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APPENDIX C

Regulation index for interpretations (interpretations 1974-1 through 1977-53)

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Regulation index for interpretations (interpretations 1974-1 through 1977-53)

Regulation interpreted	Interpretation
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211.67(d)(2).....	1975-22; 1976-23; 1977-16, -30, -36, -44.
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212.82.....	1975-5, -47; 1976-3, -4, -5; 1977-6, -18.
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212.82(b).....	1975-22, -31.
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212.83(b).....	1976-4.
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212.93.....	1974-5, -6, -12; 1975-6, -9, -18, -59, -74; 1976-6; 1977-4.
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Regulation index for interpretations (interpretations 1974-1 through 1977-53)

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APPENDIX D

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Federal Energy Administration Act of 1974.....	1974-13.

[FR Doc. 78-648 Filed 1-6-78; 2:46 am]

[6210-01]

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-0137]

PART 204—RESERVES OF MEMBER BANKS

Definition of Deposits

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: This rule amends Regulation D to exempt from the definition of the term deposit a member bank's borrowings from a member bank whose head office is located outside the United States. This action is taken in order to avoid the maintenance of double reserves on deposits by member banks and to apply the provisions of regulation D equally to member bank borrowings from other member banks.

EFFECTIVE DATE: Immediately.

FOR FURTHER INFORMATION, CONTACT:

Allen L. Raiken, Assistant General Counsel, Legal Division, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, 202-452-3625.

SUPPLEMENTARY INFORMATION: Section 204.1(f) of Regulation D provides that the term deposit includes a member bank's liability on any promissory note or similar obligation (written or oral) issued as a means of obtaining funds to be used in its banking business except any such obligation that is issued to and held for the account of a domestic banking office of another bank. The exemption for interbank borrowings is commonly referred to as the Federal funds exemption. A footnote contained in Regulation D provides that a domestic banking office is "any banking office in any State of the United States or the District of Columbia of a bank organized under domestic or foreign law." Consequently, a member bank's borrowings from another bank's banking office in one of the 50 States of the United States or the District of Columbia are not considered to be deposits and are, therefore, exempt from the reserve requirements imposed by Regulation D and interest rate restrictions of Regulation Q. Member bank borrowings from foreign offices of other banks are subject to a 4 percent Eurodollar reserve requirement imposed by § 204.5(c) of Regulation D. Such borrowings are not, however, subject to Regulation Q.

The interbank borrowing (Federal funds) exemption provided for in Regulation D was adopted, in part, to facilitate reserve adjustments by member banks. Such borrowings have long been exempt from the Board's reserve requirements and interest rate limitations. The exemption also serves, in part, to avoid the maintenance of double reserves by member banks since the member bank selling the funds may already be maintaining reserves against them.

Section 19(h) of the Federal Reserve Act (12 U.S.C. § 466) provides that a national bank located in a dependency or insular possession of the United States may remain a nonmember bank if it so desires. However, if such bank becomes a member of the Federal Re-

serve System, it is subject to all of the provisions of the Act, including the requirement of maintaining reserves against its deposits. Although a member bank headquartered outside the United States is required to maintain reserves against its deposits pursuant to Regulation D, under the current provisions of Regulation D borrowings by another member bank from such bank are also subject to reserve requirements.

In order to eliminate the possibility of double reserves being held by two separate member banks against such funds, the Board has determined that it is appropriate to amend Regulation D to exempt from deposit treatment, a member bank's borrowings from a member bank whose main office is located outside the States of the United States and the District of Columbia.

In view of the substantial public benefits that will result immediately from exempting member bank borrowings from member banks headquartered outside the United States, the Board has determined that the notice and public procedure provisions of 5 U.S.C. § 553(b) are unnecessary and contrary to the public interest. Since the Board's action grants an exemption to the provisions of Regulation D, the deferred effectiveness provisions of 5 U.S.C. § 553(d) are inapplicable.

Pursuant to section 19(a) of the Federal Reserve Act (12 U.S.C. § 461), effective immediately, section 204.1 of Regulation D (12 CFR 204.1) is amended to read as follows:

§ 204.1 Definitions.

(f) *Deposits as including certain promissory notes and other obligations.* For the purposes of this Part, the term "deposits" also includes a member bank's liability on any promissory note, acknowledgment of advance, due bill, banker's acceptance, or similar obligation (written or oral) that is issued or undertaken by a member bank as a means of obtaining funds to be used in its banking business, except any such obligation that:

(1) Is issued to (or undertaken with respect to) and held for the account of (i) a domestic banking office¹ of another bank or (ii) an agency of the United States or the Government Development Bank for Puerto Rico;

¹ Any banking office (i) in any State of the United States or the District of Columbia of a bank organized under domestic or foreign law or (ii) of a member bank whose head office is located outside the States of the United States or the District of Columbia provided, reserves are required to be maintained by such member bank under this Part against the deposit liabilities of such office.

Board of Governors of the Federal Reserve System, December 23, 1977.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc. 78-621 Filed 1-10-78; 8:45 am]

[6320-01]

Title 14—Aeronautics and Space

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER E—ORGANIZATION REGULATIONS

[Reg. OR-125, Amdt. 67]

PART 385—DELEGATIONS AND REVIEW OF ACTION UNDER DELEGATION; NONHEARING MATTERS

Delegation of Authority to the Managing Director—Target Dates

AGENCY: Civil Aeronautics Board.

ACTION: Final rule.

SUMMARY: This rule delegates to the Managing Director the Board's responsibility to establish or change target dates for the issuance of Board decisions. The Managing Director's decisions may be appealed to the Board under the ordinary review procedures established in the Board's rules. This rulemaking, undertaken on the Board's own initiative, is designed to improve the management of the Board's caseload responsibilities.

DATES: Effective: January 5, 1978.

Adopted: January 5, 1978.

FOR FURTHER INFORMATION CONTACT:

Gary J. Edles, Deputy General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue NW., Washington, D.C., 202-673-5203.

SUPPLEMENTARY INFORMATION:

DELEGATION TO THE MANAGING DIRECTOR

Section 399.62 now provides that the Board will announce a target date for its decision with respect to (i) petitions for discretionary review of an initial or recommended decision, (ii) Board action on review following the receipt of briefs or (where applicable) oral argument, and (iii) petitions for reconsideration of Board decisions. Target date notices are acted upon by the Board itself on the basis of a recommendation from its staff. We have decided to delegate this responsibility to the Managing Director.

The managing director assists the chairman and the board in discharging their administrative functions. He coordinates and directs the activities of the staff and has responsibility for assuring that the Board's program objectives are achieved in the most effective manner. He is therefore in an even better position than the board to have

initial responsibility for the establishment of target dates for completion of the board's hearing work. Moreover, since the advent of new procedures under the Government in the Sunshine Act, which, among other things, require one week's advance notice of matters to be discussed by the board, it has become difficult for the Board to arrange open meetings at which to decide on proper target dates; it is nevertheless desirable that the parties know, as promptly as possible, the likely target date for Board decision in a particular case. Finally, the requirement that the Board pass on numerous staff recommendations on target dates, generally on short notice, interrupts the Board members and their immediate staffs in the performance of their substantive duties and does not permit a meaningful evaluation of a particular target date in light of all other Board responsibilities. These considerations lead us to delegate to the Managing Director the initial responsibility for establishing target dates.

The board will continue to exercise ultimate responsibility for ordering its priorities through the establishment of target dates. Board review of decisions of the managing director shall be available under the usual standards set out in subpart C of part 385, except that the filing of a petition for review of the Managing Director's decision shall not stay the effectiveness of that decision. This delegation of authority shall apply only to target dates set by the board and not to target dates set by administrative law judges.

Since this amendment affects a rule of agency organization and procedure, the Board finds that notice and public procedure are unnecessary, and that the rule may become effective immediately.

Accordingly, the board amends part 385 of its Organization Regulations (14 CFR Part 385) as follows:

1. Section 385.12 is amended by adding a new paragraph (f), to read as follows:

§ 385.12 Delegation to the Managing Director.

(f) Issue a notice of the target date, and changes in the target date, for the completion by the Board of a final decision or a decision on a petition for review or reconsideration. The filing of a petition for review of staff action shall not stay the staff action pending disposition of the petition by the board.

(Sec. 204(a), Federal Aviation Act of 1958, as amended, 72 Stat. 743, (49 U.S.C. 1324); Reorganization Plan No. 3 of 1961, 75 Stat. 837, 26 FR 5989, (49 U.S.C. 1324 (note)).)

By the Civil Aeronautics Board.

PHYLLIS T. KAYLOR,
Secretary.

[FR Doc. 78-737 Filed 1-10-78; 8:45 am]

[1505-01]

Title 30—Mineral Resources

CHAPTER I—MINING ENFORCEMENT AND SAFETY ADMINISTRATION, DEPARTMENT OF THE INTERIOR

PART 50—NOTIFICATION, INVESTIGATION, REPORTS, AND RECORDS OF ACCIDENTS, INJURIES, ILLNESSES, EMPLOYMENT, AND PRODUCTION IN MINES

Correction

In FR Doc. 77-37334, appearing at page 65534 in the issue of Friday, December 30, 1977, make the following changes:

1. On page 65534, third column, the fifth word in the 11th line of the last complete paragraph should read, "now".

2. On page 65535, third column, the first word in the last line of the paragraph immediately following the signature should read, "added".

3. On page 65536, a comma should appear between the first and second words in line 11 of § 50.1 and the first word in paragraph (d) of § 50.2 should read, "Miner".

4. On page 65537, the second word in the eighth line of § 50.12 should read, "prevent" and the heading of § 50.20-1 should read, "General Instructions for Completing MESA Form 7000-1".

5. On page 65538, third column, the last line of § 50.20-6(b)(2) should read, "ple: 'shuttle car operator'."

6. On page 65539, first column, the first word in the first line of § 50.20-6(b)(7) should read, "Item".

[3810-70]

Title 32—National Defense

CHAPTER I—OFFICE OF THE SECRETARY OF DEFENSE

SUBCHAPTER E—DEFENSE CONTRACTING

PART 166—REPORTING PROCEDURES ON DEFENSE RELATED EMPLOYMENT

DoD Contractors Receiving Negotiated Contract Awards of \$10,000,000 or More

AGENCY: Office of the Secretary of Defense.

ACTION: Final rule.

SUMMARY: This rule is the fiscal year 1977 update of the section listing DoD contractors receiving negotiated contract awards of \$10,000,000 or more. The regulation is published to comply with the provisions of section 410, Pub. L. 91-121, November 19, 1969.

EFFECTIVE DATE: September 30, 1977.

FOR FURTHER INFORMATION CONTACT:

Mrs. Cynthia V. Springer, Office of the Director for Information, Operations and Reports, Washington Headquarters Service, The Pentagon, Washington, D.C. 20301. Telephone 202-697-3182.

SUPPLEMENTARY INFORMATION:

In FR Doc. 70-15846 published in the FEDERAL REGISTER on November 25, 1970 (35 FR 18040) the Office of the Secretary of Defense published a final rule establishing criteria, prescribing procedures, and assigning responsibilities for monitoring the program within the Department of Defense. Subsequently, paragraph (a) and (d) of § 166.11, which constitutes the list of DoD contractors receiving negotiated contract awards for \$10 million or more, was updated for Fiscal Years 1971 (36 FR 18464); 1972 (37 FR 18727); 1973 (38 FR 25990); 1974 (39 FR 32985); 1975 (40 FR 44135); and 1976 (41 FR 20466).

Accordingly, § 166.11 is amended as follows:

By revising § 166.11 to read as follows:

§ 166.11 Department of Defense Contractors Receiving Negotiated Contract Awards of \$10,000,000 or More.

Fiscal Year 1977:

AAI Corp.
AJ Industries, Inc.
AM General Corp.
ARO, Inc.
Action Mfg. Co.
Adobe Refining Co.
Aerojet-General Corp.
American Air Filter Co., Inc.
American Airlines, Inc.
American Electronic Laboratories, Inc.
American Home Products Corp.
American Telephone & Telegraph Co.
Amoco Oil Co.
Amron Corp.
Applied Devices Corp.
Arinc Research Corp.
Ashland Oil, Inc.
Atlantic Richfield Co.
Atlas Processing Co.
Automation Industries, Inc.
Avco Corp.
Avco Everett Research Laboratory, Inc.
Avondale Shipyards, Inc.
Ayer, N. W., ABH International, Inc.
BDM Corp.
Ball Brothers Research Corp.
Bates, Ted, & Co., Inc.
Bath Iron Works Corp.
Battelle Memorial Institute
Beech Aircraft Corp.
Bendix Corp.
Bernard Clay Systems International, Ltd.
Bethlehem Steel Co.
Boeing Co.
Boeing Services International, Inc.
Boeing Vertol Co.
Bolt Beranek & Newman, Inc.
Booz, Allen & Hamilton, Inc.
Borg-Warner Corp.
Braswell Shipyards, Inc.

- Brown & Williamson Tobacco Corp.
 Brunswick Corp.
 Bulova Watch Co., Inc.
 Bunker Ramo Corp.
 Burroughs Corp.
 CFE Air Cargo, Inc.
 California, University of
 Calspan Corp.
 Caltex Oil Products Co.
 Campbell Soup Co.
 Carnation Co.
 Chamberlain Manufacturing Corp.
 Charles Stark Draper Laboratories, Inc.
 Chemetics International, Inc.
 Cherokee Industries, Inc.
 Chesapeake & Potomac Telephone Co.
 Chevron Oil Co.
 Chromalloy American Corp.
 Chrysler Corp.
 Cincinnati Electronics Corp.
 Cities Service Oil Co.
 City Public Service Board
 Coastal Dry Dock Repair
 Coastal States Marketing, Inc.
 Coastal States Trading, Inc.
 Coca-Cola Co.
 Colt Industries, Inc.
 Communications Satellite Corp.
 Computer Sciences Corp.
 Continental Oil Co.
 Control Data Corp.
 Cooper Airmotive Co.
 Cubic Corp.
 Curtiss-Wright Corp.
 Cutler-Hammer, Inc.
 Datron Systems, Inc.
 Day & Zimmerman, Inc.
 De Laval Turbine, Inc.
 Delta Refining Co.
 Derby & Co., Inc.
 Dynallectron Corp.
 Dynell Electronics Corp.
 EG & G, Inc.
 ESL, Inc.
 E-Systems, Inc.
 Eastman Kodak Co.
 Edgington Oil Co.
 Edo Corp.
 Emerson Electric Co.
 Energy Specialists, Inc.
 Envirogenics Systems Co.
 Etowah Manufacturing Co., Inc.
 Exxon Corp.
 FMC Corp.
 Fairchild Camera & Instrument Corp.
 Fairchild Industries, Inc.
 Federal Electric Corp.
 Felec Services, Inc.
 Flinchbaugh Products, Inc.
 Florida Power & Light Co.
 Folger Coffee Co.
 Ford Aerospace & Communications Corp.
 GTE Sylvania, Inc.
 Garrett Corp.
 General Dynamics Corp.
 General Electric Co.
 General Foods Corp.
 General Motors Corp.
 General Research Corp.
 General Time Corp.
 Georgia Power Co.
 Getty Oil Co.
 Global Associates
 Gold Pak Meat Co., Inc.
 Golden Eagle Refining Co., Inc.
 Goodrich, B. F., Co.
 Goodyear Aerospace Corp.
 Gould, Inc.
 Greenbrier Industries, Inc.
 Grumman Aerospace Corp.
 Guam Oil & Refining Co., Inc.
 Gulf Oil Corp.
 HRB Singer, Inc.
 Hamilton Technology, Inc.
 Harris Corp.
 Harsco Corp.
 Hawaiian Independent Refinery, Inc.
 Hayes International Corp.
 Hazeltine Corp.
 Heckethorn Manufacturing Co.
 Hercules, Inc.
 Hess Oil Virgin Island Corp.
 Hewlett-Packard Co.
 Honeywell, Inc.
 Honeywell Information Systems, Inc.
 Hughes Aircraft Co.
 Hydrosystems, Inc.
 ICI United States, Inc.
 IIT Research Institute
 ITT Arctic Services
 ITT Gilfillan, Inc.
 ITT World Communications, Inc.
 Ingersoll-Rand Co.
 Institute for Defense Analysis
 International Business Machines Co.
 International Harvester Co.
 International Laser Systems, Inc.
 International Telephone & Telegraph Corp.
 Interstate Electronics Corp.
 Itek Corp.
 Johns Hopkins University
 Kaman Aerospace Corp.
 Kennametal, Inc.
 Kentron Hawaii, Ltd.
 Kollmorgen Corp.
 Kraft, Inc.
 La Crosse Garment Manufacturing Co., Inc.
 Lanson Industries, Inc.
 Lear Siegler, Inc.
 Litton Industries, Inc.
 Litton Systems, Inc.
 Lockheed Aircraft Corp.
 Lockheed Electronics Co., Inc.
 Lockheed Missiles & Space Co., Inc.
 Lockheed Shipbuilding & Construction Co.
 Logicon, Inc.
 Loral Corp.
 M. K. National Corp.
 Magnavox Government & Industrial Electronics Co.
 Man Barrier Corp.
 Maremont Corp.
 Marhoefer Packing Co., Inc.
 Marlon Corp.
 Marquardt Co.
 Martin Marietta Aluminum Sales, Inc.
 Martin Marietta Corp.
 Mason & Hanger, Silas Mason Co.
 Massachusetts Institute of Technology
 Mayer, Oscar, & Co., Inc.
 McDonnell Douglas Corp.
 Metric Systems Corp.
 Mine Safety Appliances Co.
 Mitre Corp.
 Mobile Oil Corp.
 Motorola, Inc.
 National Presto Industries, Inc.
 National Steel & Shipbuilding Co.
 Navajo Refining Co.
 Nestle Co., Inc.
 Newport News Shipbuilding & Dry Dock Co.
 Ni Tec
 Norris Industries, Inc.
 Northrop Corp.
 Northrop Worldwide Aircraft Services, Inc.
 Northwest Airlines, Inc.
 Okmulgee Refining Co.
 Olin Corp.
 Overseas National Airways, Inc.
 PPG Industries, Inc.
 Pacific Gas & Electric Co.
 Page Airways, Inc.
 Pan American World Airways, Inc.
 Perkin-Elmer Corp.
 Peterson Builders, Inc.
 Philip Morris, Inc.
 Phillips Petroleum Co.
 Planning Research Corp.
 Pneumo Corp.
 Poloron Products, Inc.
 Powerline Oil Co.
 Pratt & Whitney Aircraft of West Virginia
 Pride Refining, Inc.
 Procter & Gamble Distributing Co.
 R & D Associates
 RCA Alaska Communications, Inc.
 RCA Corp.
 RCA Global Communications, Inc.
 Rand Corp.
 Raytheon Co.
 Raytheon Service Co.
 Reflectone, Inc.
 Remington Arms Co.
 Reynolds, R. J., Industries, Inc.
 Rochester, University of
 Rockwell International Corp.
 Rohr Industries, Inc.
 SRI International
 Salem Packing Co., Inc.
 Sanders Associates, Inc.
 Santa Barbara Research Center
 Saturn Airways, Inc.
 Science Applications, Inc.
 Selma Apparel Corp.
 Shell Oil Co.
 Simplex Wire & Cable Co.
 Singer Co.
 Southern California, University of
 Southwest Truck Body
 Southwestern Refining Co., Inc.
 Sparton Corp.
 Sperry Rand Corp.
 Standard Manufacturing Co.
 Standard Oil Co. of California
 Summa Corp.
 Sun Chemical Corp.
 Sun Co., Inc.
 Sundstrand Corp.
 Supreme Beef Co., Inc.
 Swift & Co.
 System Development Corp.
 Systems Consultants, Inc.
 Systems Research Laboratories, Inc.
 TRW Colorado Electronics, Inc.
 TRW, Inc.
 Tacoma Boatbuilding Co., Inc.
 Talley Industries, Inc.
 Taylor, R. W., Construction Co.
 Teledyne Brown Engineering
 Teledyne CAE
 Teledyne Firth Sterling
 Teledyne, Inc.
 Teledyne Industries, Inc.
 Teletype Corp.
 Tesoro Alaskan Petroleum Corp.
 Tesoro Petroleum Corp.
 Texaco, Inc.
 Texas Instruments, Inc.
 Texas, University of
 Textron, Inc.
 Thiokol Corp.
 Tiger International, Inc.
 Titan Atlantic Construction Corp. & Gallegos Corp. (Joint Venture)
 Todd Shipyards Corp.
 Total Leonard, Inc.
 Tracor, Inc.
 Trans International Airlines, Inc.
 Triple A Machine Shop
 Turner Construction Co. & Ecoscience, Inc. (Joint Venture)
 Union Carbide Corp.
 Union Oil Co. of California
 Uniroyal, Inc.
 United States & South American Enterprises, Inc.
 United Technologies Corp.
 Universal Maritime Services Corp.
 Varian Associates

Varo, Inc.
Vought Corp.
Vulcan Industries, Inc.
Watkins-Johnson Co.
Western Electric Co., Inc.
Western Union International, Inc.
Western Union Telegraph Co.
Westinghouse Electric Corp.
White Engines, Inc.
Whittaker Corp.
Wilcox Electric Co., Inc.
Williams Research Corp.
Wilson & Co., Inc.
World Airways, Inc.
Xerox Corp.

JANUARY 6, 1978.

MAURICE W. ROCHE,
*Director, Correspondence and
Directives, Washington Head-
quarters Services.*

[FR Doc. 78-736 Filed 1-10-78; 8:45 am]

[3910-01]

CHAPTER VII—DEPARTMENT OF THE AIR
FORCE

SUBCHAPTER G—BOARDS

PART 865—PERSONNEL REVIEW BOARDS

Air Force Board for Correction of Military
Records

AGENCY: Department of the Air
Force, Department of Defense.

ACTION: Final rule.

SUMMARY: The Department of the
Air Force is amending the rule cover-
ing the Air Force Board for Correction
of Military Records. A review by the
Board of its procedures revealed an
apparent need for elaboration in cer-
tain paragraphs of this rule. The
amendments are intended to result in
clearer understanding by persons de-
siring correction of their military re-
cords.

EFFECTIVE DATE: September 12,
1977.

FOR FURTHER INFORMATION
CONTACT:

Frank S. Dispenza, Deputy Execu-
tive Secretary, Air Force Board for
the Collection of Military Records,
Office of the Assistant Secretary of
the Air Force, Washington, D.C.
20330, 202-697-2391.

SUPPLEMENTARY INFORMATION:
This amendment is issued under the
authority of sections 1552, 8012, 70A
Stat. 116, 488; 10 U.S.C. 1552, 8012.

On August 8, 1977, the Department
of the Air Force, DOD, published a
proposed amendment to 32 CFR Part
865 (42 FR 39999), inviting public par-
ticipation. This amendment is to fur-
ther clarify by addition of information
to the sections on Actions by the Sec-
retary of the Air Force, Release of Re-
cords of Proceedings to the Applicant,
counsel, and the public. Since no com-

ments were received regarding our
proposal, 32 CFR, Part 865 is amended
as follows:

1. In § 865.7, a new paragraph (d) is
added to read as follows:

§ 865.7 Review of application.

(d) *Written proceedings.* When the
Board determines that the record
should be corrected or that the appli-
cation be denied, the determination of
the Board will be made in writing. The
writings (proceedings) will include, but
not be limited to, all facts of record,
and statement of ground(s) upon
which the Board's determination is
based. Where the Board concludes
complete relief should not be granted,
written proceedings will address appli-
cant's claim(s) of constitutional, statu-
tory, and/or regulatory violation re-
jected by the Board and/or reviewing
authority. In those cases involving the
characterization of an individual's dis-
charge or dismissal from the military
service, the factors required by Air
Force regulations to be considered for
determination of the character of and
reason for the discharge or dismissal
in question shall be included.

2. Section 865.13 is revised to read as
follows:

§ 865.13 Action by the Secretary of the Air
Force.

All records of proceedings, except
those finalized by the Board under the
authority contained in § 865.12(a)(5) or
denied by the Board without a hear-
ing, will be forwarded to the Secretary
of the Air Force who will direct such
action in each case as he determines to
be appropriate, which may include the
return of the record to the Board for
further consideration when deemed
necessary. Those cases returned for
further consideration will be accompa-
nied by a brief statement setting out
the reasons for such action and any
specific instructions. If the Secretary's
decision is to deny relief, such decision
shall be in writing and, unless he ex-
pressly adopts in whole or in part the
findings, conclusions and recommen-
dations of the Board, he shall include
a brief statement of the ground(s) for
denial. All Secretarial decisional docu-
ments shall be furnished to the appli-
cant and counsel.

3. Section 865.14 is amended by re-
vising paragraphs (f) and (g) to read as
follows:

§ 865.14 Staff action.

(f) *Release of record of proceedings
to the applicant and counsel.* After
action on the record by the Secretary
of the Air Force, his designee, by the
Board acting under the authority in

§ 865.12(a)(5), or when the Board
denies an application without a hear-
ing, the Board will furnish applicant
and counsel a copy of the record of
proceedings and all decisional docu-
ments. Privileged or classified material
may be deleted only if a written state-
ment of the bases for deletion is pro-
vided. The statement will not reveal
the nature of the withheld material.

(g) *Release of record of proceedings
to the public.* After action on the
record by the Secretary of the Air
Force, his designee, by the Board
acting under the authority contained
in § 865.12(a)(5), or when the Board
denies an application without a hear-
ing, the Board will release for public
inspection and copying, at a designat-
ed reading room within the Washing-
ton, D.C. Metropolitan Area, a sani-
tized and indexed copy of the record
of proceedings and all decisional docu-
ments. To the extent required and to
prevent a clearly unwarranted inva-
sion of personal privacy, identifying
details of applicant and other persons
will be deleted from all documents.
Privileged or classified material may
be deleted only if a written statement
of the bases for deletion is provided.
The statement will not reveal the
nature of the withheld material. An
index of record of proceedings shall be
formulated so as to enable those who
represent applicants to isolate from all
those decisions that are indexed those
cases that may be similar to an appli-
cant's case and which indicate the
grounds for which the Board and/or
the Secretary granted or denied relief.
The index will be published quarterly
and available for public inspection and
sale at the reading room. Inquiries
concerning the index or reading room
should be addressed to Air Force
Board for Correction of Military Re-
cords, Department of the Air Force,
Washington, D.C. 20330.

FRANKIE S. ESTEP,
*Air Force Federal Register Liai-
son, Directorate of Adminis-
tration.*

[FR Doc. 78-660 Filed 1-10-78; 8:45 am]

[7710-12]

Title 39—Postal Service

CHAPTER I—U.S. POSTAL SERVICE

PART 111—GENERAL INFORMATION ON
POSTAL SERVICE

Handling Business Reply Mail With Postage
Affixed

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: The rule adopted speci-
fies that business reply mail (BRM)
bearing postage will be handled the
same way as all other BRM, i.e., appli-
cable business reply postage and fees