILD'S, WIDOW'S, WIDOWER'S, MOTHER'S, AND PARENT'S BENEFITS

On November 12, 1975, there was published in the FEDERAL REGISTER (40 FR 52738) a Notice of Proposed Rule Making with proposed amendments to Subpart D, Regulations No. 4. These amendments are necessitated by the decision of the United States Supreme Court in the case of *Weinberger* v. *Wiesenfeld*, 420 U.S. 636, 95 S.Ct. 1225 (1975). Specifically, the Court decided on March 19, 1975, that the gender-based distinction mandated by section 202(g) of the Social Security Act (42 U.S.C. 402(g)) granting survivor's benefits to widows of deceased workers when they had minor children of such workers in their care, but not providing such benefits to the widowers of deceased workers with minor children of such workers in their care, violates the Due Process Clause of the Fifth Amendment to the U.S. Constitution. This decision has, in effect, created a new category of benefits, which is designated for ease of reference as "father's insurance benefits" and which are payable on the same basis and under the same conditions as those currently payable to mothers having minor children of the deceased worker in their care. Benefits may be paid to such new category of beneficiaries beginning March 1975, the month of the Supreme Court decision. The proposed amendments also implement the provisions of section 108 of Public Law 92–603 which permit an entitled child disabled before age 22 to qualify as a child in the care of a mother or father claimant. Marriage to such a disabled child will not be a terminating event for certain beneficiaries. The following specific revisions are included:

(1) Proposed sections (§§ 404.335a and 404.336a) have been added concerning father's insurance benefits, conditions and duration of entitlement. These sections parallel the structure and wording, with appropriate changes, of § 404.335 and § 404.336 respectively, specifying the conditions and duration of entitlement to mother's insurance benefits.

(2) The rate of benefits for mothers and fathers will be identical (§ 404.337).

(3) Sections 404.342–404.349 of the regulations have been revised to make the child-in-care (formerly "in-her-care") rules applicable to mother's and father's insurance benefits.

(4) The child-in-care requirement for wife's and mother's benefits has been revised to restrict the qualification—that such child, if over age 18, has been disabled prior to attainment of age 18—to periods prior to January 1973. A comparable parenthetical revision has been made with respect to terminating events.

(5) As in (4), the statutory change eliminating the "disabled before attainment of age 18" provision has required revision in the effect of remarriage provisions for divorced wives (§ 404.314), widows (§ 404.329), widowers (§ 404.332), mothers (§ 404.336), and parents (§ 404.339).

In order to implement promptly the Supreme Court's decision granting benefits to fathers, the rules set forth in these regulations have been applied on an interim basis by the Social Security Administration since March 1975 as pointed out in the Notice of Proposed Rule Mak-

ing published on November 12, 1975. Interested persons were given the opportunity to submit, within 30 days, data, views, or arguments with regard to the proposed changes.

The comment period has expired and no comments were received. Minor editorial changes have been made to the proposed amendments. Accordingly, the proposed amendments are hereby adopted as set forth below.

(Secs. 202, 205, 216, 1102 of the Social Security Act as amended; 48 Stat. 623, as amended, 53 Stat. 1368 as amended, 68 Stat. 1080, as amended, 49 Stat. 647, as amended, 42 U.S.C. 402, 405, 416, and 1302.)

Effective date: The amendments shall be effective March 30, 1976.

(Catalog of Federal Domestic Assistance Program No. 13.802, Social Security-Disability Insurance; No. 13.803, Social Security-Retirement Insurance; No. 13.805, Social Security-Survivors Insurance.)

Dated: February 25, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: March 17, 1976.

MARJORIE LYNCH,
Acting Secretary of Health, Education, and Welfare.

Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 404.313 is amended by revising paragraph (c) to read as follows:

§ 404.313 Wife's insurance benefits; conditions of entitlement.

* * * * *

(c) *Child over 18 not disabled.* For the purposes of paragraph (a)(2) of this section and § 404.314(a)(5), a child age 18 or over who is entitled to child's insurance benefits for any month but is not under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before he attained age 18) is deemed not entitled to child's insurance benefits for such month, unless he was under such a disability in the third month before such month.

* * * * *

2. Section 404.314 is amended by revising paragraph (b) to read as follows:

§ 404.314 Wife's insurance benefits; duration of entitlement.

* * * * *

(b) *Remarriage of a divorced wife.* If a divorced wife entitled to a wife's insurance benefit marries an individual entitled to widower's, father's (for months after February 1975) or parent's insurance benefits, such divorced wife's entitlement to wife's insurance benefits is not terminated by reason of such marriage. If a divorced wife who is entitled to wife's insurance benefits marries an individual who has attained the age of 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973 began before such child attained the age of 18) or had been under such a disability in the third month before the month in which such marriage occurred, such divorced wife's entitlement to wife's insurance benefits is not terminated by reason of such marriage; except that her entitlement to such benefits will end with the last month for which such individual is entitled to child's insurance benefits, provided his entitlement ends for a reason other than death.

* * * * *

3. Section 404.321 is amended by revising paragraph (d) to read as follows:

§ 404.321 Child's insurance benefits; duration of entitlement.

* * * * *

(d) The marriage of a child, age 18 or over and entitled to child's insurance benefits based on a disability, will not terminate such entitlement (however, see paragraph (c) of this section for termination because of a subsequent event) if the marriage is to:

(1) A person age 18 or older entitled to child's insurance benefits based on a disability; or

(2) A person entitled to old-age, widow's, widower's, mother's, father's (for months after February 1975), parent's or disability insurance benefits, or, effective after August 1965, wife's insurance benefits.

* * * * *

4. Section 404.329 is amended by revising paragraph (b)(1) to read as follows:

§ 404.329 Widow's insurance benefits; duration of entitlement.

* * * * *

(b) *Effect of remarriage on entitlement after August 1965.* (1) A widow or surviving divorced wife's entitlement to widow's insurance benefits is not terminated by reason of her remarriage to a man who is entitled to widower's, father's (for months after February 1975), or parent's insurance benefits or to a man who has attained age 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before he attained age 18) or had been under such a disability in the third month before the month in which such marriage occurred.

* * * * *

5. Section 404.332 is amended by revising paragraph (b)(1) to read as follows:

§ 404.332 Widower's insurance benefits; duration of entitlement.

* * * * *

(b) *Effect of remarriage on entitlement to benefits.* (1) A widower's entitlement to widower's insurance benefits is not terminated by reason of his subsequent marriage to a woman entitled to wife's (after August 1965), widow's, mother's, or parent's insurance benefits, or who has attained age 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before such child attained the age of 18) or had been under such a disability in the third month before the month in which such marriage occurred.

* * * * *

6. Section 404.335 is amended by revising paragraph (b) to read as follows:

§ 404.335 Mother's insurance benefits; conditions of entitlement.

* * * * *

(b) *Child over 18 not disabled.* For the purposes of paragraph (a)(2) of this section a child age 18 or over who is entitled to child's insurance benefits for any month but is not under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before he attained age 18) shall be deemed not entitled to child's insurance benefits, unless he was under such a disability in the third month before such month.

* * * * *

7. A new § 404.335a is added to read as follows:

§ 404.335a Father's insurance benefits; conditions of entitlement.

(a) *General.* The widower (as defined in §404.1107 of an individual who died fully or currently insured is entitled to father's insurance benefits for the first month after February 1975 in which he:

(1) Has filed application for father's insurance benefits; and

(2) At the time of filing such application had in his care (see §§ 404.342–404.349) a child of such individual entitled to child's insurance benefits (see paragraph (b) of this section); and

(3) Is not married; and

(4) Is not entitled to a widower's insurance benefit; and

(5) Is not entitled to old-age insurance benefits, or is entitled to an old-age insurance benefit which is less than three-fourths of the primary insurance amount of such individual.

(b) *Child over 18 not disabled.* For the purposes of paragraph (a)(2) of this section a child age 18 or over who is entitled to child's insurance benefits for any month but is not under a disability (as defined in section 223(d) of the Act) shall be deemed not entitled to child's insurance benefits, unless he was under such a disability in the third month before such month.

8. Section 404.336 is amended by revising paragraph (b)(1) and paragraph (c) to read as follows:

§ 404.336 Mother's insurance benefits; duration of entitlement.

* * * * *

(b) *Effect of remarriage after August 1965.* For purposes of paragraph (a)(2) of this section:

(1) A widow's or surviving divorced mother's entitlement to mother's insurance benefits is not terminated by reason of her remarriage to a man entitled to old-age, widower's, father's (for months after February 1975), parent's, or disability insurance benefits, or to a man

who has attained age 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before such child attained the age of 18) or had been under such a disability in the third month before the month in which such marriage occurred.

* * * * *

(c) *Child over 18 not disabled.* For purposes of paragraph (a)(5) of this section, a child age 18 or over who is entitled to child's insurance benefits for any month but is not under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before he attained age 18) shall be deemed not entitled to child's insurance benefits, unless he was under such a disability in the third month before such month.

* * * * *

9. A new § 404.336a is added to read as follows:

§ 404.336a Father's insurance benefits; duration of entitlement.

(a) *General.* The widower of a deceased individual is entitled to a father's insurance benefit for each month beginning with the first month after February 1975 in which all the conditions of entitlements described in § 404.335a(a) are satisfied. The last month for which he is entitled to such benefits is the month before the first month in which any one of the following events occurs:

(1) He dies; or

(2) He remarries (except as provided in paragraph (b) of this section); or

(3) He becomes entitled to an old-age insurance benefit which is equal to or exceeds the amount of the father's insurance benefit as determined in accordance with § 404.337; or

(4) He becomes entitled to a widower's insurance benefit; or

(5) No child of the deceased individual is entitled to a child's insurance benefit (see paragraph (c) of this section); or

(6) If he is married to a person age 18 or older who is under a disability (as defined in section 223(d) of the Act) and who is entitled to child's insurance benefits (see paragraphs (b) and (c) of this section), his wife's entitlement to such benefits terminates for a reason other than her death; or

(7) If he is married to a person entitled to disability insurance benefits (see paragraph (b) of this section), his wife's entitlement to such benefits terminates for a reason other than her death or her entitlement to old-age insurance benefits; or

(8) In the case of a man entitled to father's insurance benefits based on a purported marriage (see § 404.1101(c)(2)) to the deceased individual, another man is certified for entitlement to widower's or father's insurance benefits based on such deceased individual's earnings record and such other man is the widower (or is deemed to be the widower) of the deceased individual under the provisions of section 216(h)(1)(A) of the Act.

(b) *Effect of remarriage.* For purposes of paragraph (a)(2) of this section:

(1) A widower's entitlement to father's insurance benefits is not terminated by reason of his remarriage to a woman entitled to old-age, wife's, widow's mother's, parent's, or disability insurance benefits, or to a woman who has attained age 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act) which began before such child attained the age of 22 or had been under such a disability in the third month before the month in which such marriage occurred.

(2) If a widower marries a woman not entitled to any of the benefits enumerated in paragraph (b)(1) of this section, and consequently his entitlement to father's insurance benefits is terminated, he may become reentitled to such benefits upon termination of the later marriage for any reason, provided all other conditions of entitlement are satisfied.

(c) *Child over 18 not disabled.* For purposes of paragraph (a)(5) of this section, a child age 18 or over who is entitled to child's insurance benefits for any month but is not under a disability (as defined in section 223(d) of the Act) shall be deemed not entitled to child's insurance benefits, unless he was under such a disability in the third month before such month.

10. Section 404.337 is revised to read as follows:

§ 404.337 Mother's or father's insurance benefits; rate of benefit.

The amount of the mother's or father's insurance benefit for any month is equal to 75 percent of the primary insurance amount for such month of the deceased individual upon whose earnings the mother's or father's insurance benefit is based. (See § 404.352 for minimum sole survivor's insurance benefit rate.)

(b) *Child in care before March 1975.*

11. Section 404.339 is amended by revising paragraph (b) to read as follows:

§ 404.339 Parent's insurance benefits; duration of entitlement.

* * * * *

(b) *Effect of remarriage on entitlement to benefits.* A parent's entitlement to parent's insurance benefits is not terminated by marriage to an individual entitled to wife's, widow's, widower's, mother's, father's (for months after February 1975), or parent's insurance benefits, or to an individual who has attained age 18 and is entitled to child's insurance benefits, and was under a disability (as defined in section 223(d) of the Act, and which, for months before January 1973, began before such child attained age 18) or had been under such a disability in the third month before the month in which such marriage occurred.

12. Section 404.342 is revised to read as follows:

§ 404.342 Child in care of claimant.

(a) *Child in care after February 1975.* For purposes of §§ 404.313, 404.335, 404.335a, and Subpart E of this part, a child is in the care of a mother (whether a wife, widow, or surviving divorced mother) or father (widower only) claimant if such claimant exercises parental control and responsibility for the welfare and care of a child under age 18, or of a child age 18 or older who is mentally incompetent. If the child is age 18 or older and mentally competent, "child in care" means that the mother or father is performing personal services (as defined in § 404.344) for the child.

(b) *Child in care before March 1975.* The provisions of paragraph (a) of this section are applicable in determining if a child is in the care of a mother (whether a wife, widow, or surviving divorced mother).

13. Section 404.343 is revised to read as follows:

§ 404.343 Child in care; exercising parental control and responsibility.

(a) *Child in care after February 1975.* For purposes of § 404.342:

(1) Parental control and responsibility may be exercised solely by the claimant (mother or father) or jointly with the claimant's spouse. However, the exercise of parental control and responsibility exclusively by one parent and then by the other over successive periods of time does not constitute the joint exercise of parental control and responsibility.

(2) Parental control and responsibility may be exercised directly or, where the claimant (mother or father) and child are apart, it may be exercised indirectly. The fact that the parent claimant has not lost the legal right to the child's care and custody, and retains the right to exercise parental control and responsibility, does not constitute the exercise of such parental control and responsibility even if such claimant furnishes the child's food, clothing, and shelter or makes provisions therefor.

(b) *Child in care before March 1975.* The provisions of paragraph (a) of this section are applicable in determining if a child is in the care of a mother (whether a wife, widow, or surviving divorced mother).

14. Section 404.344 is revised to read as follows:

§ 404.344 Child in care; performing personal services.

(a) *Child in care after February 1975.* For purposes of § 404.342, personal services mean services performed for a child other than any routine household services which ordinarily are performed for any adult member of a household. For example, nursing care, or feeding or dressing a child who is unable because of his disability to perform these functions satisfactorily for himself, would constitute personal services, as would the direction or supervision of the activities of a child who is unable to manage his own funds, or who is able to do so

only with considerable help and guidance. Also, if the parent claimant's presence and attention is required because of the nature of the child's impairment, such claimant would be considered to be performing personal services for the child. Such services may be performed by the claimant (mother or father) alone, or jointly with the claimant's spouse or another person.

(b) *Child in care before March 1975.* The provisions of paragraph (a) of this section are applicable in determining if a child is in the care of a mother (whether a wife, widow, or surviving divorced mother).

15. Section 404.345 is revised to read as follows:

§ 404.345 Child in care; mother or father claimant and child living together.

Where the mother claimant (or mother or father claimant for months after February 1975) and child regularly live together, the child is considered to be in the claimant's care if such claimant either is exercising parental control and responsibility by supervising the child's activities and participating in the important decisions about the child's physical and mental needs, or performing personal services, as the case may be. However, if the mother or father claimant and child are living together only temporarily, the child is not considered to be in the claimant's care during the period they are together, even if the claimant exercises parental control and responsibility, or performs personal services, as the case may be, during such period unless:

(a) The child is in such claimant's care while they are apart; or

(b) Such claimant and child live together for a period of at least 30 consecutive days, and the child is not on furlough while in the armed forces.

16. Section 404.346 is revised to read as follows:

§ 404.346 Child in care; mother or father claimant and child not living together; general.

Where the claimant and child are not living together, a child is not considered to be in such claimant's care except under the conditions described in §§ 404.347 and 404.348.

17. Section 404.347 is revised to read as follows:

§ 404.347 Child in care; claimant (mother or father) and child not living together; separation not in excess of 6 months.

Except as provided in § 404.349, where the separation is expected to end within 6 months from the date it began, a child is considered to be in the care of a claimant only if the child customarily lives with such claimant and is in the claimant's care when they so live together (see § 404.345). If the separation continues beyond the 6-month period, the provisions of § 404.348 are applicable in determining whether the child is in the care of a mother or father claimant.

18. Section 404.348 is revised to read as follows:

§ 404.348 Child in care; claimant (mother or father) and child not living together; separation expected to be indefinite or to exceed 6 months.

Where the claimant and child are not living together and the separation will be for an indefinite period, or is not expected to end within 6 months, such claimant is exercising parental control and responsibility for the welfare of the child only under the conditions described in paragraphs (a), (b), (c), and (d) of this section. If the child resumes living with the claimant before the end of 6 months, the provisions of § 404.347 are applicable in determining whether the child is in the care of such claimant. Special situations include:

(a) *Child away at school.* Where the claimant and a mentally competent child are separated because the child is away at school, such claimant is exercising parental care and responsibility during such separation if:

(1) The child is under 18 years of age and spends an annual vacation of at least 30 consecutive days with the claimant, unless it is not feasible for the child to return to the claimant, or to remain with the claimant for that length of time, during vacations; and

(2) The claimant supervises the child's activities and participates in the important decisions about the child's physical and mental needs; and

(3) Where the child's mother and father are separated, the school authorities look to the claimant when they have a question concerning the child's welfare and care, and the child normally returns to such claimant during vacations.

(b) *Claimant and child not living together because of the claimant's employment.* Where the claimant and a mentally competent child under 18 years of age are separated because of such claimant's employment, the claimant is exercising parental control and responsibility if such claimant supervises the child's activities, participates in the important decisions about the child's physical and mental needs, and makes regular and substantial contributions towards the child's support.

(c) *Claimant and child not living together because of physical illness or disability.* Where the claimant and a mentally competent child under 18 years of age are separated because of the physical disability of either claimant or child, such claimant is exercising parental control and responsibility if the claimant supervises the child's activities and participates in the important decisions about the child's physical and mental needs.

(d) *Claimant and child not living together; child mentally incompetent.* Where a claimant and child are not living together (regardless of reason) and the child is mentally incompetent, such claimant is exercising parental control and responsibility if the claimant supervises the activities of the child, participates in the important decisions about the child's physical and mental needs, and measurably controls the child's upbringing, and development.

19. Section 404.349 is revised to read as follows:

§ 404.349 Child in care; when a child is not in the care of a mother or father claimant.

Notwithstanding the provisions in §§ 404.342–404.348, a child is not in the care of a claimant, for purposes of this subpart or Subpart E of this part, if:

(a) The child is in the armed forces; or

(b) The claimant and the child are not living together and either:

(1) The child is living with the father or mother other than the mother or father claimant; or

(2) The mother or father claimant is mentally incompetent; or

(3) The child was removed from the mother or father claimant's custody and control by a court order; or

(4) The mother or father claimant has relinquished such claimant's right to custody and control of the child to some other person or agency; or

(5) The separation is for a period of more than 6 months, and the child is age 18 or older and is mentally competent.

[FR Doc.76-8778 Filed 3-29-76;8:45 am]

[Regulations No. 16, further amended]

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED (1974)

Subpart K—Income and Exclusions

Subpart L—Resources and Exclusions

EXCLUSION FROM INCOME AND RESOURCES OF PAYMENTS RECEIVED UNDER STATUTES OTHER THAN THE SOCIAL SECURITY ACT

On May 7, 1975, there was published in the FEDERAL REGISTER (40 FR 19831) a Notice of Proposed Rule Making with proposed amendments to the regulations excluding from income, or income and resources, certain payments received under statutes, other than the Social Security Act, where those statutes provide for such exclusion.

Interested parties were given the opportunity to submit within 30 days, data, views, or arguments with regard to the proposed amendments. Five comments were received.

Two commenters indicated that the Notice did not contain an exclusion for payments under title I of the Domestic Volunteer Service Act of 1973, which they felt was provided for in that act. The final version of the regulations has been changed to provide that any payments made to volunteers under the Domestic Volunteer Service Act of 1973 are excluded from income and resources, as provided by section 404(g) of that Act.

One commenter suggested that the exclusion of one-third of child support payments from an absent parent in § 416.1145(b)(7) be modified to be compatible

with the rebate given to a parent where child support is being given to the county welfare department. This commenter also felt that the earned income disregard (§ 416.1145(b)(10)) is too high for a program based on need, and felt that § 416.1145(b)(11) discriminates against disabled and aged individuals by providing an exclusion of work expenses for the blind only. Each of the cited subparagraphs directly reflects express provisions of title XVI of the Social Security Act. Any changes based upon these comments would require legislative action and cannot be accomplished by regulations. Thus, no change has been made to the regulations.

Two commenters expressed full support of the exclusion for payments made under the Alaska Native Claims Settlement Act.

A new paragraph (§ 416.1146(k)) has been added outlining the exclusion from income of Experimental Housing Allowance Program payments under Annual Contributions Contracts entered into prior to January 1, 1975, under section 23 of the United States Housing Act of 1937. The Department of Housing and Urban Development has advised us that such payments continue to be subject to the same rules as were applicable at the time that the contracts were executed. Similarly, recognition is given (§§ 416.1146(m) and 416.1236(a)(11)) to an exclusion from income and resources for Federally donated foods.

Accordingly, with the additions outlined above and several editorial changes for clarity, the proposed amendments are adopted as set forth below.

(Secs. 1102 (49 Stat. 647; 42 U.S.C. 1302) and 1631(d)(1) (86 Stat. 1476; 42 U.S.C. 1383(d)(1)) of the Social Security Act, as amended, sec. 216 of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646; 84 Stat. 1902; 42 U.S.C. 4636), sec. 4 of Pub. L. 92-254 (86 Stat. 65; 25 U.S.C. 1264), sec. 7 of Pub. L. 93-134 (87 Stat. 468; 25 U.S.C. 1407), sec. 7(c) of the Food Stamp Act of 1964 (78 Stat. 705 as amended; 7 U.S.C. 2016(c)), sec. 3 of Pub. L. 90-302 (82 Stat. 117; 42 U.S.C. 1761(h)(3)), sec. (11)(b) of the Child Nutrition Act of 1966 (Pub. L. 89-642; 80 Stat. 889; 42 U.S.C. 1780(b)), sec. 507 of Pub. L. 90-575 (82 Stat. 1063), sec. 111(a) of the Comprehensive Employment and Training Act of 1973 (Pub. L. 93-203; 87 Stat. 849; 29 U.S.C. 821(a)), sec. 709 of Pub. L. 92-258 (86 Stat. 95; 42 U.S.C. 3045(h)), sec. 404(g) of the Domestic Volunteer Service Act of 1973 (Pub. L. 93-113; 87 Stat. 409; 42 U.S.C. 5044), 42 U.S.C. 1402(1), sec. 21(a) of the Alaska Native Claims Settlement Act (Pub. L. 92-203; 85 Stat. 713; 43 U.S.C. 1620(a)), and 7 C.F.R. 250.6(e)(9) as authorized by 5 U.S.C. 301.

Effective Date. These regulations shall be effective as of January 1, 1974.

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

Dated: November 14, 1975.

J. B. CARDWELL,
Commissioner of Social Security.

Approved: February 18, 1976.

DAVID MATHEWS,
Secretary of Health, Education, and Welfare.

Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. Section 416.1145 is revised to read as follows:

§ 416.1145 Exclusions from income; order of application.

(a) For the purpose of determining countable income in accordance with § 416.1115, there shall be excluded prior to items listed in paragraph (b) of this section, payments or benefits provided under a Federal statute, other than title XVI of the Social Security Act, where exclusion is required by such statute (§ 416.1146).

(b) For the purpose of determining countable income in accordance with § 416.1115, the following income shall be excluded after income described in paragraph (a) of this section:

(1) Return or refund by any public agency of taxes on real property or food (§ 416.1149).

(2) Assistance based on need which is paid by any State or political subdivision in supplementation of benefits (§ 416.1151).

(3) Tuition and fee portions of grants, scholarships and fellowships (§ 416.1153).

(4) Home produce used for personal consumption (§ 416.1155).

(5) Infrequently or irregularly received income, unearned and earned, if such income does not exceed $60 per quarter of unearned income and $30 per quarter of earned income (§ 416.1157).

(6) Certain payments received for foster care (§ 416.1159).

(7) One-third of child support payments by an absent parent (§ 416.1161).

(8) Student child's earned income up to specified limits (§ 416.1163).

(9) The first $60 per quarter of income, earned or unearned, other than income based on need (§ 416.1165).

(10) Earned income in the amount of $195, plus one-half of the remainder of the earned income per quarter (§ 416.1167).

(11) Work expenses of the blind (§ 416.1169).

(12) Income of the blind and disabled needed to fulfill an approved plan for the achievement of self-support (§§ 416.1171, and 416.1731).

(c) In determining the countable income in accordance with § 416.1115, the exclusions listed in paragraph (b) of this section shall apply first to unearned income, and then to earned income, where appropriate. In so applying they shall be considered in the numerical sequence in which they are listed in paragraph (b) of this section.

2. New § 416.1146 is added to read as follows:

§ 416.1146 Exclusions from income; provided by other statutes.

Payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion from income is required by such statute include:

(a) Payments received under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(84 Stat. 1902, 42 U.S.C. 4636).

(b) Judgment payments to members of the Blackfeet and Gros Ventre Tribes of Indians under the provisions of Pub. L. 92-254.

(86 Stat. 65, 25 U.S.C. 1264).

(c) Indian per capita judgment payments, under the provisions of Pub. L. 93-134 (87 Stat. 468, 25 U.S.C. 1407), awarded from the date of that act (October 19, 1973), excluding such payments when made to any tribe or group whose trust relationship with the Federal government has been terminated and for which there already existed legislation authorizing the disposition of its judgment funds; but including all funds deriving from judgments entered prior to the date of the act for which there has been no enabling legislation.

(d) The value of the coupon allotment in excess of the amount paid for the coupons under the Food Stamp Act of 1964 (78 Stat. 705, as amended, 7 U.S.C. 2016(c)).

(e) The value of assistance to children under the National School Lunch Act (60 Stat. 230, 42 U.S.C. 1751 et. seq.) as amended by Pub. L. 90-302 (82 Stat. 117, 42 U.S.C. 1761(h)(3)).

(f) The value of assistance to children under the Child Nutrition Act of 1966 (80 Stat. 889, 42 U.S.C. 1780(b)).

(g) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Commissioner of Education as provided by section 507 of the Higher Education Amendments of 1968, Pub. L. 90-575.

(82 Stat. 1063).

(h) Incentive allowances of $30 per week received under title I of the Comprehensive Employment and Training Act of 1973.

(87 Stat. 849, 29 U.S.C. 821(a)).

(i) Benefits received under title VII of the Older Americans Act of 1965 as amended by Pub. L. 92-258 (86 Stat. 95, 42 U.S.C. 3045(h)).

(j) Payments to volunteers under the Domestic Volunteer Service Act of 1973 as provided by section 404(g) of that act. (87 Stat. 409, 42 U.S.C. 5044).

(k) Experimental Housing Allowance Program payments under Annual Contributions Contracts entered into prior to January 1, 1975, under section 23 of the United States Housing Act of 1937. Such payments continue to be subject to the same rules as were applicable at the time that the contracts were executed (including 42 U.S.C. 1402(1)).

(l) Payments made pursuant to the provisions of the Alaska Native Claims Settlement Act to the same extent that those payments are exempt from taxation by reason of section 21(a) of that act (85 Stat. 713, 43 U.S.C. 1620(a)).

(m) Value of Federally donated foods distributed pursuant to section 32 of P.L. 94-320 or section 416 of the Agriculture Act of 1949 (7 CFR 250.6(e)(9) as authorized by 5 U.S.C. 301).

3. Section 416.1210 is amended by adding paragraph (j) to read as follows:

§ 416.1210 Exclusions from resources; general.

In determining the resources of an individual (and spouse, if any) the following items shall be excluded:

* * * * *

(j) Payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion is required by such statute. (See § 416.1236.)

4. A new § 416.1236 is added to read as follows:

§ 416.1236 Exclusions from resources; provided by other statutes.

(a) Payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion from resources is required by such statute include:

(1) Payments made under title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

(84 Stat. 1902, 42 U.S.C. 4636).

(2) Judgment payments to members of the Blackfeet and Gros Ventre Tribes of Indians under the provisions of Pub. L. 92-254 (86 Stat. 65, 25 U.S.C. 1264).

(3) Indian per capita judgment payments under the provisions of Pub. L. 93-134 (87 Stat. 468, 25 U.S.C. 1407), awarded from the date of that act (October 19, 1973), excluding such payments when made to any tribe or group whose trust relationship with the Federal government has been terminated and for which there already existed legislation authorizing the disposition of its judgment funds; but including all funds deriving from judgments entered prior to the date of the act for which there has been no enabling legislation.

(4) The value of the coupon allotment in excess of the amount paid for the coupons under the Food Stamp Act of 1964 (78 Stat. 705, as amended, 7 U.S.C. 2016 (c)).

(5) The value of assistance to children under the National School Lunch Act (60 Stat. 230, 42 U.S.C. 1751 et seq.) as amended by Pub. L. 90-302 (82 Stat. 117, 42 U.S.C. 1761(h)(3)).

(6) The value of assistance to children under the Child Nutrition Act of 1966 (80 Stat. 889, 42 U.S.C. 1780(b)).

(7) Any grant or loan to any undergraduate student for educational purposes made or insured under any program administered by the Commissioner of Education as provided by section 507 of the Higher Education Amendments of 1968, Pub. L. 90-575 (82 Stat. 1063).

(8) Incentive allowances received under title I of the Comprehensive Employment and Training Act of 1973 (87 Stat. 849, 29 U.S.C. 821(a)).

(9) Payments to volunteers under the Domestic Volunteer Service Act of 1973 as provided by section 404(g) of that act (87 Stat. 409, 42 U.S.C. 5044).

(10) Payments received under the Alaska Native Claims Settlement Act to the same extent that those payments are exempt from taxation by reason of section 21(a) of that act (85 Stat. 713, 43 U.S.C. 1620(a)).

(11) Value of Federally donated foods distributed pursuant to section 32 of P.L. 74-320 or section 416 of the Agriculture Act of 1949 (7 C.F.R. 250.6(e)(9) as authorized by 5 U.S.C. 301).

(b) In order for payments and benefits listed in paragraph (a) to be excluded from resources, such funds must be segregated and not commingled with other countable resources so that the excludable funds are identifiable.

[FR Doc.76-8776 Filed 3-29-76;8:45 am]

CHAPTER V—EMPLOYMENT AND TRAINING ADMINISTRATION

PART 620—HOUSING FOR AGRICULTURAL WORKERS

Approval of Housing; Conditional Access to Interstate Clearance System

On January 21, 1976 the Employment and Training Administration published at 41 FR 3095 a proposed rulemaking document which proposed to amend 20 CFR 620.3 *Variations* to permit Regional Administrators of the Employment and Training Administration to allow State employment service agencies to provide interstate agricultural recruitment services to employers who have given assurance that their housing will be in compliance with the requirements of Part 620 by a definite date, and whose housing was in compliance with the requirements of Part 620 during the previous year.

The Employment and Training Administration issued the proposed rulemaking because it was aware of the fact that many housing facilities are used only during limited periods of the year, particularly at harvest time, and because it has encouraged employers to place their job orders into interstate clearance early to permit the recruitment and hiring of workers well in advance of the time at which housing facilities will be used by the workers. This process has been of mutual advantage to both workers and employers. Job orders, for example, are often placed during the winter months when essential, though often simple, repairs are impracticable because of weather conditions. For these reasons some Regional Administrators of the Employment and Training Administration (RAETA), pursuant to 20 CFR 620.3 *Variations*, had temporarily allowed employers' job orders to go into interstate clearance provided the employers gave written assurance that the housing would fully meet the requirements of Part 620 at least 45 days prior to the housing's use, and provided the employers did not have a history of violating the requirements of Part 620. On October 21, 1975, however, the Federal Court for the Eastern District of Wisconsin, in the case of *Castenada* v. *Carriveau*, held that the language of the regulation at 20 CFR 620.3 did not support the procedure outlined above. The proposed rulemaking was intended to remedy this defect by amending the language of 20 CFR 620.3 to clearly allow conditional access to the interstate clearance system *provided* an employer gives written assurance that its housing will meet the requirements of Part 620 at least 45 days prior to occupancy and *provided* further that the employer's housing met the requirements of Part 620 during the period of occupancy of the previous year.

The proposed rulemaking also proposed to amend 20 CFR 620.3 *Variations* to reflect a previously published policy, 37 FR 743 and 39 FR 34057, that housing which meets the standards of the Occupational Safety and Health Administration (OSHA) at 20 CFR 1910.-142 shall be considered by the Employment and Training Administration as meeting the standards at 20 CFR Part 620.

Comments, data and arguments on the proposed rulemaking were invited to be submitted until February 20, 1976. Several comments were received, raising the following significant issues:

1. One comment argued that the proposed requirement that housing be in compliance 45 days before occupancy was too rigid and suggested that the Employment and Training Administration and the employer be allowed to agree on a date no less than 20 days before occupancy. This suggestion has not been accepted. The Employment and Training Administration believes the adoption of the suggestion would not allow sufficient time to locate migrants who have already begun their employment migration and to find alternative jobs for them if the housing fails inspection.

2. Some comments objected to the conditional early access procedure on the grounds that, if the housing failed inspection 45 days or so before occupancy, migrants, who had already entered the migrant stream, and who were elsewhere when the housing failed inspection, might later show up to work for the employer and would then be faced with either living in below-standard housing or trying to find other employment on very short notice.

In response to these comments the Employment and Training Administration has amended the regulation to provide that both the employment service agency of the employer's State and the employment service agency of the supply State shall make every reasonable attempt to notify crew leaders and migrants as soon as any housing fails inspection, to provide that both State agencies shall attempt to find alternative and equivalent work for the migrants, and to provide that an employer, who has not complied with the conditions of a conditional access authorization, shall not be eligible for conditional early access to the interstate clearance system in the following year.

With respect to this issue it should be noted that, since the date for full compliance with the housing standards will be incorporated in the interstate job order, the crew leaders and migrants will be put on notice both that there is a po-

tential problem with the housing and of the date the service of the job order will be terminated in the absence of compliance. Both crew leaders and migrants, therefore, will have an opportunity to choose alternate employment, if such is available.

The Employment and Training Administration recognizes that any system such as this cannot be made fail-safe. It is convinced, however, that the benefits to the migrant workers in pre-arranging a full work schedule outweigh any risks to the workers inherent in the system. Most workers whose itineraries were planned with the assistance of the employment service will be able to be located during the season. In addition, since, under the Farm Labor Contractor Registration Act, a crew leader may not legally allow migrants under the crew leader's supervision to live in housing which is in non-compliance, a crew leader, on the date by which compliance must be achieved, will have this added impetus to contact the State employment service office for the area of the employer's housing to learn the status of the housing and to ask for assistance in locating alternative employment for the migrants if the housing fails inspection.

3. Some comments suggested that the housing requirements of Part 620 be divided into "major" and "minor" requirements, and that conditional access to the interstate clearance system be allowed only with respect to the minor requirements. The Employment and Training Administration believes that this suggestion proposed too big a change to be adopted in this final rulemaking for the 1976 season. The suggestion has merit and is being carefully studied.

4. One comment suggested that an employer, who was allowed conditional access to the interstate clearance system and whose housing later failed inspection, should never again be allowed such conditional access. This suggestion was partially adopted; such an employer will not be eligible for such conditional access in the following year. The same comment suggested that an employer be required to pay damages in lieu of wages to farmworkers who cannot secure comparable employment after the employer's housing has failed inspection. This suggestion was not accepted because the employment service's only sanction, under the Wagner-Peyser Act, is the withdrawal of service. There is no legal authority under the Wagner-Peyser Act to impose monetary penalties on an employer.

5. Some comments requested clarification of the proposed relationship between the OSHA standards at 29 CFR 1910.142 and the standards at 20 CFR Part 620, asking whether an employer would now be allowed to choose to follow the less severe requirements of both sets of standards. One comment suggested that this be allowed, while another comment urged that employers be held to the stricter requirements contained in both sets of standards. The Employment and Training Administration believes that it would be impractical and confusing to allow a mixing of the requirements. The regulation, however, has been clarified to state that an employer must either accept one entire set of standards or the other.

6. Several comments urged the Department to adopt one uniform set of housing standards. The Department is continuing its efforts to achieve this result.

Accordingly, the Employment and Training Administration is amending 20 CFR 620.3 *Variations*. Since the period of time for the recruitment of migrant workers for this calendar year is already underway, and since job orders for migrants have, in many cases, been held from interstate clearance by State employment service agencies who are awaiting the publication of this regulation, the Employment and Training Administration believes that it is in the interest of both employers and migrant workers and, therefore, in the public interest that this regulation become effective as soon as possible. Accordingly, this regulation will become effective March 30, 1976 and shall read as follows:

§ 620.3 Variations.

(a) An employer may apply for a variance from specific housing standards in this Part by filing with the State employment service office serving the area in which the housing is located in written application for such a variance. The application must:

(1) Clearly specify the desired variance,

(2) Provide adequate justification that the variance is necessary to obtain a beneficial use of an existing facility, and to prevent a practical difficulty or unnecessary hardship, and

(3) Clearly set forth the appropriate alternative measures which the employer has taken to protect the health and safety of the employees, and adequately show that such alternative measures have achieved the same result as the requirements from which the employer desires the variance.

(b) An employer, whose housing during a period of nonuse has fallen out of compliance and who has not had a reasonable opportunity to bring its housing into compliance with the standards in this Part, may file, but only with the State employment service office serving the area in which its housing is located, a written request that its job orders be conditionally allowed into the interstate clearance system, provided:

(1) The employer's request includes a written statement, verified by the local State employment service office serving the area in which the housing is located, that the employer's housing was in compliance with the housing standards set forth in this Part during the period of its use in the previous year, and that, if the employer was granted such a request in the previous year, the employer complied with the conditions of that authorization; and

(2) The employer's request assures that its housing will be in full compliance with the requirements of this Part at least 45 days (giving the specific date) before the housing is to be occupied.

(c) Upon receipt of a written request for a variance under paragraph (a) or for conditional access to the interstate clearance system under paragraph (b) of this section, the local employment service office, serving the area in which the housing is located, shall send the request to the Regional Administrator, Employment and Training Administration (RAETA). The RAETA shall review the matter and may grant the request. Every authorization granted shall be in writing, and every authorization for conditional access to the interstate clearance system shall state that, although the housing does not comply with the standards set forth in this Part, the employer's job orders may be placed into interstate clearance until a specified date.

(d) If the RAETA does not grant the request, the RAETA shall notify in writing both the employer and the appropriate local employment service office, stating the reasons for the denial. If the RAETA grants a request, the RAETA shall send the authorization to the appropriate local employment service office with a copy to the employer. The local State employment service office shall attach copies of authorizations to the job orders placed into interstate clearance.

(e) The local State employment service office serving the area containing the housing of any employer granted conditional access to the interstate clearance system shall assure that the housing is inspected prior to three working days after the date by which the employer has promised to have its housing in compliance with the requirements of this Part. An employer, however, may request an earlier preliminary inspection. If upon inspection, or if on the date set forth in the authorization, whichever is later, the housing does not meet the standards set forth in this Part, the local State employment service office shall immediately remove the employer's job orders from interstate clearance, and, if workers have been recruited against these orders, shall, in cooperation with the employment service agencies in other States, make every reasonable attempt to locate and notify the appropriate crew leaders or migrants, and to find alternative and comparable employment for the migrants.

(f) An employer may adhere either to the full set of standards set forth in § 620.4–§ 620.17 of this Part or to the full set of standards of the Occupational Safety and Health Administration (OSHA) set forth at 29 CFR 1910.142. *Temporary labor camps*. The procedures of paragraphs (a) through (e) of this section, however, shall only apply to an employer who has chosen, as evidenced by its written request for a variance or for conditional access to the interstate

clearance system, to comply with the standards of §§ 620.4–620.17 of this Part.

(Wagner-Peyser Act, as amended (29 U.S.C. 49c–3, 557), 48 Stat. 117)

Signed at Washington, D.C. this 23rd day of March, 1976.

WILLIAM H. KOLBERG,
Assistant Secretary for Employment and Training.

[FR Doc.76–8985 Filed 3–29–76;8:45 am]

Title 24—Housing and Urban Development

CHAPTER X—FEDERAL INSURANCE ADMINISTRATION

SUBCHAPTER B—NATIONAL FLOOD INSURANCE PROGRAM

[Docket No. FI–991]

PART 1915—IDENTIFICATION AND MAPPING OF SPECIAL HAZARD AREAS

List of Communities With Special Hazard Areas

The purpose of this notice is the identification of communities with areas of special flood or mudslide or erosion hazards in accordance with Part 1915 of Title 24 of the Code of Federal Regulations as authorized by the National Flood Insurance Program (42 U.S.C. 4001–4128). The identification of such areas is to provide guidance so that communities may adopt appropriate flood plain management measures to minimize damage caused by flood losses and to guide future construction, where practicable, away from locations which are threatened by flood hazards.

The Flood Disaster Protection Act of 1973 requires the purchase of flood insurance on and after March 2, 1974, as a condition of receiving any form of Federal or Federally related financial assistance for acquisition or construction purposes in an identified flood plain area having special flood hazards that is located within any community participating in the National Flood Insurance Program.

One year after the identification of the community as flood prone, the requirement applies to all identified special flood hazard areas within the United States, so that, after that date, no such financial assistance can legally be provided for acquisition and construction in these areas unless the community has entered the program. The prohibition, however, does not apply to loans by a Federally regulated, insured, supervised or approved bank prior to March 1, 1976, to finance the acquisition of a previously occupied residential dwelling.

The effective date of identification shall be 30 days after the date of publication in the FEDERAL REGISTER, or the date which appears in this notice, whichever is later.

This 30 day period does not supersede the statutory requirement that a community, whether or not participating in the program, be given the opportunity for a period of six months to establish that it is not seriously flood prone or that such flood hazards as may have existed have been corrected by floodworks or other flood control methods. The six months period shall be considered to begin 30 days after the date of publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later. Similarly, the one year period a community has to enter the program under Section 201(d) of the Flood Disaster Protection Act of 1973 shall be considered to begin 30 days after publication in the FEDERAL REGISTER or the effective date of the Flood Hazard Boundary Map, whichever is later.

Where several dates appear in the column set forth below marked Effective Date of Identification, the first date is the date of initial identification, and all other dates represent modification by additions or deletions to identified areas with special hazards.

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

§ 1915.3 List of communities with special hazard areas (FHBM's in effect).

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Alabama	Lauderdale	Florence, city of	H 010140A 01 through H 010140A 18	Alabama Development Office, State Office Bldg., 501 Dexter Ave., Montgomery, Ala. 36104. Alabama Insurance Department, Room 453, Administrative Bldg., Montgomery, Ala. 36104.	Mayor, P.O. Box 98, Florence, Ala. 35630.	May 17, 1974. Mar. 26, 1976.
Arkansas	Drew	Monticello, city of	H 050074 01 through H 050074 05	Division of Soil and Water Resources, State Department of Commerce, 1200 Westpark Dr., Room 308, Little Rock, Ark. 72204. Arkansas Insurance Department, 400 University Tower Bldg., Little Rock, Ark. 72204.	Mayor, City Hall, Monticello, Ark. 71655.	May 21, 1976.
California	San Mateo	Atherton, town of	H 060312A 01 through H 060312A 02	Department of Water Resources, P.O. Box 388, Sacramento, Calif. 95802. California Insurance Department, 1407 Market St., San Francisco, Calif. 94103. California Insurance Department, 600 South Commonwealth Ave., Los Angeles, Calif. 90005.	City Engineer, 1914 Spring St., P.O. Box 980, Redwood City, Calif. 94064.	July 11, 1975. Mar. 26, 1976.
Do	Humboldt	Ferndale, city of	H 060445A 01	do	City Attorney, 370 Main St., Ferndale, Calif. 95536.	Dec. 20, 1974. Mar. 26, 1976.
Do	Kern	Taft, city of	H 065063A 01 through H 065063A 02	do	Mayor, 209 East Kern St., City Hall, Taft, Calif. 93268.	June 28, 1974. Mar. 26, 1976.
Colorado	Moffat	Craig, city of	H 080119A 01	Colorado Water Conservation Board, Room 102, 1845 Sherman St., Denver, Colo. 80203. Colorado Insurance Commission, 106 State Office Bldg., Denver, Colo. 80203.	Mayor, City Hall, 538 Breeze St., P.O. Box 425, Craig, Colo. 81625.	May 3, 1974. Mar. 26, 1976.
Do	Grand	Fraser, town of	H 080078A 01	do	City Attorney, P.O. Box 666, Granby, Colo. 80446.	Sept. 6, 1974.
Do	Jefferson	Morrison, town of	H 080092A 01	do	Mayor, 110 Stone St., P.O. Box 95, Town Hall, Morrison, Colo. 80465.	Sept. 13, 1974. Mar. 26, 1976.
Do	Montrose	Nucla, town of	H 080127A 01	do	Mayor, P.O. Box 242, Town Hall, Nucla, Colo. 81424.	May 24, 1974. Mar. 26, 1976.
Do	Weld	Pierce, town of	H 080189A 01	do	Town Clerk, P.O. Box 57, Pierce, Colo. 80650.	Nov. 29, 1974. Mar. 26, 1976.
Do	Teller	Woodland Park, town of.	H 080175A 01	do	Mayor, Town Hall, P.O. Box G, Woodland Park, Colo. 80863.	June 7, 1974. Mar. 26, 1976.
Florida	Palm Beach	Greenacres, town of.	H 120203A 01 through H 120203A 02	Department of Community Affairs, 2571 Executive Center Circle East, Howard Bldg., Tallahassee, Fla. 32301. Florida Insurance Department, Treasurer's Office, The Capitol, Tallahassee, Fla. 32304.	Mayor, 500 Perry Ave., Greenacres City, Fla. 33463.	Jan. 9, 1974. Mar. 26, 1976.
Do	do	Lake Worth, city of.	H 120213A 01 through H 120213A 02	do	City Manager, 7 North Dixie Highway, Lake Worth, Fla. 33460.	Aug. 2, 1974. Mar. 26, 1976.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Duval	Neptune Beach, city of.	H 120079A 01	do	Mayor, P.O. Box 700, Neptune Beach, Fla. 32233.	May 31, 1974. Mar. 26, 1976.
Do	Bay	Panama City Beach, city of.	H 120013A 01 through H 120013A 07	do	Mayor, 110 Highway 79, Panama City Beach, Fla. 32401.	July 19, 1974. Mar. 26, 1976.
Do	Orange	Winter Garden, city of.	H 120187A 01 through H 120187A 04	do	Mayor, P.O. Box 1005, Winter Garden, Fla. 32787.	July 19, 1974. Mar. 26, 1976.
Georgia	Columbia	Unincorporated areas.	H 130059 01 through H 130059 27	Department of Natural Resources, Office of Planning & Research, 270 Washington St., SW., Room 707, Atlanta, Ga. 30334. Georgia Insurance Department, State Capitol, Atlanta, Ga. 30334.	Chairman, County Court House, Appling, Ga. 30802.	May 21, 1976.
Do	Chattooga	Summerville, city of.	H 130037A 01 through H 130037A 02	do	Mayor, P.O. Box 180, Summerville, Ga. 30747.	Apr. 12, 1974. Mar. 26, 1976.
Do	Emanuel	Swainsboro, city of.	H 130229A 01 through H 130229A 05	do	Mayor, P.O. Box 600, Swainsboro, Ga. 30401.	Sept. 20, 1974. Mar. 26, 1976.
Do	Worth	Sylvester, city of.	H 130198A 01 through H 130198A 02	do	Mayor, P.O. Box 368, Sylvester, Ga. 31791.	May 10, 1974. Mar. 26, 1976.
Do	Chattooga	Trion, town of	H 130038A 01 through H 130038A 03	do	Mayor, City Hall, Trion, Ga. 30753	May 3, 1974. Mar. 26, 1976.
Do	Dooly	Unadilla, town of.	H 130072A 01 through H 130072A 02	do	Mayor, P.O. Box 307, Unadilla, Ga. 31091.	June 14, 1974. Mar. 26, 1976.
Do	Lowndes	Valdosta, city of	H 130200A 01 through H 130200A 09	do	Mayor, City Hall, Valdosta, Ga. 31601.	Mar. 29, 1974. Mar. 26, 1976.
Do	Houston	Warner Robins, city of.	H 130111A 01 through H 130111A 05	do	Mayor, P.O. Box 1488, Warner Robins, Ga. 31093.	June 14, 1974. Mar. 26, 1976.
Do	Harris	Waverly Hall, town of.	H 130240A 01 through H 130240A 02	do	Mayor, P.O. Box 347, Waverly Hall, Ga. 31831.	June 14, 1974. Mar. 26, 1976.
Do	Burke	Waynesboro, city of.	H 130025A 01 through H 130025A 04	do	Mayor, P.O. Box 230, Waynesboro, Ga. 30830.	June 14, 1974. Mar. 26, 1976.
Do	Troup	West Point, city of.	H 130178A 01 through H 130178A 02	do	Mayor, P.O. Box 487, West Point, Ga. 31833.	June 7, 1974. Mar. 26, 1976.
Do	Barrow	Winder, city of	H 130234 01 through H 130234 04	do	Mayor, P.O. Box 566, Winder, Ga. 30680.	May 21, 1976.
Do	Camden	Woodbine, city of.	H 130241A 01	do	Mayor, P.O. Box 26, Woodbine, Ga. 31569.	June 14, 1974. Mar. 26, 1976.
Idaho	Shoshone	Mullan, city of	H 160115A 01 through H 160115A 02	Department of Water Administration, State House—Annex 2, Boise, Idaho 83707. Idaho Dept. of Insurance, Room 206—Statehouse, Boise, Idaho 83707.	Mayor, City Hall, Mullan, Idaho 83846.	Dec. 28, 1973. Mar. 26, 1976.
Illinois	McHenry	Algonquin, village of.	H 170474A 01	Governor's Task Force on Flood Control, 300 North State St., P.O. Box 475, Room 1010, Chicago, Ill. 60610. Illinois Insurance Department, 525 West Jefferson St., Springfield, Ill. 62702.	Village President, 2 South Main St., Algonquin, Ill. 60102.	Mar. 8, 1974. Mar. 26, 1976.
Do	Cook	Alsip, village of	H 170055A 01 through H 170055A 03	do	Village President, 4500 West 123d St., Alsip, Ill. 60658.	Mar. 22, 1974. Mar. 26, 1976.
Do	Gallatin	Equality, village of.	H 170244A 01	do	Mayor, Village Hall, Equality, Ill. 62934.	Mar. 22, 1974. Mar. 26, 1976.
Do	Kane	Hampshire, village of.	H 170327A 01	do	Village President, Village Hall, Hampshire, Ill. 60140.	May 3, 1974. Mar. 26, 1976.
Do	Cook	Lincolnwood, village of.	H 170118A 01	do	Mayor, 6918 Keeler Ave., Lincolnwood, Ill. 60646.	June 21, 1974.
Do	Tazewell	Marquette Heights, city of.	H 170650A 01	do	Mayor, 715 Lincoln Rd., Marquette Heights, Ill. 61554.	Mar. 8, 1974. Mar. 26, 1976.
Do	Clark	Martinsville, city of.	H 170041A 01	do	Mayor, City Hall, Martinsville, Ill. 62442.	Nov. 23, 1973. Mar. 26, 1976.
Do	Kendall	Newark, village of.	H 170344A 01	do	Village President, Village Hall, Newark, Ill. 60541.	Nov. 23, 1973. Mar. 26, 1976.
Do	Cook	Niles, village of	H 170130A 01 through H 170130A 03	do	Village President, 7601 Milwaukee Ave., Niles, Ill. 60648.	Mar. 29, 1974. Mar. 26, 1976.
Do	DuPage	Oakbrook Terrace, City of.	H 170215A 01	do	Mayor, 17 West 275 Butterfield Rd., Oakbrook Terrace, Ill. 60181.	Mar. 29, 1974. Mar. 26, 1976.
Do	Richland	Olney, city of	H 170581A 01 through H 170581A 02	do	Mayor, 300 South Whittle Ave., Olney, Ill. 62450.	Feb. 22, 1974. Mar. 26, 1976.
Do	Stephenson	Orangeville, village of.	H 170641A 01	do	Village President, Village Hall, Orangeville, Ill. 61060.	Aug. 16, 1974. Mar. 26, 1976.
Do	Pike	Pearl, village of	H 170556A 01	do	Village President, Village Hall, Pearl, Ill. 62361.	Dec. 28, 1973. Mar. 26, 1976.
Do	Menard	Petersburg, city of.	H 170506A 01	do	Mayor, City Hall, Petersburg, Ill. 62675.	Dec. 7, 1973. Mar. 26, 1976.
Do	Randolph	Prairie Du Rocher, village of.	H 170578A 01	do	Mayor, Village Hall, Prairie Du Rocher, Ill. 62277.	Nov. 23, 1973.
Do	Will	Romeoville, village of.	H 170711A 01 through H 170711A 02	do	Village President, Village of Romeoville, 13 Montrose Dr., Lockport, Ill. 60441.	Mar. 29, 1974. Mar. 26, 1976.
Do	Lake	Round Lake Beach, village of.	H 170389A 01 through H 170389A 02	do	Village President, 1212 North Cedar Lake Road, Round Lake, Ill. 60073.	Apr. 5, 1974. Mar. 26, 1976.
Do	St. Clair	Unincorporated areas.	H 170616 01 through H 170616 43	do	Director of Administration, 1 South Church St., Suite 206, Belleville, Ill. 62220.	May 21, 1976.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	McHenry	Spring Grove, village of.	H 170485A 01	do	Village President, 1902 Route, Illinois Rd., Spring Grove, Ill. 60081.	Mar. 8, 1974. Mar. 26, 1976.
Do	LaSalle and Livingston.	Streator, city of	H 170408A 01 through H 170408A 02	do	Mayor, 203 East Hickory, Streator, Ill. 61364.	Nov. 9, 1973. Mar. 26, 1976.
Do	Champaign	Urbana, city of	H 170035A 01 through H 170035A 04	do	Mayor, Box 219, Urbana, Ill. 61801	May 3, 1974. Mar. 26, 1976.
Indiana	Lake	Cedar Lake, town of.	H 180127A 01 through H 180127A 03	Indiana Division of Water, Department of Natural Resources, 608 State Office Bldg., Indianapolis, Ind. 46204. Indiana Insurance Department, 509 State Office Bldg., Indianapolis, Ind. 46204.	President, Town Board, 13106 Wicker Ave., Cedar Lake, Ind. 46303.	Dec. 28, 1973. Mar. 26, 1976.
Do	do	Crown Point, city of.	H 180128A 01 through H 180128A 03	do	Mayor, 104 East Clark St., Crown Point, Ind. 46307.	Nov. 23, 1973. Mar. 26, 1976.
Do	Porter	Dune Acres, town of.	H 180205A 01	do	Town Board President, Town of Dune Acres, 58 East Rd., Chesterton, Ind. 46304.	Dec. 28, 1973. Mar. 6, 1976.
Do	Grant	Fairmount, town of.	H 180074A 01	do	President, 214 West Washington St., Fairmount, Ind. 46928.	May 24, 1974. Mar. 26, 1976.
Do	Carroll	Flora, town of	H 180021A 01	do	Town Board President, 10 North Center St., Flora, Ind. 46029.	May 24, 1974. Mar. 26, 1976.
Do	Pulaski	Monterey, town of.	H 180333A 01	do	President, Town Board, Town Hall, Monterey, Ind. 46960.	Feb. 1, 1974.
Do	St. Joseph	North Liberty, town of.	H 180228A 01	do	President of the Board, Town Hall, North Liberty, Ind. 46554.	Nov. 30, 1973. Mar. 26, 1976.
Do	Putnam	Russellville, town of.	H 180218A 01	do	Town Board President, Box 135, Russellville, Ind. 46175.	Sept. 20, 1974.
Do	Jennings	Vernon, town of	H 180110A 01	do	Mayor, Town Hall, Vernon, Ind. 47282.	Jan. 9, 1974. Mar. 26, 1976.
Do	Pulaski	Winamac, town of.	H 180212A 01	do	Town Board, 120 West Main St., Winamac, Ind. 46996.	Nov. 23, 1973. Mar. 26, 1976.
Iowa	Audubon	Exira, city of	H 190013A 01	Iowa Natural Resources Council, James W. Grimes Bldg., Des Moines, Iowa 50319. Iowa Insurance Department, Lucas State Office Bldg., Des Moines, Iowa 50319.	Mayor, City Hall, Exira, Iowa 50076	May 10, 1974. Mar. 26, 1976.
Do	Keokuk	Keswick, city of	H 190750 01	do	Mayor, P.O. Box 3, Keswick, Iowa 50136.	May 21, 1976.
Do	Winnebago	Lake Mills, city of	H 190604 01	do	Mayor, P.O. Box 247, Lake Mills, Iowa 50450.	May 21, 1976.
Do	Cass	Massena, city of	H 190349 01	do	Mayor, Massena, Iowa 50583	May 21, 1976.
Do	Jones	Olin, city of	H 190176 01	do	Mayor, City of Olin, City Hall, Olin, Iowa 52320.	Aug. 30, 1974. Mar. 26, 1976.
Do	Scott	Riverdale, city of	H 190245A 01	do	Mayor, Town Hall, Riverdale, Iowa 52722.	Jan. 23, 1974. Mar. 26, 1976.
Kansas	Coffey	Burlington, city of.	H 200063B 01	Division of Water Resources, Kansas Department of Agriculture, 1720 South Topeka Ave., Topeka, Kans. 66612. Kansas Insurance Department, 1st Floor, Statehouse, Topeka, Kans. 66612.	City Clerk, City Hall, Burlington, Kans. 66839.	Dec. 28, 1973. Dec. 12, 1975. Mar. 26, 1976.
Do	Republic	Courtland, city of.	H 200399 01	do	Mayor, P.O. Box 143, Courtland, Kans. 66939.	May 21, 1976.
Kentucky	Breckinridge	Cloverport, city of.	H 210026A 01	Division of Water, Kentucky Department of Natural Resources, Capitol Plaza Office Tower, Frankfort, Ky. 40601. Kentucky Insurance Department, Old Capitol Annex, Frankfort, Ky. 40601.	Mayor, P.O. Box 66, Cloverport, Ky. 40111.	Feb. 1, 1974. Mar. 26, 1976.
Do	Fayette	Lexington, city of	H 210067A 01 through H 210067A 12	do	Mayor, Municipal Bldg., Lexington, Ky. 40507.	Feb. 15, 1974. Mar. 26, 1976.
Do	Pulaski	Somerset, city of	H 210199A 01 through H 210199A 03	do	Mayor, P.O. Box 989, Somerset, Ky. 42501.	May 24, 1974. Mar. 26, 1976.
Louisiana	Morehouse	Bastrop, city of	H 220127A 01 through H 220127A 05	State Department of Public Works, P.O. Box 44155, Capitol Station, Baton Rouge, La. 70804. Louisiana Insurance Commission, Box 44214, Capitol Station, Baton Rouge, La. 70804.	Mayor, Bastrop, La. 71220	Mar. 15, 1974. Mar. 26, 1976.
Do	W. Carroll	Oak Grove, town of.	H 220342 01 through H 220342 02	do	Mayor, Town Hall, Oak Grove, La. 71263.	May 21, 1976.
Do	Franklin	Winnsboro, town of.	H 220074A 01 through H 220074A 02	do	Mayor, Town Hall, Winnsboro, La. 71295.	Dec. 17, 1973. Mar. 26, 1976.
Maine	Cumberland	Gorham, town of	H 230047A 01 through H 230047A 21	Bureau of Civil Emergency Preparedness, State House, Augusta, Maine 04330. Maine Insurance Department, Capitol Shopping Center, Augusta, Maine 04330.	Code Enforcement Office, Town Office, 270 Main St., Gorham, Maine 04038.	Nov. 15, 1974. Mar. 26, 1976.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Minnesota	Cook	Grand Marais, city of.	H 270089A 01 through H 270089A 03	Division of Waters, Soils and Minerals, Department of Natural Resources, Centennial Office Bldg., St. Paul, Minn. 55101. Minnesota Division of Insurance, R-210, State Office Bldg., St. Paul, Minn. 55101.	Mayor, City Hall, Grand Marais, Minn. 55604.	Aug. 23, 1974. Mar. 26, 1976.
Do	Norman	Hendrum, city of.	H 270325A 01	do	Mayor, City Hall, Hendrum, Minn. 56550.	Aug. 9, 1974.
Do	Houston	Houston, city of.	H 270193A 01	do	Mayor, City Hall, 109 West Maple St., Houston, Minn. 55943.	May 24, 1974. Mar. 26, 1976.
Do	Koochicking	International Falls, city of.	H 270235A 01	do	Mayor, Municipal Bldg., P.O. Box 292, International Falls, Minn. 56649.	June 7, 1974. Mar. 26, 1976.
Do	Wabasha	Millville, city of.	H 270488A 01	do	Mayor, City Hall, Millville, Minn. 55957.	Aug. 2, 1974. Mar. 26, 1976.
Do	Wright	Monticello, city of.	H 270541A 01	do	Mayor, City Hall, 215 South Cedar St., Monticello, Minn. 55362.	May 24, 1974. Mar. 26, 1976.
Do	Scott and Le Sueur.	New Prague, city of.	H 270249A 01	do	Mayor, City Hall, 118 Central Ave. North, New Prague, Minn. 56071.	May 10, 1974. Mar. 26, 1976.
Do	Big Stone	Odessa, city of.	H 270027A 01	do	Mayor, City Hall, Odessa, Minn. 56276.	Nov. 23, 1973. Mar. 26, 1976.
Do	Mille Lacs	Onamia, city of.	H 270290A 01	do	Mayor, City Hall, Onamia, Minn. 56359.	May 10, 1974. Mar. 26, 1976.
Do	Big Stone	Ortonville, city of.	H 270028A 01 through H 270028A 03	do	Mayor, City Hall, 315 Madison St., Ortonville, Minn. 56278.	Nov. 9, 1973. Mar. 26, 1976.
Missouri	Barton	Lamar, city of.	H 290025A 01 through H 290025A 03	Department of Natural Resources, Division of Program & Policy Development, State of Missouri, 308 East High St., Jefferson, Mo. 65101. Missouri Division of Insurance, P.O. Box 690, Jefferson, Mo. 65101.	Mayor, 1100 Broadway, City Hall, Lamar, Mo. 64759.	Dec. 28, 1973. Mar. 26, 1976.
Do	St. Louis	Pine Lawn, city of.	H 290379A 01 through H 290379A 02	do	Mayor, City Hall, Pine Lawn, Mo. 63121.	Apr. 5, 1974. Mar. 26, 1976.
Nebraska	Holt	O'Neill, city of.	H 310116A 01 through H 310116A 02	Nebraska Natural Resources Commission, Terminal Bldg., 7th Floor, Lincoln, Nebr. 68508. Nebraska Insurance Department, 1335 L St., Lincoln, Nebr. 68509.	Mayor, City Hall, O'Neill, Nebr. 68763.	Jan. 23, 1974. Mar. 26, 1976.
New York	Steuben	Addison, town of.	H 360761A 01 through H 360761A 03	New York State Department of Environmental Conservation, Division of Resources Management Services, Bureau of Water Management, Albany, N.Y. 12201. New York State Insurance Department, Two World Trade Center, New York, N.Y. 10047.	Town Supervisor, RD No. 1, Addison, N.Y. 14801.	Sept. 6, 1974. Mar. 26, 1976.
Do	Westchester	Ardsley, village of.	H 360902A 01 through H 360902A 02	do	Mayor, 505 Ashford Ave., Ardsley, N.Y. 10502.	Apr. 13, 1973. Mar. 26, 1976.
Do	Cayuga	Auburn, city of.	H 360102A 01 through H 360102A 04	do	Mayor, Memorial City, Auburn, N.Y. 13021.	Nov. 28, 1973. Mar. 26, 1976.
Do	Erie	Aurora, town of.	H 360227A 01 through H 360227A 09	do	Town Supervisor of Aurora, 5 South Grove St., East Aurora, N.Y. 14052.	Apr. 12, 1974. Mar. 26, 1976.
Do	Chenango	Bainbridge, village of.	H 360158A 01	do	Mayor, Village Hall, Bainbridge, N.Y. 13733.	May 3, 1974. Mar. 26, 1976.
Do	Saratoga	Ballston Spa, village of.	H 360710A 01	do	Mayor, Village of Ballston Spa, 66 Front St., Ballston, N.Y. 12020.	May 31, 1974. Mar. 26, 1976.
Do	Nassau	Bayville, village of.	H 360988A 01	do	Mayor, 34 School St., Bayville, N.Y. 14709.	May 3, 1974.
Do	Steuben	Campbell, town of.	H 360768A 01 through H 360768A 05	do	Supervisor, Knox St., Campbell, N.Y. 14821.	May 31, 1974. Mar. 26, 1976.
Do	Allegany	Canaseraga, village of.	H 360027A 01	do	Mayor, Village Hall, Canaseraga, N.Y. 14822.	May 10, 1974. Mar. 26, 1976.
Do	Jefferson	Cape Vincent, village of.	H 361574 01	do	Village Mayor, Village Hall, Cape Vincent, N.Y. 13618.	May 21, 1976.
Do	Greene	Catskill, village of.	H 360287A 01	do	President of the Village, 422 Main St., Catskill, N.Y. 12114.	Mar. 1, 1974. Mar. 26, 1976.
Do	Cayuga	Cayuga, village of.	H 360107A 01	do	Mayor, 6200 Center St., Cayuga, N.Y. 13024.	Jan. 9, 1974.
Do	Madison	Lebanon, town of.	H 360403A 01 through H 360403A 12	do	Supervisor, Town of Lebanon, Town Hall, Earlville, N.Y. 13332.	May 31, 1974. Mar. 26, 1976.
Do	Genesee	LeRoy, town of.	H 360280A 01 through H 360280A 11	do	Supervisor, 9232 Glenwood Dr., LeRoy, N.Y. 14482.	Mar. 8, 1974. Mar. 26, 1976.
Do	Lewis	Leyden, town of.	H 360369A 01 through H 360369A 03	do	Supervisor, Town of Leyden, West Main St., Port Leyden, N.Y. 13433.	July 19, 1974. Mar. 26, 1976.
Do	Chautauqua	Mayville, village of.	H 361059A 01 through H 361059A 02	do	Mayor, S. Erie St., Mayville, N.Y. 14757.	Aug. 23, 1974. Mar. 26, 1976.
Do	St. Lawrence	Rossie, town of.	H 361186A 01 through H 361186A 14	do	Town Supervisor, Rossie, N.Y. 13646.	Nov. 1, 1974. Mar. 26, 1976.
Do	Jefferson	Sackets Harbor, village of.	H 360351A 01 through H 360351A 02	do	Mayor, 112 North Broad St., Sackets Harbor, N.Y. 13685.	May 21, 1976.
North Carolina	Union	Indian Trail, town of.	H 370235A 01	Division of Community Assistance, Department of Natural & Economic Resources, P.O. Box 27687, Raleigh, N.C. 27611. North Carolina Insurance Department, P.O. Box 26387, Raleigh, N.C. 27611.	Mayor, P.O. Box 172, Indian Trail, N.C. 28079.	Sept. 6, 1974. Mar. 26, 1976.
Do	Rowan	Landis, town of.	H 370213A 01	do	Mayor, P.O. Box 4, Landis, N.C. 28088.	June 7, 1974. Mar. 26, 1967.
Do	Onslow	Swansboro, town of.	H 370179A 01	do	Mayor, P.O. Box 368, Swansboro, N.C. 28584.	May 24, 1974. Mar. 26, 1976.
Do	Duplin	Wallace, town of.	H 370084A 01	do	Mayor, 320 East Murray St., Wallace, N.C. 28466.	June 28, 1974. Mar. 26, 1976.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
North Dakota	Mercer	Hazen, city of	H 380067A 01	State Water Commission, State Office Bldg., 900 East Boulevard, Bismarck, N. Dak. 58501. North Dakota Insurance Department, State Capitol, Bismarck, N. Dak. 58501.	President, P.O. Box 726, City Hall, Hazen, N. Dak. 58545.	Nov. 23, 1973. Mar. 26, 1976.
Ohio	Franklin	Grove City, city of.	H 390173A 01 through H 390173A 05	Ohio Department of Natural Resources Flood Insurance Coor. Bldg., Fountain Sq., Columbus, Ohio 43224. Ohio Department of Insurance, 447 East Broad St., Columbus, Ohio 43215.	Mayor, 42 East Park St., Grove City, Ohio 43123.	May 17, 1974. Mar. 26, 1976.
Oklahoma	Osage	New Prue, town of.	H 400312 01	Oklahoma Water Resources Board, 5th Floor, Jim Thorpe Bldg., Oklanoma City, Okla. 73105. Oklahoma Insurance Dept., Room 408, Will Rogers Memorial Bldg., Oklahoma City, Okla. 73105.	Mayor, Town Hall, New Prue, Okla. 74054.	May 21, 1976.
Pennsylvania	York	Codorus, township of.	H 421142A 01 through H 421142A 08	Department of Community Affairs, Commonwealth of Pennsylvania, Harrisburg, Pa. 17120. Pennsylvania Insurance Department, 108 Finance Bldg., Harrisburg, Pa. 17120.	Chairman, Board of Supervisors, Township of Codorus, R.D. 2, Glen Rock, Pa. 17327.	Aug. 2, 1974. Mar. 26, 1976.
Do	Pike	Matamoras, borough of.	H 420758 01	do	Mayor, 5 Ave. North, Matamoras, Pa. 18336.	May 21, 1976.
Do	Bucks	Solebury, township of.	H 420202A 01 through H 420202A 08	do	Chairman Town Supervisor, Box 98, Solebury, Pa. 18963.	July 6, 1973. Mar. 26, 1976.
Do	York	York, city of	H 420945A 01 through H 420945A 09	do	Mayor, City Hall, York, Pa. 17405	Feb. 1, 1974. Mar. 26, 1976.
South Carolina	Anderson	Iva, town of	H 450017A 01	South Carolina Water Resources Commission, P.O. Box 4515, Columbia, S. C. 29240. South Carolina Insurance Department, 2711 Middleburg St., Columbia, S.C. 29204.	Mayor, P.O. Box 397, Iva, S.C. 29655	May 31, 1974. Mar. 26, 1976.
Texas	Harris	Bunker Hill Village, city of.	H 480290A 01 through H 480290A 02	Texas Water Development Board, P.O. Box 13087, Capitol Station, Austin, Tex. 78711. Texas Insurance Department, 1110 San Jacinto St., Austin, Tex. 78701.	Mayor, City Hall, Bunker Hill Village, Tex. 77024.	May 3, 1974.
Do	Moore	Cactus, city of	H 480490A 01	do	Mayor, P.O. Box 365, City Hall, Cactus, Tex. 79013.	June 14, 1974. Mar. 26, 1976.
Do	Crosby	Crosbyton, city of.	H 480159A 01	do	Mayor, 119-123 South Ayrshire, City Hall, Crosbyton, Tex. 79322.	May 10, 1974. Mar. 26, 1976.
Do	Bexar	Kirby, city of	H 480041A 01	do	Mayor, City Hall, Kirby, Tex. 78219	Jan. 23, 1974. Mar. 26, 1976.
Do	Cameron	Los Fresnos, city of.	H 480108A 01	do	Mayor, City Hall, Los Fresnos, Tex. 78566.	June 7, 1974. Mar. 26, 1976.
Do	Cochran	Morton, city of	H 480127A 01	do	Mayor, City Hall, 201 East Wilson, Morton, Tex. 79346.	June 14, 1974.
Do	Bell	Nolanville, city of.	H 480032A 01 through H 480032A 02	do	Mayor, City Hall, 100 Main St., Nolanville, Tex. 76559.	May 24, 1974. Mar. 26, 1976.
Utah	Utah	Mapleton, city of	H 490156A 01 through H 490156A 04	Department of Natural Resources, Division of Water Resources, State Capitol Bldg., Room 435, Salt Lake City, Utah 84114. Utah Insurance Department, 115 State Capitol, Salt Lake City, Utah 84114.	Mayor, City Hall, Mapleton, Utah 84633.	June 28, 1974. Mar. 26, 1976.
Do	Weber	South Ogden, city of.	H 490191A 01 through H 490191A 02	do	Mayor, City Hall, South Ogden, Utah 84403.	Apr. 5, 1974.
Vermont	Washington	Waterbury, village of.	H 500122A 01 through H 500122A 03	Management & Engineering Division, Department of Water Resources, Vermont Agency for Environmental Conservation, State Office Bldg., Montpelier, Vt. 05602. Vermont Insurance Department, State Office Bldg., Montpelier, Vt. 05602.	Town Manager, P.O. Box 352, Waterbury, Vt. 05676.	May 10, 1974. Mar. 26, 1976.
Virginia	Washington	Damascus, town of.	H 510170A 01 through H 510170A 03	Bureau of Water Control Management, State Water Control Board, P.O. Box 11143, Richmond, Va. 23230. Virginia Insurance Department, 700 Blanton Bldg., P.O. Box 1157, Richmond, Va. 23209.	Mayor, City Hall, Damascus, Va. 24236.	Mar. 8, 1974. Mar. 26, 1976.
Washington	Spokane	Cheney, city of	H 530175 01 through H 530175 02	Department of Ecology, Olympia, Wash. 98501. Washington Insurance Department, Insurance Bldg., Olympia, Wash. 98501.	Mayor, City Hall, 609 2d St., Cheney, Wash. 99004.	May 21, 1976.

State	County	Location	Map No.	State map repository	Local map repository	Effective date of identification of areas which have special flood hazards
Do	Stevens	Colville, city of	H 530187A 01 through H 530187A 02	do	Mayor, City Hall, 170 South Oak, Colville, Wash. 99114.	Dec. 28, 1973. Mar. 26, 1976.
West Virginia	Preston	Albright, town of.	H 540161A 01	Office of Federal-State Relations, Division of Planning & Development, Capitol Bldg., Room 150, Charleston, W. Va 25305. West Virginia Insurance Commission, 1800 Washington St., Bldg. No. 3, Room 643, Charleston, W. Va.	Mayor, Town of Albright, Albright, W. Va. 26519.	Oct. 25, 1974. Mar. 26, 1976.
Do	Greenbrier and Monroe.	Alderson, town of.	H 540041A 01	do	Mayor, P.O. Box 113, Alderson, W. Va. 24910.	June 14, 1974. Mar. 26, 1976.
Do	Harrison	Anmoore, town of.	H 540054A 01	do	Mayor, Town Hall, Anmoore, W. Va. 26323.	July 26, 1974. Mar. 26, 1976.
Do	Barbour	Belington, town of.	H 540002A 01 through H 540002A 04	do	Mayor, 505 Crim Ave., Belington, W. Va. 26250.	May 31, 1974. Mar. 26, 1976.
Do	Monongalia	Blacksville, town of.	H 540140A 01	do	Mayor, P.O. Box 32, Blacksville, W. Va. 26521.	Oct. 25, 1974.
Do	Mercer	Bramwell, town of.	H 540125A 01 through H 540125A 02	do	Mayor, Town Hall, Bramwell, W. Va. 24715.	May 24, 1974. Mar. 26, 1976.
Do	Preston	Bruceton Mills, town o.	H 540162A 01	do	Mayor, Town Hall, Bruceton Mills, W. Va. 26525.	Aug. 9, 1974. Mar. 26, 1976.
Do	Ritchie	Cairo, town of	H 540179A 01	do	Mayor, P.O. Box 401, Cairo, W. Va. 26337.	Aug. 9, 1974. Mar. 26, 1976.
Do	Hancock	Chester, city of	H 540048A 01	do	Mayor, 375 Carolina Ave., Chester, W. Va. 26034.	June 7, 1974. Mar. 26, 1976.
Do	Harrison	Clarksburg, city of.	H 540056A 01 through H 540056A 03	do	Mayor, City Hall, Clarksburg, W. Va. 26301.	Dec. 28, 1973. Mar. 26, 1976.
Do	Lincoln	Hamlin, town of	H 540089A 01	do	Mayor, P.O. Box 577, Hamlin, W. Va. 25523.	May 17, 1974. Mar. 26, 1976.
Do	Tucker	Hendricks, town of.	H 540193A 01	do	Mayor, Town Hall, Hendricks, W. Va. 26271.	Dec. 27, 1974. Mar. 26, 1976.
Do	Summers	Hinton, city of	H 540187A 01 through H 540187A 02	do	Mayor, 322 Summer St., Hinton, W. Va. 25951.	May 31, 1974.
Do	McDowell	Iaeger, town of	H 540118A 01 through H 540118A 03	do	Mayor, Town Hall, Iaeger, W. Va. 24844.	May 24, 1974. Mar. 26, 1976.
Do	Lewis	Jane Lew, town of.	H 540086A 01	do	Mayor, Town Hall, Jane Lew, W. Va. 26378.	Aug. 9, 1974.
Do	Mingo	Kermit, town of	H 540136A 01	do	Mayor, Town Hall, Kermit, W. Va. 25674.	Jan. 16, 1974.
Do	Mineral	Keyser, city of	H 540130A 01	do	Mayor, P.O. Box 70, Keyser, W. Va. 26726.	June 28, 1974. Mar. 26, 1976.
Do	McDowell	Kimball, town of	H 540120A 01	do	Mayor, P.O. Box 307, Kimball, W. Va. 24853.	May 17, 1974. Mar. 26, 1976.
Do	Harrison	Lost Creek, town of.	H 540057A 01 through H 540057A 03	do	Mayor, P.O. Box 216, Lost Creek, W. Va. 26385.	May 31, 1974. Mar. 26, 1976.
Do	Boone	Madison, city of	H 540008A 01 through H 540008A 02	do	Mayor, 352 Main St., Madison, W. Va. 25130.	June 14, 1974. Mar. 26, 1976.
Do	Marshall	McMechen, city of.	H 540110A 01	do	Mayor, City Hall, McMechen, W. Va. 26040.	Mar. 29, 1974. Mar. 26, 1976.
Do	Tyler	Middlebourne, town of.	H 540195A 01	do	Mayor, P.O. Box 167, Middlebourne, W. Va. 26149.	May 24, 1974. Mar. 26, 1976.
Do	Marion	Monongah, town of.	H 540104A 01 through H 540104A 02	do	Mayor, P.O. Box 2098, Monongah, W. Va. 26554.	May 31, 1974. Mar. 26, 1976.
Do	Monroe	Peterstown, town of.	H 540143A 01	do	Mayor, P.O. Box 487, Peterstown, W. Va. 24963.	June 28, 1974.
Do	Roane	Reedy, town of	H 540184A 01	do	Mayor, Town Hall, Reedy, W. Va. 25270.	Aug. 9, 1974.
Do	Raleigh	Rhodell, town of	H 540173 01	do	Mayor, Town Hall, Rhodell, W. Va. 25915.	May 21, 1976.
Do	Harrison	Stonewood, town of.	H 540061A 01	do	Mayor, 112 Southern Ave., Stonewood, W. Va. 26301.	Mar. 1, 1974. Mar. 26, 1976.
Wisconsin	Dodge	Horicon, city of	H 550098A 01	Department of Natural Resources, P.O. Box 450, Madison, Wis. 53701. Wisconsin Insurance Department, 201 East Washington Ave., Madison, Wis. 53703.	Mayor, 404 East League St., Horicon, Wis. 53032.	Nov. 30, 1973. Mar. 26, 1976.
Wyoming	Uinta	Evanston, city of	H 560054 01 through H 560054 02	Wyoming isaster & Civil Defense Agency, P.O. Box 1709, Cheyenne, Wyo. 82001. Department of Insurance, State of Wyoming, State Office Bldg., Cheyenne, Wyo. 82001.	Mayor, P.O. Box 130, Evanston, Wyo. 82930.	May 21, 1976.
Do	Sweetwater	Green River, town of.	H 560050A 01	do	Mayor, P.O. Box 127, Town Hall, Green River, Wyo. 82935.	Aug. 16, 1974. Mar. 26, 1976.

(National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968), effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001–4128; and Secretary's delegation of authority to Federal Insurance Administrator, 34 FR 2680, Feb. 27, 1969).

Issued: March 18, 1976.

J. ROBERT HUNTER,
Acting Federal Insurance Administrator.

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