SUPPLEMENTARY INFORMATION: This regulation need not be published as a proposed rule. The regulation has been in effect since 1971 without associated problems and may therefore be published as a final rule in accordance with 5 U.S.C. 553 and Om 310-1-8.

NOTE.—The U.S. Army Corps of Engineers has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Section 222.3 is added to Part 222 to read as follows:

Sec.
222.3 Inspection and Evaluation of Corps of Engineers Bridges.

AUTHORITY: Sec. 26, Federal-Aid Highway Act of 1968, 23 U.S.C. 116(d); delegation of authority in 49 CFR 1.48(b).

§ 222.3 Inspection and Evaluation of Corps of Engineers Bridges.[1]

(a) *Purpose*. The purpose of this regulation is to define the policy, and prescribe the procedures and responsibilities for the periodic inspection and evaluation of bridges owned or maintained by the Corps of Engineers on Civil Works projects.

(b) *Applicability*. This regulation applies to all field operating agencies having Civil Works responsibilities.

(c) *References*. (1) ER 1110-2-100.

(2) ER 1110-2-101.

(3) Manual of Maintenance Inspection of Bridges, American Association of State Highway and Transportation Officials (AASHTO), 341 National Press Building, Washington, D.C. 20004.

(4) Bridge Inspection Training Manual, Department of Transportation, 400 7th Street, S.W., Room 3113, Washington, D.C. 20590.

(d) *Policy*. This regulation pertains to all public bridge structures, having a total length between abutments of 20 feet or more, owned or maintained by the Corps of Engineers on Civil Works projects. Public bridge structures across dams and spillways are included in the program. This program will insure the safety and integrity, by adequate inspection and maintenance, of all public bridges owned or maintained by the Corps of Engineers on Civil Works projects in compliance with the National Bridge Inspection Standards of the Federal Highway Administration, included as Appendix A[2] to this ER. Bridges such as outlet works or dam service bridges not open to the public are not included in this program but are to be included in the program of ER 1110-2-100.

(e) *Inspection procedure*. The bridges subject to this regulation shall be inspected in accordance with the Manual of Maintenance Inspection of Bridges, 1974, published by the American Association of State Highway and Transportation Officials (AASHTO).

(f) *Frequency and extent of inspections*. Each bridge subject to this regulation shall be inspected every 2 years unless the condition of the bridge is such that more frequent inspections are required. The depth to which each bridge is to be inspected will depend on such factors as age, traffic characteristics, state of maintenance, and known deficiencies. The initial inspection of each bridge shall be complete and comprehensive and shall include a technical evaluation of all elements of the bridge.

(g) *Qualification of inspectors*. The inspection team will be headed by an individual with bridge design experience and all members shall be adequately versed in the principles of bridge inspection contained in the Bridge Inspection Training Manual published by the Department of Transportation.

(h) *Inspection report*. (Exempt under para. 7-2u, AR 335-15) (1) A formal technical report of the inspection and evaluation of each bridge shall be prepared for permanent record and to form a basis for major remedial work when required. The initial and supplementary bridge inspection reports shall be prepared in accordance with the provisions of paragraph (c)(3) of this section. The description of the bridge will be supplemented by sufficient drawings to illustrate the basic structure, adequately. The report will contain an evaluation of the condition of the bridge; proposed remedial measures, work schedule and estimated cost, when appropriate; and recommendations for depth and frequency of future inspections.

(2) The inspection report will be submitted for review and approval within 120 days of the inspection. These reports will be reviewed and approved by the Division Engineers except as follows:

(i) Those reports prepared in Division offices.

(ii) Those reports which indicate that the safety of the bridge structure is questionable.

(iii) Those reports which indicate the necessity for repairs or rehabilitation beyond the scope of normal maintenance.

(3) Those reports not approved by the Division Engineers will be transmitted promptly through the Division office to HQDA (DAEN-CWE-D), WASH DC 20314. The views and recommendations of the Division Engineer will be included in the transmittal correspondence.

(i) *Reporting distress*. When the inspection and evaluation of the bridge structure indicates evidence of distress or potential failure requiring immediate remedial action, DAEN-CWE-D will be immediately informed through the Division office in accordance with reference b.

(j) *Bridge inventory*. An inventory of all bridge structures subject to this regulation shall be prepared and maintained. This inventory will consist of a Bridge Inventory and Evaluation Sheet for each bridge. These Inventory and Evaluation Sheets shall include the following information:

(1) Identification Data.

(i) Structure Number.

(ii) Location: Project, Highway Designation, County, State.

(2) Structure Data.

(i) Date Built.

(ii) Type of Bridge.

(iii) Use: Average Daily Traffic (ADT), Type of Traffic.

(iv) Number Traffic Lanes, Roadway Width.

(v) Number of Spans and Span Lengths, Total Length.

(vi) Design Loading.

(vii) Load Postings and Speed Postings (If Posted).

(3) Inspection and Appraisal Data (Original and Supplementary Reports).

(i) Date Inspected.

(ii) Date Report Approved.

(iii) Condition of Bridge.

(iv) Inventory Rating.

(v) Operating Rating.

(k) *Schedule of inspections*. A schedule of the inspections and status of reports will be maintained by the Division Engineers.

(l) *Responsibilities*. (1) The Engineering Division of the District office will formulate the plans for the inspection, conduct the inspection, analyze the results, evaluate the bridge, determine depth and frequency of future inspections, prepare the report and prepare and maintain the Bridge Inventory and Evaluation Sheets.

(2) The Operations Division of the District office will assist and participate in the inspection.

(3) The Engineering Division of the Division office will review and monitor the inspection and evaluation activities. This element will be responsible for maintaining the schedule of inspections and status of reports; and establishing procedures for promptly informing HQDA (DAEN-CWE-D) WASH DC 20314 when the inspection and evaluation indicates that the safety of the bridge structure is questionable.

(m) *Funding*. Funding for the bridge inspection and evaluation program shall be under Appropriation 96X3123, Operation and Maintenance, General, through regular budgetary procedures for the projects involved. Funds for the inspection, evaluation and report preparation and submission will be programmed by the Districts for the structures scheduled for inspection in each fiscal year.

Dated: March 17, 1977.

For the Chief of Engineers.

RUSSELL J. LAMP,
Colonel, Corps of Engineers, Executive.

[FR Doc.77-8577 Filed 3-24-77;8:45 am]

[1] This Regulation supersedes ER 1110-2-99, 6 August 1971.

[2] Appendix A is filed as a part of the original document. See 23 CFR Part 25 or 36 FR 7851, April 27, 1971.

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

[FRL 700-8]

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Missouri: Approval and Disapproval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of State plans for implementation of the national ambient air quality standards.

During June and October of 1976, the State of Missouri submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved Missouri plan pursuant to 40 CFR § 51.6. These schedules were adopted by the State and submitted to the Environmental Protection Agency for review after notice and public hearings. The public hearings were held in accordance with the procedural requirements of 40 CFR §§ 51.4 and 51.6 and the substantive requirements of 40 CFR § 51.15 pertaining to compliance schedules. The approvable compliance schedules have been reviewed and determined to be consistent with the approved control strategies of Missouri. One compliance schedule is not approvable because available information fails to demonstrate that source emissions will not interfere with attainment and maintenance of National Ambient Air Quality Standards.

Accordingly, the Administrator proposed approval and disapproval of these schedules on February 3, 1977 in the FEDERAL REGISTER at 42 FR 6613 and provided 30 days for public comment. No comments concerning these schedules were received. This publication approves four and disapproves one of the compliance schedules as revisions to the Missouri Implementation Plan pursuant to the provisions of 40 CFR 51.8.

Each approved revision establishes a new date by which the individual source must comply with the applicable emission limitation in the federally approved State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date." In all cases, the approved schedules include incremental steps toward compliance with the applicable emission limitations. While the tables below do not include these interim dates, the actual compliance schedules do. The "Effective Date" column in the table refers to the date the compliance schedule becomes effective for purposes of federal enforcement.

In the indication of approval and disapproval of individual compliance schedules, the individual schedules are included by reference only. In addition, an evaluation report has been prepared for each individual compliance schedule. These evaluation reports are available for public inspection at the Environmental Protection Agency Regional Office, 1735 Baltimore, Kansas City, Missouri. The compliance schedules and the State Implementation Plans are available for public inspection at the Environmental Protection Agency Regional Office; the Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street, S.W., Washington, D.C.; and the Missouri Department of Natural Resources, State Office Building, Jefferson City, Missouri.

This rulemaking will become effective March 25, 1977. The Agency finds that good cause exists for not deferring the effective date of this rulemaking for the following reasons:

1. The approved compliance schedules are already in effect under State Law, and

2. Federal disapproval of a compliance schedule imposes no additional regulatory burden on a source subject to the existing State Implementation Plan.

This rulemaking is promulgated pursuant to the authority of Section 110 of the Clean Air Act of 1970, as amended, 42 U.S.C. 1857c-5.

Dated: March 17, 1977.

DOUGLAS M. COSTLE,
Administrator,
Environmental Protection Agency.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart AA—Missouri

1. In § 52.1335, the table in paragraph (a) is amended by adding the following:

§ 52.1335 Compliance schedules.

* * * * *

(a) * * *

Missouri

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
*	*	*	*	*	*
Associated Electric Cooperative: Coalfired boiler.	New Madrid	S-VI, S-VIII	May 26, 1976	Immediately.	June 15, 1977
A. P. Green Refractories Co.: Vibrating bed clay dryer.	Mexico	S-V	do	do	Feb. 1, 1978
St. Joseph Light & Power: Boiler No. 5.	St. Joseph	(1)	do	do	May 31, 1977
Hercules, Inc.: Ammonium nitrate falling film evaporator.	Carthage	S-V	Aug. 31, 1976	do	July 31, 1977

[1] Regulations III and IV air pollution control regulation for the Kansas City metropolitan area.

2. In § 52.1335, the table in paragraph (b) is amended by adding the following:

§ 52.1335 Compliance schedules.

* * * * *

(b) * * *

Missouri

Source	Location	Regulation involved	Date adopted	Effective date	Final compliance date
*	*	*	*	*	*
International Multifoods Corp.: Mechanical sifters.	North Kansas City.	(1)			Aug. 31, 1976

[1] Regulation IV, air pollution control regulations for Kansas City metropolitan area.

[FR Doc.77-8656 Filed 3-24-77;8:45 am]

[FRL 701-1]

SUBCHAPTER C—AIR PROGRAMS

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Nebraska: Approval of Compliance Schedules

On May 31, 1972 (37 FR 10842), pursuant to section 110 of the Clean Air Act and 40 CFR Part 51, the Administrator approved portions of state plans for implementation of the national ambient air quality standards.

Revisions to the State Implementation Plan submitted by the State after adoption on February 22, 1974, were approved by the Environmental Protection Agency on September 9, 1975 (40 FR 41778). These revisions included the establishment of a July 31, 1976, date for the attainment of National Ambient Air Quality Standards (NAAQS).

After submittal of the emission limitations having statewide applicability, but prior to their September 9, 1975, approval, the State of Nebraska revised the numbering sequence of the emission limitations effective June 17, 1975. The emission limitations themselves were not changed.

In this promulgation, the numbering sequence which became effective June 17, 1975, is used. Pertinent Rule Numbers and descriptive titles are listed below:

Rule Title	*Rule No.*
Process operations; particulate emission limitations for existing sources	5
Fuel burning equipment; particulate emission limitations for existing sources	6

Rule Title	*Rule No.*
Incinerators; emission standards	7
Nitrogen oxides (calculated as nitrogen dioxide); emission standards for existing stationary sources	10
Visible emissions; prohibited (exceptions: See rule 18)	13
Dust; duty to prevent escape of	14

The State of Nebraska submitted to the Environmental Protection Agency compliance schedules to be considered as proposed revisions to the approved plan pursuant to 40 CFR § 51.6. The approvable schedules were adopted by the State and submitted to the Environmental Protection Agency after notice and public hearings in accordance with the procedural requirements of 40 CFR §§ 51.4 and 51.6 and the substantive requirements of 40 CFR § 51.15 pertaining to compliance schedules. These compliance schedules have been determined to be consistent with the approved control strategy of Nebraska.

Accordingly, the Administrator proposed approval of these schedules on February 4, 1977, in the FEDERAL REGISTER, 42 FR 6845. The proposed approval of these schedules published in the October 5, 1976, FEDERAL REGISTER provided for a 30-day comment period. No comments concerning these schedules were received. Set forth below are specific compliance schedules which the Administrator approves pursuant to 40 CFR § 51.8.

Each approved revision established a new date by which the individual source must comply with the applicable emission limitation in the federally approved State Implementation Plan. This date is indicated in the table below, under the heading "Final Compliance Date." In all cases, the schedules include incremental steps toward compliance with the applicable emission limitations. While the tables below do not include these interim dates, the actual compliance schedules do.

In the indication of approval of individual compliance schedules, the individual schedules are included by reference only. An evaluation report has been prepared for each individual compliance schedule and copies are available for public inspection at the Environmental Protection Agency Regional Office, 1735 Baltimore, Kansas City, Missouri. The compliance schedules and State Implementation Plans are available for public inspection at the Environmental Protection Agency Regional Office; the Environmental Protection Agency, Public Information Reference Unit, Room 2922, 401 M Street SW., Washington, D.C.; and the Nebraska Department of Environmental Quality, 301 Centennial Mall South, 4th Floor, Lincoln, Nebraska.

This rulemaking will be effective March 25, 1977. The Agency finds that good cause exists for not deferring the effective date of this rulemaking because the compliance schedules are already in effect under State law and federal approval imposes no new burdens.

(Sec. 110 of the Clean Air Act of 1970, as amended, 42 U.S.C. 1857c-5)

Dated: March 17, 1977.

DOUGLAS M. COSTLE,
Administrator,
Environmental Protection Agency.

Part 52 of Chapter I, Title 40 of the Code of Federal Regulations is amended as follows:

Subpart CC—Nebraska

1. In § 52.1425, the table in paragraph (a) is amended by adding the following:

§ 52.1425 Compliance schedules.

* * * * *

(a) * * *

Nebraska—Compliance schedules

Source	Location	Regulation involved	Date adopted	Variance expiration date	Final compliance date
*	*	*	*	*	*
Endicott Clay Products Co.	Fairbury				
Tunnel kiln		Rule 13	Sept. 10, 1976	July 1, 1977	July 1, 1977
Con Agra, Inc.	Fremont				
Cyclone on head house and cyclone-venting leg No. 2, west end of elevator.		Rule 13	Sept. 10, 1976	May 21, 1977	May 21, 1977

[FR Doc.77-8657 Filed 3-24-77;8:45 am]

SUBCHAPTER N—EFFLUENT GUIDELINES AND STANDARDS

[FRL 705-1]

PART 418—FERTILIZER MANUFACTURING POINT SOURCE CATEGORY

Nitric Acid and Phosphate Subcategories

Revocation of pH Limitations for Subparts A and E.

On April 8, 1974, effluent limitations guidelines, new source performance standards and new source pretreatment standards were promulgated pursuant to sections 301, 304(b), 306 and 307(c) of the Federal Water Pollution Control Act (the Act), 33 U.S.C. 1311, 1314(b), 1316 and 1317(c), for five subcategories of the Fertilizer Manufacturing point source category (40 CFR 418, Subparts A through E). Suits seeking review of those regulations were brought by companies representing the major producers of nitrogen fertilizers (including nitric acid) and by major producers of phosphate fertilizers. On January 16, 1976, Subpart E (the nitric acid subcategory) was amended to allow limited discharges of process wastewater following the submission of new data by industry. Thereafter, the parties to the suit brought by manufacturers of nitrogen fertilizers entered into a stipulation, approved by the Court, which stated in part:

> EPA agrees petitioners have raised a serious question concerning the reasonableness of requiring that the pH of all effluent discharges from nitric acid plants be continuously maintained within the range of 6–9. However, EPA desires to obtain additional data from petitioners and others to determine what modifications to the nitric acid effluent regulations, if any, are appropriate.

Petitioners in that suit have supplied the Agency with a report entitled "Control of pH of Nitric Acid Plant Effluent" and other information relating to the petitioners' pH issue. In addition, the Agency engaged an independent engineering consulting firm to conduct a study to evaluate systems and develop costs for pH control of mineral acid discharges and in connection with that study solicited pertinent information from a large number of nitric acid and sulfuric acid manufacturers.

On May 19, 1976, Subpart A (the phosphate subcategory) was amended to modify the gypsum pond wastewater retention requirements and the limitations for treated effluent pursuant to a joint motion and stipulation in the United States Court of Appeals for the Fifth Circuit. That stipulation also stated in part:

> On or before June 15, 1976, petitioners shall submit or make available to EPA data in their possession pertinent to their contention that any requirement that the pH of effluent be continuously maintained within the required range of 6.0 to 9.0 (or 6.0 to 9.5 as appropriate) is unreasonable.

On September 7, 1976, the Agency received a report from its contractor entitled "A Study of pH Control of Non-Process Cooling Water, Nitric Acid/Sulfuric Acid." This report was distributed for public review and comment.

On December 13, 1976, twelve companies representing the major producers of nitrogen fertilizers petitioned the United States Court of Appeals for the Sixth Circuit for judicial review of the pH regulations issued by EPA for the nitric acid subcategory. A similar petition was filed with the United States Court of Appeals for the Fifth Circuit on January 3, 1977 by twelve major producers of sulfuric acid for judicial review of the pH regulations issued for the phosphate subcategory.

The information presently available to the Agency indicates that while the better nitric acid plants are able to maintain their effluent discharges within the pH range of 6.0 to 9.0 more than 99.9 percent of the time on a yearly basis, maintaining pH within that range continuously or 100 percent of the time does not now appear to be economically feasible.

After consideration of all of the above information the Agency has concluded that the pH regulations contained in §§ 418.12, 418.13, 418.15, 418.52, 418.53, 418.55 and 418.56, should be revoked.

Therefore, the limitations and standards for pH for Subparts A and E are being revoked. The Agency intends to repromulgate the portions of the regulations revoked today as soon as reconsideration of the issue of 100 percent compliance with a fixed range of pH can be completed. Several alternatives are being evaluated, among these a requirement that the pH of the effluent be maintained in the range of 6.0 to 9.0, 99 percent of the time during any continuous seven (7) day period, and within the range of 3.5 to 11.0 at all other times on an instantaneous basis in those cases where continuous monitoring is required. Comments on this approach are solicited.

In the interim, effluent limitations and guidelines and new source performance standards for pH in the phosphate and nitric acid subcategories of the fertilizer point source category shall be considered to not be implemented for purposes of section 402(a)(1) of the Act.

Specifically, the following changes are made in 40 CFR Part 418: (Subparts A and E were promulgated April 8, 1974).

Subpart A—Phosphate Subcategory

In § 418.12, the limitations for pH are revoked. Delete the entry for pH from the tables in (c) and (d).

In § 418.13, the limitations for pH are revoked. Delete the entry for pH from the tables in (c) and (d).

In § 418.15, the limitations for pH are revoked. Delete the entry for pH from the tables in (c) and (d).

Subpart E—Nitric Acid Subcategory

In § 418.52, the limitations for pH are revoked. Delete the entry for pH from the tables in (a) and (b) and delete the entry for pH in (c).

In § 418.53, the limitations for pH are revoked. Delete the entry for pH from the tables in (a) and (b) and delete the entry for pH in (c).

In § 418.55, the limitations for pH are revoked. Delete the entry for pH from the tables in (a) and (b) and delete the entry for pH in (c).

In § 418.56, the limitations for pH are revoked. Delete the entry for pH in (c).

Dated: March 21, 1977.

DOUGLAS M. COSTLE,
Administrator.

[FR Doc.77-8898 Filed 3-24-77;8:45 am]

Title 45—Public Welfare

CHAPTER I—OFFICE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 103—RESEARCH AND TRAINING, EXEMPLARY AND CURRICULUM DEVELOPMENT PROGRAMS IN VOCATIONAL EDUCATION

Exemplary Projects in Vocational Education Criteria for Selection of Applicants for Fiscal Year 1977

On October 22, 1976, there was published in the FEDERAL REGISTER in 41 FR 46608–46612 a Notice of Proposed Rulemaking which set forth criteria for applications for grants under Part D of the Vocational Education Act of 1963, as amended, 20 U.S.C. 1302(c).

Interested persons were given until December 6, 1976, to submit comments, suggestions, or objections to the proposed criteria. The U.S. Office of Education received a series of comments from the National Advisory Council on Women's Educational Programs to which the Agency elects to respond without revision to the proposed selection criteria for the Part D program in FY 1977.

Comment. "Evaluation of each project should include an assessment of the extent to which sex bias and sex role stereotyping were addressed and eliminated or avoided (B.2.) This evaluation should take into account adequacy of guidance, counseling, placement, and follow-up services in providing sex-fair treatment. The evaluation also should consider the role of women in the project—as staff, consultants, advisors, and role models in connection with various activities."

Response. The regulations, as initially proposed, call for the elimination and avoidance of sex bias and sex role stereotyping in such areas as the selection, development, and/or alteration of curriculum, instructional materials, and evaluation instruments, the placement of young people in exploration and training, the provision of women and men in non-traditional work roles as role models for young people in the project, and in the provision of guidance, counseling, placement, and follow-up services.

The evaluation requirements, as initially proposed, call for an objective third-party evaluation, the design of which would attempt to measure student outcomes against the stated objectives of the project as well as gather process and treatment information necessary to show reason why the project was or was not successful in achieving the desired outcomes for the designated population of student participants. The combination of these two sets of requirements will, in the opinion of the U.S. Office of Education, result in the kind of evaluation anticipated by the National Advisory Council on Women's Education Programs. It is further anticipated that data respecting the role of women in the project, as staff, consultants, advisors, and role models, will be collected by the U.S. Office of Education program officers assigned to provide on-site monitorship and evaluation of processes in connection with the funded projects and their potential for continuation into a second and third year of project operation. Based on the above, the U.S. Office of Education, while respecting the desires of the Council for adequate evaluation, responds that revision of the proposed regulations is not essential to the achievement of the desired goal.

Comment. "Evaluation of applicants on the extent to which the applicant organization has committed itself to elimination and avoidance of sex bias and sex role stereotyping should not be limited to the project elements listed (F.1). In addition, criteria for selection should be based on commitment of the applicant as demonstrated by such documentation as policy statements by the board of education, in the case of a local educational agency, or affirmative action plans of the agency or institution."

Response. The above recommendation is appropriately covered in the Title IX final regulations which deal with non-discriminatory employment and affirmative action activities on the part of all applicants for Federal financial assistance. Extension of the Part D regulations to cover these aspects of Title IX regulations should not be made by the U.S. Office of Education at this time. The U.S. Office of Education will consider extending monitorship activities to cover the employment and affirmative action aspects of Title IX compliance after a policy has been established for the program monitorship role versus the role of the staff in the HEW Office of Civil Rights to which Title IX enforcement has been assigned.

Comment. "Evaluation of personnel provisions for each project should include the extent to which the staffing pattern reflects sex, race, and ethnic backgrounds of project participants (F.9.i)."

Response. As in the response to the recommendation immediately preceding this recommendation, the U.S. Office of Education will consider extending Part D regulations to cover the employment of personnel and affirmative action aspects of Title IX compliance in future years after an agency policy has been established for the program monitorship role in this respect versus the role of the staff in the HEW Office of Civil Rights to whom Title IX enforcement has been assigned.

Comment. "The 'external policy advisory board' required of each project (F.9.ii.) should include representation such as that required on advisory councils in Pub. L. 94–482 in Sec. 105(a) (17) * * *."

Response. The U.S. Office of Education will implement the provisions of Pub. L. 94–482 effective October 1, 1977 by Notice of Proposed Rulemaking published in the FEDERAL REGISTER; therefore, the Part D regulations should not anticipate the regulations under 94-482 at this time.

EFFECTIVE DATE

Pursuant to section 431(d) of the General Education Provisions Act, as amended (20 U.S.C. 1232(d)), these regulations have been transmitted to the Congress concurrently with their publication in the FEDERAL REGISTER. That section provides that regulations subject thereto shall become effective on the forty-fifth day following the date of such transmission, subject to the provisions therein concerning Congressional action and adjournment.

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

(Catalog of Federal Domestic Assistance No. 13.496; Vocational Education Curriculum)

Dated: February 2, 1977.

WILLIAM F. PIERCE,
Acting U.S. Commissioner of Education.

Approved: March 18, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary of Health, Education, and Welfare.

For further information contact: Ms. Joyce Cook, Bureau of Occupational and Adult Education, Division of Research and Demonstration, Room 5026, Regional Office Building No. 3, 7th and D Streets, S.W., Washington, D.C. 20202. (202) 245-2614.

Part 103 of title 45 is amended by revising Appendix A as follows:

APPENDIX A

EXEMPLARY PROJECTS IN VOCATIONAL EDUCATION—CRITERIA FOR FISCAL YEAR 1977

(A.) *Priority of award.* In awarding grants from funds available for this program, the Commissioner will give priority to applications for three-year demonstration projects which rank high on the basis of criteria published herein and which involve, in a single operational setting, one of the three program priority areas described below as well as the additional three program features which are required of all applicants. (A single operational setting may be defined as a school, a group of schools, a community and/or several communities in sufficiently close proximity to permit effective project management and supervision, and to insure that the activities being undertaken will achieve maximum impact and visibility within the defined geographic area.)

The closing date for the receipt of applications is being announced in this issue of the FEDERAL REGISTER.

From the applications which are submitted, the U.S. Office of Education will fund at least one three-year project in each eligible State and Territory. The initial funds will be awarded only for the first year of project operation. Continuation funding for the second and third years will be based on evidence of satisfactory progress during the previous twelve months and will be subject to changes in legislation and appropriations by the Congress.

Program Priority Area 1. Demonstration of the National Institute of Education's (NIE's) Experience-Based Career Education Program. The National Institute of Education's Experience-Based Career Education Program is characterized by the following significant elements:

1. It represents a comprehensive alternative to regular high school, offering courses which either fulfill or supplement all requirements for graduation;

2. It is experientially oriented in that students are permitted to perform non-paid work tasks as well as to observe adults in their work environment. It entails the opportunity for exposure to more than one community site, and requires learning more than one type of work-related skill. The activities in the work place are organized to yield academic, career, and interpersonal skills as well as occupational skills; and

3. It possesses an organizational structure made up of school and community representatives whose sole purpose is to render advisory, policy-making, or operational assistance to the program.

Experience-based programs designed for career exploration other than that developed by the National Institute of Education may be submitted for funding consideration under this priority area, provided that such programs are able to demonstrate equal evidence of effectiveness.

Program Priority Area 2. The further development and demonstration of the instructional strategies, methods, and techniques of the National Institute of Education's Experience-Based Career Education Program in conjunction with an in-school cluster structure designed for occupational exploration and initial job preparation. The cluster structure selected should be characterized by:

1. Delivery of skills and knowledges which are common to many occupations;

2. Provision of an obvious ladder of jobs from the skilled through the professional levels;

3. Provision of appropriate linkages, such as linkages for determining instructional content and for arranging placement, between the instructional program and the related units of business, industry, the professions, and government; and

4. Provision for each person leaving the cluster program to have an entry-level job skill, thereby permitting its participants to exercise the option of either getting a job or pursuing further education.

Aspects of the National Institute of Education's Experience-Based Career Education Program which appear particularly promising for implementation in conjunction with an in-school cluster structure are, among others, the learning site analysis technique, the student learning packages with behaviorally-stated objectives, and the employer recruitment and orientation process. Descriptive materials on these methods and techniques may be obtained from the Department of Health, Education, and Welfare/U.S. Office of Education Regional Offices listed in the notice of closing date for receipt of applications published in this issue of the FEDERAL REGISTER.

Applicants may propose the use of instructional strategies, methods, and techniques developed with other experience-based programs such as those developed under Parts B, C, D, and G of the Vocational Education Act when such programs can demonstrate equal evidence of effectiveness.

Program Priority Area 3. The further development and demonstration of the instructional strategies, methods, and techniques of the National Institute of Education's Experience-Based Career Education Program in expanded, improved, or newly developed cooperative vocational education and work experience programs, excluding Work Study Programs funded under Part H of the Vocational Education Act, Pub. L. 90-576.

Aspects of the Experience-Based Career Education Program which appear particularly promising for expanding and improving cooperative vocational education programs and work experience programs are, among others, the learning site analysis techniques, the student learning packages with behaviorally-stated objectives, and the employer recruitment and orientation process. Descriptive materials on these methods and techniques may be obtained from the Department of Health, Education, and Welfare/U.S. Office of Education Regional Offices listed in the notice of closing date for receipt of applications published in this issue of the FEDERAL REGISTER.

Applicants may propose the use of instructional strategies, methods, and techniques developed within other experience-based programs such as those developed under Parts B, C, D, and G of the Vocational Education Act when such programs can demonstrate equal evidence of effectiveness.

(B.) *Required program features.* In addition to selecting from the above three priority areas, applicants should include in the single operational setting defined for the project *all* of the following three program features:

1. A systematic plan to eliminate existing sex bias and sex-role stereotyping and to avoid introducing these elements into the activities undertaken with respect to the demonstration project;

2. A third-party, objective evaluation, the design of which should attempt to measure student outcomes against the stated objectives of the project as well as gather such process and treatment information as will show reason why the project was or was not successful in achieving the desired outcomes for the designated population of student participants; and

3. A strong emphasis on sex-fair guidance, counseling, placement, and follow-up services.

C. *Continuation awards.* In addition to the above emphasis for new grant awards in fiscal year 1977, continuation costs may be provided for the second or third years of demonstration projects started in fiscal year 1975 and fiscal year 1976 under this program (CFDA No. 13.502) when it is deemed that such projects are making satisfactory progress toward achieving their objectives.

(20 U.S.C. 1301-1305)

D. *Financial sources for projects.* Since comprehensive exemplary projects will require substantial financial resources, consideration should be given in the project design to the possible coordination with relevant programs supported from other sources.

(20 U.S.C. 1301, 1303(a).)

E. *Application review criteria—program priority areas.* Applicants should submit a completed application form and a full narrative proposal. Segments or a segment of the narrative application must address each criterion area outlined below depending on the priority area to which the application is addressed *and* the general criteria which are outlined for all applications. Each criterion area is weighted and includes the maximum score that can be given to a segment of a letter, a narrative application, or other evidence in relation to the criteria. Applications which score below 30 percent of the total maximum score possible will not receive further funding consideration in fiscal year 1977. These criteria supersede the criteria set forth in 45 CFR 100a.26 and 103.25 as to this program for fiscal year 1977. The criteria for the three major priority areas and maximum weights for each criterion area are as follows:

Program Priority Area 1. Demonstration of the National Institute of Education's Experience-Based Career Education Program.—Applications submitted for consideration under this priority area will be evaluated on the extent to which:

Maximum score 40

(1) A capability is demonstrated to provide the following curriculum and instructional aspects. Applicants should assure the existence of a capability and willingness to:

(i) Award credit in academic subjects (e.g., English, science, mathematics, and social sciences) for successful completion of experience-based career education projects in the community, and assure that this credit will contribute to the satisfaction of requirements for the standard diploma, certificate, or degree;

(ii) Base the educational program on experiential learning where students are actively involved in work throughout the community and have access to adults in their normal working environment;

(iii) Insure that each student has an individualized learning plan into which the student has had a significant input; and

(iv) Insure that within the overall learning plan, the experience is designed to integrate career decision-making skills, basic academic skills, job-related skills, and skills needed in other life roles (e.g., family, community, political).

Maximum score 20

(2) The applicant evidences the ability to organize and manage an experience-based career education program. Applicants should show evidence of the capability to:

(i) Establish a learning center (as defined in descriptive materials to be furnished potential applicants upon request) for the program and maintain a full-time program manager with overall responsibility; and

(ii) Facilitate student transportation to and from community learning sites. Indicate the availability of public and/or private means of transportation.

Maximum score 30

(3) Conditions of student participation are established. Applicants should:

(i) Discuss the population from which students will be selected. While it is preferred that the program seek a representative cross-section by selecting from the entire "pool" of students (of appropriate grade level) within the operational site, proposals directed at special populations will also be considered; and

(ii) Provide assurance that student participants will satisfy the following requirements as a prerequiste to enrollment in the program. Students under 18 will obtain written parental permission to participate in the program and permit program officials to collect and utilize resulting evaluation data. Students 18 years of age or older will give written consent for program officials to collect and utilize evaluation data.

Maximum score 20

(4) The applicant has assured access to employer/community resources as outlined below. Applicant should:

(i) Discuss the extent to which schools and communities are likely to accept/support the experience-based career education effort by indicating the nature and extent of support from key community groups representing labor, management, teachers, supervisors, parents, etc.; by providing statements of official school policy and/or examples of existing off-campus educational programs for which academic credit is awarded; and by describing other current or previous programs involving cooperation between business, labor, community, and schools; and

(ii) Indicate capability and intent to orient and train employer and community resource people to insure their understanding of their roles with respect to the program's educational objectives.

(5) The applicant submitting an experience-based program other than that developed by the National Institute of Education for consideration for funding under this priority area has submitted supporting documentation which permits its comparison with the documentation of effectiveness submitted by the National Institute of Education. (When the evidence of effectiveness so submitted is, in the judgment of the review panel, inferior to that for the Experience-Based Career Education Program, the application will be automatically disqualified.)

Program Priority Area 2. The further development and demonstration of the instructional strategies, methods, and techniques of the National Institute of Education's Experience-Based Career Education Program in coordination with an in-school cluster structure designed for occupational exploration and initial job preparation. Applications developed for consideration under this priority area will be evaluated on the extent to which:

Maximum score 30

(1) The selected cluster programs will be implemented in such a way as to insure the use of such instructional strategies, methods, and techniques of the National Institute of Education's Experience-Based Career Education Program as the site analysis techniques, the employer orientation and recruitment techniques, and the individual student learning plans to insure a high level of involvement of educational, business, industrial, labor, and professional organizations and institutions both in the classroom and in the provision of career exploratory and career preparation opportunities in the community;

(2) The applicant proposing the use of instructional strategies, methods, and techniques other than those developed by the National Institute of Education in the Experience-Based Career Education Program has submitted supporting documentation which permits its comparison with the documentation of effectiveness submitted by the National Institute of Education. (When the evidence of effectiveness so submitted is, in the judgment of the review panel, inferior to that submitted by the National Institute of Education, the application will be automatically disqualified.)

Maximum score 10

(3) The applicant proposing the phasing-in of clusters over the life of the project has provided a projected schedule.

Maximum score 10

(4) The applicant organization has selected a cluster structure for implementation which is characterized by:

(i) Delivery of skills and knowledges which are common to many occupations;

(ii) Provision of an obvious ladder of jobs from the skilled through the professional levels;

(iii) Provision of appropriate linkages, such as linkages for determining instructional content and for arranging placement, between the instructional program and the related units of business, industry, the professions, and government; and

(iv) Provision for each person leaving the cluster program to have an entry-level job skill, thereby permitting its participants to exercise the option of either getting a job or pursuing further education.

Maximum score 10

(5) The applicant has described the ways in which the cluster program will be coordinated with the regular vocational offerings at the secondary and postsecondary levels.

Program Priority Area 3. The further development and demonstration of the instructional strategies, methods, and techniques of the National Institute of Education's Experience-Based Career Education Program in expanded, improved, or newly developed cooperative vocational education and work experience programs, excluding Work Study Programs funded under Part H of the Vocational Education Act, P.L. 90-576. Applications developed for consideration under this priority area will be evaluated on the extent to which:

Maximum score 30

(1) The applicant has made a commitment to the use of such instructional strategies, methods, and techniques of the Experience-Based Career Education Program as the site analysis technique, the employer orientation and recruitement techniques, and the individual student learning plan;

(2) The applicant proposing the use of instructional strategies, methods, and techniques other than those developed by the National Institute of Education in the Experience-Based Career Education Program has submitted supporting documentation which permits its comparison with the documentation of effectiveness submitted by the National Institute of Education. (When the evidence of effectiveness so submitted is, in the judgment of the review panel, inferior to that submitted by the National Institute of Education, the application will be automatically disqualified.); and

Maximum Score 20

(3) The funds budgeted for the project will have a primary focus on the expansion of current offerings, although some funds may be used to improve existing programs, and assurance is provided that Federal funds, in this instance, will not be used to supplant current State and local efforts.

(20 U.S.C. 1301-1305)

(f) *Application review criteria—general criteria for all applications.*

Maximum score 30

(1) *Elimination of sex bias and sex-role stereotyping.* With respect to the elimination and avoidance of sex bias and sex-role stereotyping within the demonstration project applications will be evaluated on the extent to which the applicant organization has committed itself, in the application to:

(i) The selection, development, and/or alteration of all curriculum, instructional materials, and evaluation instruments for use in the demonstration projects to insure an absence of sex-role stereotyping;

(ii) An emphasis on the placement of young people in exploration and training opportunities without regard to traditional practices in vocational education and employment; and

(iii) The identification of women and men in non-traditional work roles who will work with younger women and men both in school and in the work place when the younger persons have an interest in a similar but non-traditional area or when they need encouragement to pursue some other non-traditional area for which they have developed an interest.

Maximum score: 35

(2) *Third-party, objective evaluation.* Applications will be evaluated on the extent to which they:

(i) Assure the development of measurable process objectives and assure the documentation and, where appropriate, the evaluation of the effectiveness of the processes undertaken in the planning and implementation of the demonstration project. Objectives should be developed for such aspects as inservice training for administrators, teachers, and counselors; development of curriculum and instructional materials, development of individual student learning plans; the elimination and avoidance of sex-role stereotyping; and the placement of young people in the work place either on a part-time basis or on a full-time basis;

(ii) Assure the development of a management plan which links the selected program priority area and other program features to the process objectives, to the human and financial resources to be applied, and finally to the specific student outcome objectives anticipated so that success or failure in achieving the desired student outcomes can be explained in terms of processes used or resources applied;

(iii) Assure the development and specification of behaviorally stated, measurable student outcome objectives and the documentation of the educational experiences of each student (or group of students) with respect to the achievement of those objectives including the amount of time devoted to specifically named educational experiences;

(iv) Assure that parental approval will be secured for the participation of the young person in the total evaluation and for the collection of student data with respect to age, grade level, socioeconomic level, ethnic group membership, and sex which will permit analysis of the extent to which the educational and career needs of specific populations are being met when such analyses are deemed pertinent to the purposes of the project. In order to accomplish this, it is anticipated that such information, but not the name or other personal identification of an individual student, will be associated with the statement of desired outcomes and the documentation of educational experiences undertaken with respect to the achievement of the outcomes and with the measurement results;

(v) Assure that an adequate sample of young people will be included in the evaluation so that the results may be generalized and predicted for other comparable student populations given the same educational experiences;

(vi) Assure that the evaluation design will result in reasonable evidence that gains or improvements can be attributed to the educational and career experiences provided the young people through the project and not to some other experience encountered such as normal maturation, the regular educational process, or some other factor impacting on the student at the time. Among the devices that would be considered acceptable in this respect would be control groups, a comparison of the project population's gains with previous year's scores, a comparison of such gains with national norms, or a comparison of gains when young people had a high level of involvement with the project activities with the gains achieved when young people had a low level of involvement with the project activities; and

(vii) Assure that, where they exist in respect to a given student outcome, validated instruments will be used in measuring student gains.

Maximum score: 10

(3) *Sex-fair guidance, counseling, placement, and follow-up services.* With respect to this requirement, applications will be evaluated on the extent to which:

(i) Applicants have committed themselves to the development of process objectives and measurable student outcome objectives for sex-fair guidance and counseling with respect to career decisionmaking; and

(ii) Applicants have committed themselves to accounting for the successful placement and the followup of each and every young person leaving the participating schools, whether by graduation or by dropping out. Coordination should be provided with, and the actual involvement sought, of U.S. Employment Service representatives and Comprehensive Employment and Training Act (CETA) personnel. Successful placement may be considered the enrollment and progress of the young person in a CETA program, in a secondary or postsecondary occupational program, in a four-year college, in a job for which training has been provided, or in some other situation expressed by the young person as a desired goal.

Maximum score: 20

(4) *Safeguards with respect to student's work related activities.* In the provision of career exploratory and career preparation opportunities in the community, the application will be evaluated on the extent to which the applicant organization has provided assurance that:

(i) Insurance will be provided to cover the safety and well-being of the young people while being transported as well as while actively involved in work-related activities in the community;

(ii) Where an employment relationship is established, all project activities are designed and operated within the parameters of the Fair Labor Standards Act and the participating employers meet the provisions of the Occupational Safety and Health Act;

(iii) Where an employment relationship is not established (as in the case of non-paid work-related activities), all project activities are designed and operated in full recognition of the intent of the child labor provisions of the Fair Labor Standards Act, including the avoidance of hazardous occupations, limits on the hours of participation, and any other provisions designed to promote the safety and well-being of the young people, and the community learning sites meet the provisions of the Occupational Safety and Health Act with respect to the working sites and the working conditions to which young people will be exposed; and

(iv) In providing assurance of the above conditions, the application for an implementation and demonstration project must contain documentation that the appropriate Area Director of the Wage and Hour Division or his/her designate has reviewed the proposed project design and will provide guidance and direction to the local applicant.

Maximum score: 20

(5) *Program or project purpose.* The application will be evaluated on the extent to which it relates the proposed program or project to the following broad purposes of the Part D portion of the Vocational Education Amendments of 1968, P.L. 90-576.

(i) The proposed program or project's potential for reducing the level of youth unemployment;

(ii) Its potential contribution to creating bridges between school and earning a living for young people, to promoting cooperation between public education and manpower agencies, and to broadening occupational aspirations and opportunities for young people;

(iii) Its emphasis on services for youths who have academic, socioeconomic, or other handicaps; and

(iv) Its relevance to priority areas in vocational education as reflected in the Vocational Education Amendments of 1968, P.L. 90-576.

Maximum score: 5

(6) *Need.* The application should describe the need for the project was determined, such as what types of surveys and analyses were performed and what interaction took place with students, parents, community, business, industrial, labor, and professional groups.

Maximum score: 10

(7) *Plan of operation.* The application will be evaluated on the extent to which it provides a clear description of the strategies that will be used to meet the identified needs, including:

(i) Procedures for achieving the identified objectives which are appropriate, technically sound, detailed, and which appear practical for wide use in vocational education; and

(ii) An adequate management plan which shows critical completion dates, person hours to be devoted by project staff, and the other resources to be devoted to each of the project objectives.

Maximum score: 15

(8) *Results.* The application will be evaluated on the extent to which it:

(i) Identifies proposed results or end products anticipated, and how they will be disseminated;

(ii) Specifies the procedures that will be used for making materials, techniques, and other outputs resulting from the project available to all those concerned with the improvement of vocational education; and

(iii) Lists specific steps that will be taken by the applicant organization to ensure that successful aspects of the program or project will be incorporated into vocational education programs supported with other funds.

Maximum score: 15

(9) *Personnel.* The application will be evaluated on the extent to which:

(i) The qualifications and experience of the personnel are appropriate for the proposed project, including both program considerations and management considerations;

(ii) The applicant has agreed to establish or utilize existing external policy advisory boards representative of business, industry, labor organizations, government, and the professions to provide wide-ranging policy advice during program planning and implementation, and has indicated the responsibilities of such a board and its relationship to school officials; and

(iii) The applicant is able to indicate the individual(s) who was responsible for application development, her/his time commitment, managerial and professional experience, and what continuing relationship this individual will have with the project.

Maximum score: 5

(10) *Facilities and equipment.* The application will be evaluated on the extent to which the applicant organization has committed itself to the provision of adequate facilities and equipment necessary for the success of the project.

Maximum score: 15

(11) *Cost effectiveness.* The application will be evaluated on the extent to which:

(i) The estimated cost appears reasonable in the light of anticipated results;

(ii) There is documented assurance of support from other cooperating agencies or institutions when this appears necessary to the success of the project; and

(iii) The proposed program or project is of sufficient scope to make a significant contribution to the improvement of vocational education.

(12) *In addition to the above selection criteria, no project may be funded under section 142(c), Part D of Pub. L. 90-576 unless the following conditions are met:*

(i) The application includes suitable procedures to assure that Federal funds made available for the project will not be commingled with State or local funds;

(ii) Provisions are made for the genuine and meaningful participation of students enrolled in nonprofit private schools in the area to be served, when their educational needs are of the type the project is designed to meet;

(iii) The application provides realistic procedures for coordinating the activities of the proposed project with other programs and projects having the same or similar purposes and with the State Plan for Vocational Education. In this respect applicants should outline in their proposal the strategies they will employ to ensure the continuing involvement of the State Department of Education personnel responsible for vocational education and to ensure continuing coordination with local manpower agencies and programs;

(iv) If the application is being submitted by any type of application organization other than a State Board for Vocational Education or a local education agency, the project must make an especially significant contribution to attaining the objectives of Part D of the Vocational Education Act; and

(v) Copies of the application have been submitted to the appropriate State Board for Vocational Education for its review. (The Commissioner will not approve any application for a proposed program or project if the State board has notified the Commissioner of its disapproval of such program or project within 60 days of its submission to the State board by the applicant.)

[FR Doc.77-8937 Filed 3-24-77;8:45 am]

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 233—COVERAGE AND CONDITIONS OF ELIGIBILITY IN FINANCIAL ASSISTANCE PROGRAMS

Need and Amount of Assistance; Unemployed Fathers

The Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare, hereby amends § 233.20 and § 233.100 for the purpose of implementing section 507 of Pub. L. 94-566, the Unemployment Compensation Amendments of 1976.

Section 507 of Pub. L. 94-566 provides for the denial of AFDC to any dependent child or relative with whom such child is living when: (1) the unemployed father, unless exempt under 402(a)(19)(A) of the Social Security Act, is not registered for the work incentive program, or, if exempt because he is so remote from a work incentive project that he cannot effectively participate, is not registered with the public employment office in the State, and (2) the unemployed father refuses to apply for or accept unemployment compensation for which he is qualified under an unemployment compensation law of the State or of the United States.

The law also provides for a reduction in the AFDC payment by the amount of unemployment compensation received by a child's unemployed father. The effect of this legislation is to remove the requirement enunciated in the U.S. Supreme Court decision of *Philbrook* v. *Glodgett*, (421 U.S. 707 (1975)) which held that the statute gave the eligible unemployed father the option of receiving AFDC or unemployment compensation.

In addition to these requirements, the law provides that the Secretary of Health, Education, and Welfare and the Secretary of Labor shall jointly enter into an agreement with each State, which is able and willing to do so, for the purpose of: (1) simplifying the procedures for registering under the work incentive program and in applying for unemployment compensation; and (2) where possible, providing for a single registration to satisfy both requirements. The procedures for implementing this provision will be developed with the Department of Labor.

A technical amendment also has been made to § 233.20(a)(3)(ix) to delete the parenthetical phrase to conform to the provisions of § 233.100.

The basis for these amendments is the statutory provisions enacted by law.

Notice of proposed rulemaking has been dispensed with because the regulations merely implement statutory requirements and States have been given interim notification as to the effective date and delay would be contrary to the interest of the assistance program and of recipients.

Chapter II, Title 45, Code of Federal Regulations is amended as follows:

1. Section 233.20 is amended by revising paragraphs (a)(3)(ii)(B) and (a)(3)(ix) to read as set forth below:

§ 233.20 Need and amount of assistance.

(a) *Requirements for State Plans.* A State Plan for OAA, AFDC, AB, APTD or AABD must, as specified below:

* * * * *

(3) *Income and resources.* * * *

(ii) Provide that, in determining need and the amount of the assistance payment, after all policies governing the reserves and allowances and disregard or setting aside of income and resources referred to in this section have been uniformly applied:

(A) In determining need, all remaining income and resources shall be considered in relation to the State's need standard;

(B) In determining financial eligibility and the amount of the assistance payment, all remaining income (except unemployment compensation received by an unemployed father) and all remaining resources may, at the State's option, be considered in relation to the State's need standard, or the State's payment standard. Unemployment compensation received by an unemployed father shall be considered only by subtracting it from the amount of the assistance payment after the payment has been determined under the State's payment method;

* * * * *

(ix) Provide that the agency will establish and carry out policies with reference to applicants' and recipients' potential sources of income that can be developed to a state of availability.

* * * * *

2. Section 233.100 is amended by revising paragraph (a)(5)(i) and (ii) to read as set forth below:

§ 233.100 Dependent children of unemployed fathers.

(a) *Requirements for State Plans.* * * *

(5) Provide for the denial of such aid to any such dependent child or the relative specified in section 406(a)(1) of the Act with whom such child is living:

(i) If and for so long as such child's father, unless exempt under 45 CFR 224.20, is not registered for the work incentive program or if exempt under clause (b)(6) of section 224.20, is not registered with a public employment office in the State, and

(ii) With respect to any week for which such child's father qualifies for unemployment compensation under an unemployment compensation law of the State or of the United States but refuses to apply for or accept such unemployment compensation.

* * * * *

Effective date: These regulations implement provisions of law that were effective November 1, 1976.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302).)

(Catalog of Federal Domestic Assistance Program No. 13.761, Public Assistance-Maintenance Assistance (State Aid).)

Answers to specific questions may be obtained by calling Mr. James Watson, area code 202-245-0016.

NOTE: The Social and Rehabilitation Service has determined that this document does not require preparation of an Inflationary Impact Statement under Executive Order 11821 and OMB Circular A-107.

Dated: January 6, 1977.

ROBERT FULTON,
Administrator, Social and Rehabilitation Service.

Approved: March 18, 1977.

JOSEPH A. CALIFANO, Jr.,
Secretary.

[FR Doc.77-8938 Filed 3-24-77;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 20548; FCC 77-199]

PART 73—RADIO BROADCAST SERVICES

Multiple Ownership of Standard, FM and Television Broadcast Stations

Adopted: March 9, 1977.

Released: March 22, 1977.

By the Commission.

1. The Commission has before it for consideration its Notice of Proposed Rule Making in the above-captioned proceeding, adopted July 16, 1975, issued July 23, 1975, 40 FR 31632, 54 FCC 2d 331 (1975).