

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

Dated: January 18, 1977.

WARREN E. DIRKS,
Manager, Federal
Crop Insurance Corporation.

[FR Doc. 77-5109 Filed 2-17-77; 8:45 am]

PART 409—ARIZONA-DESERT VALLEY CITRUS CROP INSURANCE

Subpart—Regulations for the 1974 and
Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE, 1977 CROP

Pursuant to the authority contained in 7 CFR § 409.30 of the above-identified regulations, the following county has been designated for citrus crop insurance for the 1977 crop year.

ARIZONA

Maricopa

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

Dated: January 18, 1977.

WARREN E. DIRKS,
Manager.

[FR Doc. 77-5110 Filed 2-17-77; 8:45 am]

PART 410—FLORIDA CITRUS CROP INSURANCE

Subpart—Regulations for the 1976 and
Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE, 1977 CROP

Pursuant to the authority contained in 7 CFR § 410.1 of the above-identified regulations, the following counties have been designated for citrus crop insurance for the 1977 crop year.

FLORIDA

Brevard	Marion
De Soto	Martin
Hardee	Orange
Hernando	Osceola
Highlands	Palm Beach
Hillsborough	Pasco
Indian River	Polk
Lake	St. Lucie
Manatee	Seminole

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

Dated: January 18, 1977.

WARREN E. DIRKS,
Manager.

[FR Doc. 77-5111 Filed 2-17-77; 8:45 am]

PART 413—TEXAS CITRUS CROP INSURANCE

Subpart—Regulations for the 1969 and
Succeeding Crop Years

APPENDIX—COUNTIES DESIGNATED FOR CITRUS CROP INSURANCE, 1977 CROP

Pursuant to the authority contained in 7 CFR § 413.20 of the above-identified regulations as amended, the following counties have been designated for citrus crop insurance for the 1977 crop year.

TEXAS

Cameron
Hidalgo

Willacy

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516.)

Dated: January 18, 1977.

WARREN E. DIRKS,
Manager.

[FR Doc. 77-5112 Filed 2-17-77; 8:45 am]

CHAPTER IX—AGRICULTURAL MARKET- ING SERVICE (MARKETING AGREE- MENTS AND ORDERS; FRUITS, VEGE- TABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Lemon Reg. 80]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling.

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period February 20-26, 1977. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.380 Lemon Regulation 80.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handling during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons is almost unchanged, being good in size 11's and smaller and easing on size 9's and larger. Average f.o.b. price was \$4.98 per

carton the week ended February 12, 1977, compared to \$5.06 per carton the previous week. Track and rolling supplies at 125 cars were down 10 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on February 15, 1977.

(b) Order. (1) The quantity of lemons grown in California and Arizona which may be handled during the period February 20, 1977, through February 26, 1977, is hereby fixed at 210,000 cartons.

(2) As used in this section, "handled", and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.)

Dated: February 16, 1977.

CHARLES R. BRADER,
Deputy Director, Fruit and Veg-
etable Division, Agricultural
Marketing Service.

[FR Doc. 77-5393 Filed 2-17-77; 11:34 am]

Title 12—Banks and Banking
CHAPTER II—FEDERAL RESERVE SYSTEM
SUBCHAPTER A—BOARD OF GOVERNORS OF
THE FEDERAL RESERVE SYSTEM

[Reg. D, Docket No. R-0069]

PART 204—RESERVES OF MEMBER BANKS

Reserve Percentages; Correction

In FR document 76-38116 appearing at page 56627 of the issue for Wednesday, December 29, 1976, § 204.5(a) (1) (iii) (b) and (c) should have read as follows:

§ 204.5 Reserve requirements.

- (a) * * *
- (1) * * *
- (iii) * * * (b) \$140,000 plus 9½ percent of its net demand deposits in excess of \$2 million if its aggregate net demand deposits are in excess of \$2 million but not more than \$10 million, (c) \$900,000 plus 11¼ percent of its net demand deposits in excess of \$10 million if its aggregate net demand deposits are in excess of \$10 million but not more than \$100 million, * * *

Board of Governors of the Federal Reserve System.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 77-5178 Filed 2-17-77; 8:45 am]

Title 14—Aeronautics and Space
CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS
[Regulation ER-985, Amendment 57; Docket 30109]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Fuel Surcharge Adjustments

Effective: February 14, 1977.

Adopted: February 14, 1977.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., February 14, 1977.

By Notice of Proposed Rulemaking EDR-316, Docket 30109 (42 FR 1271), the Board proposed to amend Part 288 of its Economic Regulations (14 CFR Part 288) concerned with the fuel surcharge adjustments to the minimum rates for Log-air and Quicktrans domestic cargo charters performed by air carriers for the Department of Defense (DOD) and contracted for by the Military Airlift Command (MAC). As explained more fully in the Notice, the proposed rule amendment provides automatic fuel surcharge rate adjustments consonant with changes in the Defense Supply Agency (DSA) list prices for jet fuel supplied to the carriers by DOD.

Comments in support of the proposed rule amendment were filed by Trans International, Inc., and Hawaiian Airlines, Inc., jointly, Evergreen International Airlines, Inc., and DOD. In addition, the carriers requested prompt implementation of the rule amendment.

We will adopt the rule amendment as proposed in the Notice.

In view of the carriers' request for prompt implementation of the amendment and the agreement between the affected parties, we find good cause exists to make the amendments effective on less than thirty (30) days' notice.

In consideration of the foregoing, the Board hereby amends Part 288 of its Economic Regulations (14 CFR Part 288) effective February 14, 1977, as follows:

Amend § 288.7(b) to amend the second proviso to read as follows:

§ 288.7 Reasonable level of compensation.

- (b) * * *
- (2) * * *

Provided, however, That effective February 14, 1977, if the price of any fuel product purchased from DOD for such services (reflecting military fuel prices established by the Defense Supply Agency (DSA)) varies from the base levels specified below, the total minimum compensation, as set forth above in paragraphs (1) and (2), for the transportation provided shall be adjusted (either upward or downward, as the case may be) by the difference in the price per gallon for such product fixed by the DSA and the price specified for such product below, times the number of U.S. gallons of such product purchased by the carrier from DOD for the transportation provided.

The base levels are as follows:

Jet fuel:	Standard price per U.S. gallon
JP-4	\$0.368
JP-5	.355

(Secs. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758 and 771, as amended; 49 U.S.C. 1324, 1373 and 1386.)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 77-5174 Filed 2-17-77; 8:45 am]

Title 28—Judicial Administration
CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 688-77]

PART 16—PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION

Subpart E—Exemption of Records Systems Under the Privacy Act

EXEMPTION OF SYSTEMS OF RECORDS UNDER THE PRIVACY ACT

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This regulation exempts certain systems of records maintained by various organizational units of the Department from provisions of the Privacy Act of 1974.

* Subject to footnote disclosures on Form 243 and Form 41 as provided in EDR-316, page 2.

EFFECTIVE DATE: February 18, 1977.

FOR FURTHER INFORMATION CONTACT: Harry Gastley, Administrative Counsel, Office of Management and Finance, Department of Justice, Washington, D.C. 20530 (202-739-5361).

SUPPLEMENTARY INFORMATION: On November 19, 1976, the Department of Justice published in the FEDERAL REGISTER a proposed regulation exempting systems of records from certain provisions of the Privacy Act, (41 FR 51123). No comments were received on the proposed regulations.

By virtue of the authority vested in me by 5 U.S.C. 552a, and as Attorney General of the United States, the proposed amendments to §§ 16.76, 16.81, 16.88, 16.90, 16.92, 16.98, and 16.99 of Subpart E of Part 16 of Title 28, Code of Federal Regulations, as published in the FEDERAL REGISTER on November 19, 1976 (41 FR 51123), are adopted without change and as set forth below:

Dated: February 10, 1977.

GRIFFIN B. BELL,
Attorney General.

1. Section 16.76 is amended by adding paragraphs (f) and (g) to read as follows:

§ 16.76 Exemption of Office of Management and Finance Systems.

(f) The following system of records is exempt from 5 U.S.C. 552a (d):

(1) Freedom of Information/Privacy Act Records System (JUSTICE/OMP-019).

These exemptions apply only to the extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a(k) (2).

(g) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because that portion of the Freedom of Information/Privacy Act Records System that consists of investigatory materials compiled for law enforcement purposes is being exempted from access and contest; the provision for disclosure of accounting is not applicable.

(2) From subsection (d) because of the need to safeguard the identity of confidential informants and avoid interference with ongoing investigations or law enforcement activities by preventing premature disclosure of information relating to those efforts.

2. Section 16.81 is amended by adding paragraphs (d) and (e) to read as follows:

§ 16.81 Exemption of U.S. Attorneys Systems—Limited access, as indicated.

(d) The following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a(j) (2) from subsections (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G), (H) and (I), (e) (5)

and (8), (f), and (g) of 5 U.S.C. 552a; in addition, the following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a (k) (1) and (k) (2) from subsections (c) (3), (d), (e) (1), (e) (4), (G), (H) and (I), and (f) of 5 U.S.C. 552a:

Freedom of Information/Privacy Act Records (JUSTICE/USA-009).

These exemptions apply only to the extent that the records contained in this system have been obtained from other systems of records maintained by the U.S. Attorneys Offices for which exemptions from one or more of the foregoing provisions of the Privacy Act of 1974 have been promulgated. The exemption claimed for this system of records applies only to records obtained from such other U.S. Attorneys Offices systems and only to the same extent as the records contained in such other systems have been exempted.

(e) The system of records listed under paragraph (d) of this section is exempted for the following reasons:

(1) In the course of processing requests for records pursuant to the Freedom of Information Act (5 U.S.C. 522) or for access or correction of records pursuant to the Privacy Act (5 U.S.C. 552a), it is frequently necessary to search for records in systems of records for which exemptions have been claimed pursuant to 5 U.S.C. 552a (j) or (k). When records are located in said systems, it is frequently necessary to prepare copies for the purpose of consulting with agency personnel or with other agencies, either with regard to determining whether or to what extent the records should be disclosed, or access provided, or correction made or denied or for review in the event of administrative appeal or judicial review.

(2) If records otherwise exempt pursuant to published rules should lose their exempt character when taken from such exempt systems for the purpose of compliance with the Freedom of Information Act and the Privacy Act in reviewing such records and making a determination with regard to disclosure, access, and the Department of Justice in claiming correction, the purpose of the Privacy Act in providing such exemptions and such exemptions would be defeated and nullified. The proper, efficient, and timely processing of citizens' requests pursuant to said Acts would be hindered and impeded.

3. Section 16.88 is amended by adding paragraphs (c) and (d) to read as follows:

§ 16.83 Exemption of Antitrust Division Systems—Limited access as indicated.

(c) The following system of records is exempt from 5 U.S.C. 552a (c) (3), (d), (e) (4), (G) and (H), and (f).

(1) Antitrust Caseload Evaluation System (ACES)—Monthly Report. (Justice/ATR-009)

These exemptions apply only to the extent that information in these systems

is subject to exemption pursuant to 5 U.S.C. 552a(k) (2). It is noted however that the provisions of 5 U.S.C. 552a are not applicable to these systems by virtue of 5 U.S.C. 552a(d) (5).

(d) Exemption from the particular subsections are justified for the following reasons:

(1) Exemption from subsection (c) (3) is justified because these systems are maintained in aid of ongoing antitrust enforcement investigations and proceedings. The release of the accounting of disclosures made under subsection (b) of the Act would permit the subject of an investigation of an actual or potential criminal or civil violation to determine whether he is the subject of an investigation. Disclosure of the accounting would therefore present a serious impediment to antitrust law enforcement efforts.

(2) 5 U.S.C. 552a(d) does not apply to these systems by virtue of 5 U.S.C. 552a(d) (5). In addition, exemptions from subsections (d), (e) (4), (G) and (H), and (f), all related to matters concerned with individual access to information in systems of records, are justified under 5 U.S.C. 552a(k) (2) because access to the information retrievable from this system and compiled for law enforcement purposes could result in the premature disclosure of the identity of the subject of an investigation of an actual or potential criminal or civil violation and information concerning the nature of that investigation. This information could enable the subject to avoid detection or apprehension. This would present a serious impediment to effective law enforcement since the subject could hinder or prevent the successful completion of the investigation.

4. Section 16.90 is amended by adding paragraphs (g) and (h) to read as follows:

§ 16.90 Exemption of Civil Rights Division Systems—Limited access, as indicated.

(g) The following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a(j) (2) from subsections (c) (3), (d), and (g) of 5 U.S.C. 552a; in addition, the following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a(k) (2) from subsections (c) (3), and (d) of 5 U.S.C. 552a: Freedom of Information/Privacy Act Records (JUSTICE/CRT-010).

These exemptions apply only to the extent that the records contained in this system have been obtained from other systems of records maintained by the Civil Rights Division for which exemptions from one or more of the foregoing provisions of the Privacy Act of 1974 have been promulgated. The exemptions claimed for this system of records apply only to records obtained from such other Civil Rights Division systems and only to the same extent as the records contained in such other systems have been exempted.

(h) The system of records listed under paragraph (g) of this section is exempted for the following reasons:

(1) In the course of processing requests for records pursuant to the Freedom of Information Act (5 U.S.C. 552) or for access or correction of records pursuant to the Privacy Act (5 U.S.C. 552a), it is frequently necessary to search for records in systems of records for which exemptions have been claimed pursuant to 5 U.S.C. 552a (j) or (k). When records are located in said systems, it is frequently necessary to prepare copies for the purpose of consulting with agency personnel or with other agencies, either with regard to determining whether or to what extent the records should be disclosed, or access provided, or correction made or denied, or for review in the event of administrative appeal or judicial review.

(2) If records otherwise exempt pursuant to published rules should lose their exempt character when taken from such exempt systems for the purpose of compliance with the Freedom of Information Act and the Privacy Act in reviewing such records and making determination with regard to disclosure, access, and correction, the purpose of the Privacy Act in providing such exemptions, and of the Department of Justice in claiming such exemptions would be defeated and nullified. The proper, efficient, and timely processing of citizens' requests pursuant to said Acts would be hindered and impeded.

5. Section 16.92 is revised as follows:

§ 16.92 Exemption of Land and Natural Resources Division Systems—Limited access, as indicated.

(a) The following system of records is exempt from 5 U.S.C. 552a (c) (3) and (d):

(1) Docket Card System (JUSTICE/LDN-003).

These exemptions apply only to the extent that information in this system is subject to exemption pursuant to 5 U.S.C. 552a(k) (2).

(b) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because that portion of the Docket Card System relating to enforcement of criminal provisions of the Refuse Act of 1899 (33 U.S.C. 407), Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403), Section 5 of the Outer Continental Shelf Act (43 U.S.C. 1151 et seq.), the Clean Air Act (42 U.S.C. 1857 et seq.) and the Noise Control Act of 1972 (42 U.S.C. 4901), is being exempted from access and contest; the provision for disclosure of accounting is not applicable.

(2) From subsection (d) because of the need to safeguard the identity of confidential informants and to facilitate the enforcement of the criminal provisions of the above statutes.

(c) The following system of records is exempt from 5 U.S.C. 552a (c) (3) and (d):

(1) Freedom of Information/Privacy Act Records System. (Justice/LDN-005).

These exemptions apply only to the extent that information in this system is

subject to exemption pursuant to 5 U.S.C. 552a(k) (2).

(d) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because that portion of the Freedom of Information/Privacy Act Records System that consists of investigatory materials compiled for law enforcement purposes is being exempted from access and content; the provision for disclosure of accounting is not applicable.

(2) From subsection (d) because of the need to safeguard the identity of confidential informants and avoid interference with ongoing investigations or law enforcement activities by preventing premature disclosure of information relating to those efforts.

6. Section 16.98 is amended by adding paragraphs (g) and (h) to read as follows:

§ 16.98 Exemption of Drug Enforcement Administration Systems—Limited access, as indicated.

(g) The following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a(j) (2) from subsections (c) (3) and (4), (d), (e) (1), (2) and (3), (e) (4) (G), (H) and (I), (e) (5) and (8), (f), and (g) of 5 U.S.C. 552a; in addition, the following system of records is exempted pursuant to the provisions of 5 U.S.C. 552a (k) (1) and (k) (2) from subsections (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I), and (f) of 5 U.S.C. 552a:

Freedom of Information/Privacy Act Records (Justice/DEA-010).

These exemptions apply only to the extent that the records contained in this system have been obtained from other systems of records maintained by the Drug Enforcement Administration for which exemptions from one or more of the foregoing provisions of the Privacy Act of 1974 have been promulgated. The exemption claimed for this system of records applies only to records obtained from such other Drug Enforcement Administration systems and only to the same extent as the records contained in such other systems have been exempted.

(h) The system of records listed under paragraph (g) of this section is exempted for the following reasons:

(1) In the course of processing requests for records pursuant to the Freedom of Information Act (5 U.S.C. 552) or for access or correction of records pursuant to the Privacy Act (5 U.S.C. 552a), it is frequently necessary to search for records in systems of records for which exemptions have been claimed pursuant to 5 U.S.C. 552a (j) or (k). When records are located in said systems, it is frequently necessary to prepare copies for the purpose of consulting with agency personnel or with other agencies, either with regard to determining whether or to what extent the records should be disclosed, or access provided, or correction made or denied, or for review in the

event of administrative appeal or judicial review.

(2) If records otherwise exempt pursuant to published rules should lose their exempt character when taken from such exempt systems for the purpose of compliance with the Freedom of Information Act and the Privacy Act in reviewing such records and making determination with regard to disclosure, access, and the Department of Justice in claiming correction, the purpose of the Privacy Act in providing such exemptions, and such exemptions would be defeated and nullified. The proper, efficient, and timely processing of citizens' requests pursuant to said Acts would be hindered and impeded.

7. Section 16.99 is amended by adding new paragraph (a) (24), revising the undesignated paragraph which follows the exemptions in paragraph (a), and by revising paragraphs (b), (c), and (d).

§ 16.99 Exemption of Immigration and Naturalization Service System—Limited access.

(a) * * * (24) Alien Documentation, Identification, and Telecommunication (ADIT) System.

These exemptions apply to the extent that information in these subsystems is subject to exemption pursuant to 5 U.S.C. 552a (j) and (k).

(b) Exemptions from the particular subsections are justified for the following reasons:

(1) From subsection (c) (3) because the release of the disclosure accounting for disclosure pursuant to the routine uses published for these subsystems would permit the subject of a criminal or civil investigation to obtain valuable information concerning the nature of that investigation and present a serious impediment to law enforcement.

(2) From subsection (c) (4) since an exemption is being claimed for subsection (d), this subsection will not be applicable.

(3) From subsection (d) because access to the records contained in these subsystems would inform the subject of a criminal or civil investigation of the existence of that investigation, provide the subject of the investigation with information that might enable him to avoid detection or apprehension, and present a serious impediment to law enforcement.

(4) From subsection (e) (1) because in the course of criminal or civil investigations, the Immigration and Naturalization Service often obtains information concerning the violation of laws other than those relating to violations over which INS has investigative jurisdiction. In the interests of effective law enforcement, it is necessary that INS retain this information since it can aid in establishing patterns of criminal activity and provide valuable leads for those law enforcement agencies that are charged with enforcing other segments of the criminal law.

(5) From subsection (e) (2) because in a criminal or civil investigation, the requirement that information be collected to the greatest extent possible from the subject individual would present a serious impediment to law enforcement in that the subject of the investigation would be placed on notice of the existence of the investigation and would therefore be able to avoid detection or apprehension.

(6) From subsection (e) (3) because the requirement that individuals supplying information be provided with a form stating the requirements of subsection (e) (3) would constitute a serious impediment to law enforcement in that it could compromise the existence of a confidential investigation, reveal the identity of confidential sources of information and endanger the life or physical safety of confidential informants.

(7) From subsections (e) (4) (G) and (H) because these subsystems of records are exempt from individual access pursuant to subsection (j) of the Privacy Act of 1974.

(8) From subsection (e) (4) (I) because the Immigration and Naturalization Service maintains the confidentiality of sources of information in order to protect their privacy and physical safety and to maintain the confidentiality of their cooperation. The publication of categories of sources would constitute a breach of confidentiality on the part of INS and restrict the free flow of information essential to effective law enforcement.

(9) From subsection (e) (5) because in the collection of information for law enforcement purposes it is impossible to determine in advance what information is accurate, relevant, timely, and complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significance as further investigation brings new details to light and the accuracy of such information can only be determined in a court of law. The restrictions of subsection (e) (5) would restrict the ability of trained investigators and intelligence analysts to exercise their judgment in reporting on investigations and impede the development of criminal intelligence necessary for effective law enforcement.

(10) From subsection (e) (8) because the individual notice requirements of subsection (e) (8) could present a serious impediment to law enforcement as this could interfere with the Immigration and Naturalization Service's ability to issue administrative subpoenas and could reveal investigative techniques and procedures.

(11) From subsection (f) because these subsystems of records have been exempted from the access provisions of subsection (d).

(12) From subsection (g) because these subsystems of records are compiled for law enforcement purposes and have been exempted from the access provisions of subsections (d) and (f).

(13) From subsection (h) because to permit the parent of any minor, or the legal guardian of an individual who has

been legally declared incompetent to obtain access to a record which is exempt to the individual would be a serious impediment to law enforcement in that it would enable the individual by himself or through the aid of others, to avoid detection or apprehension.

(14) In addition, these subsystems of records are exempt from compliance with the following provisions of the Privacy Act of 1974 (5 U.S.C. 552a), subsections (c)(3), (d), (e)(1), (e)(14) (G), (H) and (I), and (f) to the extent that the records contained in these subsystems are classified pursuant to Executive order.

(c) The Border Patrol Academy Index Subsystem is exempt from 5 U.S.C. 552a (d) and (f).

This exemption applies only to the extent that information in this subsystem is subject to exemption pursuant to 5 U.S.C. 552a(k).

(d) Exemptions for the particular subsections are justified for the following reasons.

(1) From subsection (d) because exemption is claimed only for those testing and examination materials used to determine an individual's qualifications for retention and promotion in the Immigration and Naturalization Service. This is necessary to protect the integrity of testing materials and to insure fair and uniform examinations.

(2) From subsection (f) because the subsystem of records has been exempted from the access provisions of subsection (d).

[FR Doc. 77-5153 Filed 2-17-77; 8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 14—DEPARTMENT OF THE INTERIOR

Nomenclature Amendments

Pursuant to the authority of the Secretary of the Interior contained in 5 U.S.C. 301, Chapter 14 of Title 41 of the Code of Federal Regulations is hereby amended as follows:

1. Wherever the title "Assistant Secretary—Management" appears in this chapter, it is changed to read "Assistant Secretary—Administration and Management".

This amendment is made in accordance with a September 20, 1976, memorandum of the Secretary changing the secretarial assignment title.

2. (a) Wherever the name "Office of Management Services" appears in this chapter, it is changed to read "Office of Administrative and Management Policy".

(b) Wherever the name "Division of Property Management, Office of Management Services" appears in this chapter, it is changed to read "Division of Property Management, Office of Administrative and Management Policy."

(c) Wherever the name "Office of Management Operations" appears in this chapter, it is changed to read "Office of Administrative Services."

(d) Wherever the title "Director, Office of Management Services" or "Director

of Management Services" appears in this chapter, it is changed to read "Director, Office of Administrative and Management Policy."

(e) Wherever the title "Assistant Director for Property Management, Office of Management Services" or "Assistant Director for Property Management" appears in this chapter, it is changed to read "Chief, Division of Property Management, Office of Administrative and Management Policy."

Amendment (2) (a) above is made in accordance with Secretarial Order No. 2993 dated September 29, 1976, as implemented in Departmental Manual Release No. 1937 dated December 8, 1976.

It is the general policy of the Department of the Interior to allow time for interested parties to take part in the rule-making process. However, the amendments contained herein are entirely administrative in nature. Therefore, the public rulemaking process is waived and this amendment will become immediately.

The Department of the Interior has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 or OMB Circular A-107.

RICHARD R. HITE,
Deputy Assistant
Secretary of the Interior.

FEBRUARY 9, 1977.

[FR Doc. 77-6047 Filed 2-17-77; 8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. MC-C-4000 (Sub-No. 6)]

PART 1047—EXEMPTIONS

Order; Exempt Zone (Passengers)—Chicago, Ill., O'Hare Airport

At a Session of the Interstate Commerce Commission, Review Board Number 3 (Members Parker, Fortier, and Hill), held at its office in Washington, D.C., on the 24th day of January 1977.

It appearing, That the limits of the exempt zone for the motor transportation of passengers incidental to transportation by aircraft of the O'Hare International Airport, Chicago, Ill., are presently defined by the general definition in 49 CFR 1047.45; and that the exempt zone includes all points within a 25-mile radius of the above-mentioned airport;

It further appearing, That by petition filed May 17, 1976, Hammond Yellow and Checker Cab, Inc., doing business as Airport Limousine Service, of Hammond, Ind., seeks an individual determination of the "exempt" zone of the Chicago O'Hare Airport, as it relates to the transportation of passengers who have had or will have an immediately prior or immediately subsequent movement by air, pursuant to 49 CFR 1047.45(c), so as to have all points in Lake and Porter Counties, Ind., included within the limits of the said zone;

It further appearing, That pursuant to section 553 of the Administrative Procedure Act, notice of the said petition was published in the FEDERAL REGISTER on September 9, 1976, which notice stated that no oral hearings were contemplated; that persons desiring to participate in the proceeding were invited to file representations supporting or opposing the proposal; that no statements in support of or opposed to the proposal were separately filed; that attached to the petition were statements in support of the proposal from petitioner, Pleasure Tours & Travel, Inc., of Hobart, Ind., Allied Travel Agency, of Portage, Ind., Royal International Tours and Travel Agency, of Gary, Ind., Allied Travel Agency, of Merrillville, Ind., Bank of Highland, Travel Department, of Highland, Ind., Prestige World Travel, Inc., of Munster, Ind., Impact Travel Service, of Munster, Ind., HSB Tours & Travel, of Hammond, and J. J. Bowen, Deputy Commissioner for the Department of Aviation for the City of Chicago, Ill.

And it further appearing, That the evidence of record demonstrates that a substantial volume of passengers from northern Indiana points surrounding the Gary and Hammond, Ind., area utilize the Chicago O'Hare Airport both to and from part of the area sought to be included within the exemption; that these surface interstate movements are incidental to transportation by aircraft; that no such evidence was produced that transportation from and to points in the entire countrywide areas sought for inclusion herein is incidental to transportation by aircraft; and that the area to be included, therefore, shall consist of the area from and to which a substantial number of passengers utilize surface transportation in interstate movement's from and to the Chicago O'Hare Airport (points in Indiana on and north of U.S. Highway 30 and on and west of Indiana Highway 49);

Wherefore, and good cause appearing therefor:

It is ordered, That 49 CFR 1047.45 be, and it is hereby, amended to include the following addition in section (d) thereunder:

(3) Chicago O'Hare International Airport (Chicago, Ill.). The transportation by motor vehicle, in interstate or foreign commerce, of passengers, having an immediately prior or subsequent movement by air, between O'Hare International Airport, at Chicago, Ill., on the one hand, and, on the other, points in Indiana on and north of U.S. Highway 30 and on and west of Indiana Highway 49, is partially exempt from regulation under section 203(b)(7a) of the Interstate Commerce Act. (49 U.S.C. 303);

It is further ordered, That this order shall become effective April 19, 1977.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission Review Board Number 3,

ROBERT L. OSWALD,
Secretary.