Commodity	STCC No.
Lead, zinc or alloy scrap	40 213
Aluminum or alloy scrap	40 214
Tin scrap	40 219 60
Textile waste	22 941
	22 973
	22 994
	40 22
Wood scrap (east and south)	40 23
Paper waste or scrap	40 241
Shipping containers or devices returned empty	42 1
Beverage containers returned empty	42 111 42

Several other recyclables, as well as certain recyclables in the above list in individual territories, are being investigated in Ex parte No. 319 (sub-No. 1), *Further Investigation of Freight Rates for the Transportation of Recyclable or Recycled Materials.* Since the issues are basically the same, we conclude that the final determination of the lawfulness of the general increase on these commodities[3] should be held in abeyance pending conclusion of the investigation in Ex parte No. 319 (sub-No. 1).

All common carriers by railroad subject to part I of the Interstate Commerce Act are respondents, and as such, they have the burden of proof in this investigation.

It is ordered:

That this proceeding be handled under modified procedure as provided by the Commission's General Rules of Practice, except that 20 copies of all statements submitted shall be filed with the Commission, and that the filing and service of pleadings be as follows:

(a) Opening statements of facts and arguments may be submitted no later than August 16, 1978.

(b) Statements by shippers and other parties to this proceeding may be submitted no later than September 15, 1978.

(c) Reply statements by respondents may be submitted no later than October 5, 1978.

Notice is given that petitions and motions filed with regard to this investigation may be disposed of in the Commission's report. Accordingly, all parties should proceed upon the assumption that the pendency of a petition or motion will not justify any party's failure to comply with the scheduled due date for filing of statements.

In the event any increases resulting from the application of this tariff exceed the increases subsequently approved or prescribed by the Commission, the carriers will be required to refund the difference between the increase resulting from the application thereof and any increases which may subsequently be approved or prescribed by the Interstate Commerce Commission with interest as specified in section 15(8)(e). Respondents' master tariff contains an appropriate "Provision for Refund" in the form required by our order served May 4, 1978, with a provision for interest at 6.66 percent.

A copy of this order will be served on each party to the proceeding in Ex parte No. 349, on the Administrator of the Environmental Protection Agency, the Secretary of Transportation, and the Governor of each State. A copy will also be deposited in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. for public inspection. In addition, statutory notice of the substance and procedures in this investigation will be given to the general public by delivering a copy to the Director, Office of the Federal Register, for publication.

By the Commission, Chairman O'Neal.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc. 78-21271 Filed 7-31-78; 8:45 am]

[3]Bakery refuse (STCC 20 511 18); wood scrap, west only (STCC 40 23); copper matte, south only (STCC 33 312); lead matte, south only (STCC 33 322); miscellaneous nonferrous metal residue, south only (STCC 33 398); municipal garbage (STCC 20 291 14); bags, old (STCC 41 114 34), bags, old, value for conversion (STCC 41 115 80); waste calcium sulfate (STCC 28 719 40); and chemical or petroleum waste (STCC 40 25).

[1505-01]

(Decisions Vol. No. 9)

DECISION-NOTICE

Correction

In FR Doc. 78-17647 appearing at page 28282 in the issue for Thursday, June 29, 1978, make the following corrections:

(1) On page 28285, in the second line from the top of the first column, add "NC" to the States listed for MC 113362 (Sub-331F).

(2) On page 28286, middle column, in the next to the last line in the paragraph for MC 119702 (Sub-57F), "LA" should read "IA".

[1505-01]

[Vol. No. 104]

PETITIONS, APPLICATIONS, FINANCE MATTERS (INCLUDING TEMPORARY AUTHORITIES) RAILROAD ABANDONMENTS, ALTERNATE ROUTE DEVIATIONS, AND INTRASTATE APPLICATIONS

Corrections

In FR Doc. 78-19938 appearing at page 31266 in the issue for Thursday, July 20, 1978, the following corrections should be made:

1. In the second full paragraph in the third column on page 31269, the motor carrier application number should read, "MC 2202 (Sub-560F)."

2. In the first paragraph of the middle column on page 31277 the motor carrier application number should read, "MC 117068 (Sub-95F)."

sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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[6320-01]

1

[M-151, Amdt 8; July 26, 1978]

CIVIL AERONAUTICS BOARD.

Notice of deletion of item from the July 25, 1978, agenda.

TIME AND DATE: 2:45 p.m., July 25, 1978.

PLACE: Room 1027, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT: 6. Docket 27918, North Atlantic Fares Investigation, Petitions of Pan American and TWA for reconsideration of Order 78-5-157, which terminated the investigation (Memo 5317-I, BPDA).

STATUS: Open.

PERSON TO CONTACT:

Phyllis T. Kaylor, the Secretary, 202-673-5068.

SUPPLEMENTARY INFORMATION: Item 6 was deleted from the July 25, 1978, agenda in order to permit coordination and views by the Board's Bureau of International Aviation. Accordingly, the following Members voted that agency business requires the deletion of Item 6 from the July 25, 1978, agenda and that no earlier announcement of this deletion was possible:

Chairman, Alfred E. Kahn
Vice Chairman, G. Joseph Minetti
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey

[S-1564-78 Filed 7-28-78; 10:34 am]

[6355-01]

2

CONSUMER PRODUCT SAFETY COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: (Not yet known).

PREVIOUSLY ANNOUNCED DATE AND TIME OF MEETING: July 26, 1978, 9:30 a.m.

CHANGES IN THE MEETING: This meeting was canceled. The briefing on the Chain Saw Voluntary Standard Proceeding will be rescheduled, probably in mid-August.

[S-1565-78 Filed 7-28-78; 10:34 am]

[6740-02]

3

FEDERAL ENERGY REGULATORY COMMISSION.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: 43 FR 32025, published July 24, 1978.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10 a.m., July 26, 1978.

CHANGE IN THE MEETING: The following item was added:

Item No., Docket No., and Company

CP-2. CP78-325, Texas Gas Transmission Corp.

KENNETH F. PLUMB,
Secretary.

[S-1569-78 Filed 7-28-78; 2:53 pm]

[6720-02]

4

FEDERAL HOME LOAN MORTGAGE CORPORATION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 43, No. 140, page 31304, Thursday, July 20, 1978.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 2:30 p.m., July 27, 1978.

PLACE: 1700 G Street NW., Sixth Floor, Washington, D.C.

STATUS: Open meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Henry Judy, 202-624-7107.

CHANGES IN THE MEETING: The following item has been withdrawn from the agenda for the open portion of the meeting:

Consideration of Corporation bylaws.

No. 170, July 28, 1978.

RONALD A. SNIDER,
Assistant Secretary.

[S-1573-78 Filed 7-28-78; 3:55 pm]

[7555-01]

5

NATIONAL SCIENCE BOARD.

DATE AND TIME: Aug. 17, 1978, 1 p.m. to 6 p.m.—Open session. Aug. 18, 1978, 8:30 to 9:30 a.m.—Conclusion of open session, if necessary. 9:30 a.m. to 12:30 p.m.—Closed session.

PLACE: Room 540, 1800 G Street NW., Washington, D.C.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED AT THE OPEN SESSION:

1. Program review—Integrated Basic Research/Applied Research.
2. Minutes, open session, 199th meeting.
3. Chairman's report.
4. Director's report.
a. Report on grant and contract activity—June 13-August 16.
b. Organizational and staff changes.
c. Congressional and legislative matters.
d. NSF budget for fiscal year 1979.
e. Science and Technology Report: 1978.
f. Report on trip to People's Republic of China.
5. Board committees—Reports on meetings.
a. Executive Committee.
b. Planning and Policy Committee.
c. Programs Committee.
d. Committee on Budget.
e. Committee on eleventh NSB Report.
f. Committee on Role of NSF in Basic Research.
g. Committee on Science and Society.
h. Ad Hoc Committee on Audit and Oversight.
i. Ad Hoc Committee on Officers and Elections.
6. NSF advisory groups and annual review—Report on meeting and Board representation at future meetings.
7. Grants, contracts, and programs.
8. Recommendations of Planning and Policy Committee on Alan T. Waterman Award.

9. Other business.
10. Next meetings.
a. National Science Board—September 21-22.
b. NSB committees.

MATTERS TO BE CONSIDERED AT THE CLOSED SESSION:

A. Minutes, closed session, 199th meeting.
B. NSF budgets for fiscal year 1980 and subsequent years.
C. NSB annual reports.
D. Report on NSB nominees.
E. Grants and contracts.

CONTACT PERSON FOR MORE INFORMATION:

Miss Vernice Anderson, Executive Secretary, 202-632-5640.

[S-1566-78 Filed 7-28-78; 10:34 am]

[7590-01]

6

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Friday, July 28 (changes).

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open and closed.

MATTERS TO BE CONSIDERED:

9:30 a.m.—Preliminary budget markup or recall (markup will be closed—exemption 9).
2 p.m. (added)—Discussion of settlement in Midland Special Proceeding (closed—exemptions 6, 9, and 10, postponed from July 20, 1978).

CONTACT PERSON FOR MORE INFORMATION:

Walter Magee, 202-634-1410.

Dated: July 27, 1978.

WALTER MAGEE,
Office of the Secretary.

[S-1567-78 Filed 7-28-78; 11:17 am]

[7590-01]

7

NUCLEAR REGULATORY COMMISSION.

TIME AND DATE: Wednesday, July 25 (additional items).

PLACE: Commissioners' Conference Room, 1717 H Street NW., Washington, D.C.

STATUS: Open and closed.

MATTERS TO BE CONSIDERED:

9 a.m.—Affirmation items: Standardization and Amendment re Plans (approximately 10 minutes, public meeting).
3 p.m.—Discussion of OIA/OGC inquiry in testimony of EDO (approximately 1½ hours, closed, exemption 1).

CONTACT PERSON FOR MORE INFORMATION:

Walter Magee, 202-634-1410.

Dated: July 26, 1978.

WALTER MAGEE,
Office of the Secretary.

[S-1568-78 Filed 7-28-78; 11:17 am]

[4410-01]

8

UNITED STATES PAROLE COMMISSION.

TIME AND DATE: Tuesday, August 8, 1978, 9 a.m. to 3 p.m.; Wednesday, August 9, 1978, 9 a.m. to 3 p.m.; Thursday, August 10, 1978, 9 a.m. to 5:30 p.m.

PLACE: Room 500, 320 First Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Appeals to the Commission of approximately 26 cases decided by the National Commissioners pursuant to a reference under 28 CFR 2.17 and appealed pursuant to 28 CFR 2.27. These are all cases originally heard by examiner panels wherein inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE INFORMATION:

Lee H. Chait, Analyst, 202-724-3094.

[S-1570-78 Filed 7-28-78; 3:32 pm]

9

[4410-01]

UNITED STATES PAROLE COMMISSION.

TIME AND DATE: August 8, 1978, 3 p.m. to 7 p.m.; August 9, 1978, 3 p.m. to 5:30 p.m.

PLACE: Room 500, 320 First Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Approval of minutes of previous meeting.
2. Reports of the Chairman, Vice-Chairman, and Commissioners.
3. Policy and Procedures Memoranda on the following subjects:
(a) Congressional correspondence.
(b) Use of convictions in revocation cases.
4. The following items concerning the Commission's rules as published in the Code of Federal Regulations:
(a) Consideration of rules previously published at 28 CFR 2.6, 2.32, and 2.53.
(b) Proposed modification of original jurisdiction procedures (28 CFR 2.17).
(c) Proposed expansion of presumptive release date policy (28 CFR 2.12 and 2.14).
(d) Proposed revision of guidelines (28 CFR 2.20).
(e) Commission policy and practice relating to type of sentence imposed (28 CFR 2.20 and 2.21).
(f) Proposal concerning conduct of certain hearings with one instead of two examiners (28 CFR 2.13, 2.16, 2.34, 2.43, 2.48, and 2.50).
5. Proposed revision of Notice of Action and related forms.
6. Proposed revision of F-2 Form relating to revocation procedure.
7. Proposed future training plans.
8. Communications between Commissioners.

CONTACT PERSON FOR MORE INFORMATION:

Billie Richards, 724-3117.

[S-1571-78 Filed 7-28-78; 3:32 pm]

[4410-01]

10

UNITED STATES PAROLE COMMISSION: National Commissioners (the Commissioners presently maintaining offices at Washington, D.C. headquarters).

TIME AND DATE: Thursday, Aug. 17, 1978, 9:30 a.m.

PLACE: Room 338, 320 First Street, NW., Washington, D.C. 20537.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Referrals from Regional Commissioners of approximately 20 cases in which inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

CONTACT PERSON FOR MORE INFORMATION:

Lee H. Chait, Analyst, 202-724-3094.

[S-1572-78 Filed 7-28-78; 3:32 pm]

federal register

TUESDAY, AUGUST 1, 1978
PART II



DEPARTMENT OF DEFENSE

Marine Corps

■

PRIVACY ACT OF 1974

System of Record; Amendment

[3810-71]

DEPARTMENT OF DEFENSE

U.S. Marine Corps

PRIVACY ACT OF 1974

Notice of System of Record Amendment

AGENCY: U.S. Marine Corps, (DOD).

ACTION: Notice of an amendment to a system of records.

SUMMARY: The Marine Corps proposes to amend an existing system of records subject to the Privacy Act of 1974. The specific changes to the system being amended are set forth below followed by the system published in its entirety, as amended.

DATES: This system shall be amended as proposed without further notice on August 31, 1978, unless comments are received on or before August 31, 1978, which would result in a contrary determination.

ADDRESS: Send comments to the system manager identified in the record system notice.

FOR FURTHER INFORMATION CONTACT:

Mrs. Gwendolyn R. Rhoads, Privacy Act Coordinator (Code MPI), Headquarters, U.S. Marine Corps, Washington, D.C. 20380, 202-694-4115.

SUPPLEMENTARY INFORMATION: The Marine Corps systems of records notices as prescribed by the Privacy Act of 1974, 5 U.S.C. 552a (Pub. L. 93-579) have been published in the FEDERAL REGISTER as follows:

FR Doc. 77-28255 (42 FR 51177) September 28, 1977.

FR Doc. 77-31445 (42 FR 56978) October 31, 1977.

FR Doc. 78-3002 (43 FR 5472) February 8, 1978.

The Marine Corps proposes to amend a record system identified as MFD00003, entitled "Joint Uniform Military Pay System/Manpower Management System (JUMPS/MMS)" by modifying the general routine use category and the safeguard category. The proposed changes to this system are not within the purview of the provision of the Office of Management and Budget (OMB) Circular A-108, Transmittal Memorandum No. 1, dated September 30, 1975, and Transmittal Memorandum No. 3, dated May 17, 1976, which provided supplemental guidance to Federal agencies regarding the preparation and submission of reports of their intention to establish or alter a system of personal records as required by the Privacy Act. This OMB guidance was set forth in the FEDERAL REGISTER (40 FR 45877) on October 3, 1975.

Dated: July 12, 1978.

MAURICE W. ROCHE,
Director Correspondence and Directives, Washington Headquarters Services, Department of Defense.

AMENDMENT

The following proposed change is to system of record published in the February 8, 1978 issue of the FEDERAL REGISTER at 43 FR 5475.

MFD00003

System name: Joint Uniform Military Pay System/Manpower Management System (JUMPS/MMS) (43 FR 5475).

Change: *Routine uses of records maintained in the system, including categories of users and the purposes of such uses*: Delete the first entry under this category and substitute: "Headquarters, U.S. Marine Corps and Marine Corps commands, activities, and organizations—by officials and employees of the Marine Corps in the performance of their assigned duties in matters relating to a Marine's automated personnel and/or pay record."

Reason: To clearly define that officials and employees of the Marine Corps may only retrieve information from a Marine's automated personnel/pay record when necessary in the performance of their assigned duties.

Immediately following the last entry in this category, add: "Department of Health, Education, and Welfare (DHEW)—disclosure of the name, rank or grade, and social security account number of each Marine Corps active duty military member to the Inspector Ceneral of DHEW for the specific purpose of comparison with appropriate rolls reflecting recipients of Aid to Families With Dependent Children (AFDC)."

Reason: To comply with the requirements of the DOD general routine use notice as set forth in the FEDERAL REGISTER of January 19, 1978, at 43 FR 2653.

Safeguards: Immediately following the last entry in this category, add: "Access to personal information is limited to authorized personnel with a need-to-know. Access is restricted to specific applications programs, records, and files to which personnel have a specific and recorded need-to-know. On-line data sets (both tape and disc) pertaining to personal information are password protected, areas are controlled and access lists are used. The files are also protected at a level appropriate to the type of information being processed."

Reason: To more clearly define the safeguards employed in securing personal information in the pay/personnel system.

MFD00003

System name: Joint Uniform Military Pay System/Manpower Management System (JUMPS/MMS)

System location: Primary System - Marine Corps Automated Services Center, 1500 East Bannister Road, Kansas City, Missouri 64131; Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197.

Decentralized Segments - There are eight Satellite/Command Data Processing Installations (SDPI/CDPI) which maintain files with similar records at the following locations: SDPI 02, Marine Corps Base, Camp Lejeune, NC 28542; SDPI 03, Marine Corps Base, Camp Pendleton, CA 92055; SDPI 06, FMF Pacific, FPO San Francisco, CA 96610; SDPI 09, Headquarters U S Marine Corps, Washington, D C 20380; SDPI 11, Marine Corps Recruit Depot, Parris Island, SC 29905; SDPI 15, Marine Corps Recruit Depot, San Diego, CA 92140; CDPI 17, Marine Corps Base, Quantico, VA 22134; SDPI 27, Marine Corps Base, Camp S D Butler, FPO Seattle, WA 98773; First Marine Brigade, FPO San Francisco, CA 96615.

Categories of individuals covered by the system: All Marine Corps personnel.

Categories of records in the system: The JUMPS/MMS automated system of records contains the following fields (data elements and data sets) and sub-fields; Social Security Number and the last, first, and middle initial (key); Name, Member Service Number, Contract Legal Agreement, Duty Limitation, Race/Sex/Ethnic Group, Present Unit Identification, Temporary Reporting Unit Code, Former Unit Identification, Intermediate Unit Identification, Future Unit Identification, Command Data Processing Installation Code, Individual Location, Message Routing Indicator, Pay Entry Base Data, Armed Forces Active Duty Base Date, Active Naval Service Base Date, Current Active Duty Began Date, Date of Enlistment/Acceptance, Date of Original Entry Armed Forces, Date of Birth, Estimated Date of Departure, Estimated Date of Arrival, Date Current Tour Began, Date Detached Last Command, Rotation Tour Date, Date Arrived U S Dependents Not Restricted, Date Arrived U S Enlistment, Careerist Flag, Contract Extension Data, Expiration of Obligated Service, Security Investigation, Permanent Grade , Incentive Pay, Proficiency Pay, Special Pay, Hostile Fire Pay, Basic Allowance for Subsistence, Basic Allowance for Quarters, Duty Status, Last Processing Cycle Information, Project Duty Status, Preference for Duty, Grade for Which Selected, Citizenship, Combat Service, Former Prisoner of War, Civilian Education, Accession Code (Program Enlisted Under), Military Occupational Specialties, Reserved for Future Use, Religion, Tour Control Factor, Sea or Foreign Duty, Program Element Number, Responsibility Center Number, Marital Status, Ethnic Group, Intermediate Monitored Command Code - Estimated Date of Arrival, Current Active Duty Begin Date, Estimated Date of Departure, Special Grade and Date of Rank, Old Reason for Transfer Code, New Reason for Transfer Code, Present Tour Control Factor, Prospective Officers Source Code, Reenlistment Bonus Type, Selective Reenlistment Bonus Zone, Separation Document Type, Composite Score, Armed Services Vocational Aptitude Battery, Deployment Monitored Command Code, Date Dependents Location Begin, Visual Audit Field, Date Joined Present Unit, TAD Excess Flag, TAD DPI, Officers School Graduation, Active Duty Officer Base Date, Active Duty Aviation Service Base Date, Accession Code, Future Tour Control Factor, Intended Transfer Date, Permanent Change of Station Code, Reason for Transfer Flag, Advanced Monitored Command Code, Advanced Monitored Command Code - Estimated Date of Arrival, Intermediate Monitored Command Code - Estimated Date of Arrival, Prospective Officers Source Code, Current Source of Entry Code, Home of Record, Prior Key, Days Lost Current Contract, Separation Document Type, Language Proficiency, Language Aptitude Test, Electronic Technician Selection Test (Enlisted Only), Reserved for Expansion, General Military Subjects Test Results, Classification Test, Computed General Technical or General Classification Test, Armed Forces Qualification Test/Army Qualification Test Score (Enlisted Only), Army Qualification Battery Scores, Service Schools, Dependents Information, Aeronautically Designated Officers & Noncommissioned Officers Information, Date Last Tour Combat/Combat Support Area, Optional Narrative Form, Aeronautically Designated, Officers & Noncommissioned Officers Information, Date Designated Military Pilot, Separation Data, Service Date (Officer), Lineal Control Number/Precedence Number Present Rank, Separation Data Addendum, Lineal Control Number/Precedence Number Permanent Rank, Month Attended Service Academy, Lineal Footnotes, Running Mate, Limited Duty Officer/Warrant Officer Footnotes, Date of Acceptance 1st Commission in the Marine Corps, Date of Rank 1st Commission in the Marine Corps, Date of Rank 1st Commission Limited Duty Officer, Visual Audit, Electronic Data Processing Test Score, Language Aptitude Test Date, Social Security Number Validation Monitor, Last Transfer Processing, Information, Temporary Additional Duty Excess Flag, Temporary Additional Duty Data Processing Installation, Graduates Obligation Code, Active Duty Spouse Identification, Fleet Assistance Program Unit Identification, Active Duty Off Service Base Date, Active Duty Officer Aviation Service Base Date, Program Enlisted For, Operational Flying Time, Operational Flying Computation Date, Operational Flying Start Date, Operational Flying Stop Date, Operational Flying Time Base Date, Operational Flying Gate One, Operational Flying Gate Two, Reserved, Platoon Number, Cycle Number, Last Type Transaction Code Touched, Not used at this time, Today's Date, Disbursing Officers Symbol, Command DPI of Parent Reporting Unit Code, Pay Group, Pay Status, Local Disbursing Office Cognizance, Payment Option/Leave and Earnings Statement Distribution/Pay Distribution Code, Federal Withholding Tax Data, Leave Account, Wage and Tax Summaries, Dependency Status, Dependency Determination, Basic Pay, Pay Grade, Years in Service, Serviceman's Group Life Insurance Deduction, Federal Income Tax Withholding, Federal Indemnity Compensation Act Tax Withholding, Payments, JUMPS Account Standing, Total Allotment Deductions, Last Update and Extract Date, Savings Deposits, Pay Extraction Flag, Regular Reenlistment Bonus, Variable Reenlistment Bonus, Time Lost, Detention of Pay, Repayment Date, Dislocation Allowance, Inadequate Quarters, Interim Housing Allowance, Indebtedness for Final Settlement, Incentive Pay 1, Proficiency Pay, Sea and Foreign Duty Pay, Diving Pay, Hostile Fire Pay, Subsistence Credit, Basic Allowance For Quarters, Personal Money Allowance, Family Separation Allowance, Incentive Pay 2, Cost of Living Allowance, Housing Allowance, Additional Federal Tax Withholding, Subsistence Debits, Court Martial/Nonjudicial Punishment Deductions, Miscellaneous Credits, Miscellaneous Debits, Other Continuing Monthly Deductions, Miscellaneous Leave Data, Retired Serviceman's Family Protection Plan Data, Temporary Lodging Allowance, Clothing Maintenance Data, Basic Allowance for Quarters Debits, Pay Change Flag, Pay Day Data, Miscellaneous Data, Check Mailing Address, Other Services Disbursing Officer Indicator, Reduced Tax, Unassigned, Saved Pay Original Entitlement, Saved Pay Current Entitlement, Tax Exclusion/Nonresident Alien Exempt Taxable Pay, Selective Reenlistment Bonus, Officer Status Change Flag, Aviation Career Incentive Pay, Advance Pay and Allowances, Power of Attorney.

The MMS master files consist of a complete magnetic record for each Marine serving on active duty for a period in excess of 30 days. The Remote Entry Data Display Terminal (REDDT) is a subsystem of MMS. It has the capability to directly access an extract of the master file. The procedure used to establish the initial computer record and add the individual to the Marine Corps strength is the accession process. The accession of recruits is accomplished through the Recruit Accession Management Subsystem (RAMS). The Commissioning Accession Management Subsystem (CAMS) is designed to access all officer records into JUMPS/MMS. Accession/ reaccession of all nonrecruit enlisted records is accomplished through the Headquarters Accession Management Subsystem (HAMS) at Headquarters, U S Marine Corps. The Accession Transcription Form (ATF) is an OCR form which contains information extracted from the enlistment contract and transfer/assignment to active duty orders. The ATF is completed and processed to establish the computer record. The Manpower Management Information System (MMIS) consists of models and processes within MMS These models and processes support manpower planners and programmers to optimize assignments to unaccompanied overseas tours, predict enlisted population by grade and military occupational specialty (MOS) and to test various policies related to unrestricted officer promotion planning.

Some manual files containing substantiating documents and other data relative to each member's JUMPS/MMS record are maintained. These file folders may contain any part of the JUMPS/MMS record and any one or more of the following documents: Military Pay Record, Military Payroll Money List, Military Pay Voucher, Certificate for Performance of Hazardous Duty, Application for

Arrears in Pay, Cash Collection Voucher, Authorization/Designation for Emergency Pay and Allowances, Wage and Tax Statement, Employees Withholding Exemption Certificate (IRS W-4), Employees Withholding Exemption Certificate (IRS W-4E), Notice of Levy, General Accounting Office Notice of Exemption, Dependency Certificate (Wife or Child Under 21 Years), Dependency Certificate (Mother or Father), Dependency Certificate (Unmarried Child Over 21 Years), Dependency Application, Clothing Checkage, Statement to Substantiate Payment of Family Separation Allowance, Government Property Checkage, Personal Financial Records, Unit Diary, Dependent Travel Record, Allotment/Bond Authorization, Certificate for Cost of Living and/or Housing Allowance, Certificate for Temporary Lodging Allowance, Removal of Mark of Desertion, Field Rations Certificate, Liquidation of Indebtedness, Initial Uniform Allowance for Officers, Additional Uniform Allowance for Officers, Excess Weight-Household Goods Shipment, Hospital Rations Checkage, Excess Expense Involving Movement of House Trailer, Transportation Checkage, Meal Ticket Checkage, Advance Pay, Advance Pay and Allowances, Discharge Gratuity, Combat Arms Bonus, Health Care Coverage, Government Quarters Termination and Assignment. Inadequate Quarters Termination and Assignment, Lump-Sum Leave, Rations Commuted to Private Mess, Reenlistment Bonus, Variable Reenlistment Bonus, Selective Reenlistment Bonus, Sick Misconduct, Prorated Rations, Supplemental Rations, Basic Allowance for Quarters (Own Right).

Authority for maintenance of the system: Title 10 and 37, U S Code Section 5031 and 5201

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Headquarters, U. S. Marine Corps and Marine Corps commands, activities and organizations - By officials and employees of the Marine Corps in the performance of their assigned duties in matters relating to a Marine's automated personnel and/or pay record.

Department of Defense and its components - By officials and employees of the Department in the performance of their official duties.

The Attorney General of the U S - By officials and employees of the Office of the Attorney General in connection with litigation, law enforcement or other matters under the direct jurisdiction of the Department of Justice or as carried out as the legal representative of the Executive Branch agencies.

Courts - By officials of duly established local, state and federal courts as a result of court order pertaining to matters properly within the purview of said court.

Congress of the U S - By the Senate or the House of Representatives of the U S or any committee or subcommittee thereof, any joint committee of Congress or subcommittee of joint committee on matters within their jurisdiction requiring disclosure of the files.

The Comptroller General of the U S - By the Comptroller General or any of his authorized representatives in the course of the performance of duties of the General Accounting Office relating to the Marine Corps.

By officials and employees of the American Red Cross and the Navy Relief Society in the performance of their duties. Access will be limited to those portions of the member's record required to effectively assist the member.

Federal, state and local government agencies - By officials and employees of federal, state and local government through official request for information with respect to law enforcement, investigatory procedures, criminal prosecution, civil court action and regulatory order.

To provide information to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States which has been authorized by law to conduct law enforcement activities pursuant to a request that the agency inititate criminal or civil action against an individual on behalf of the U. S. Marine Corps, the Department of the Navy, or the Department of Defense.

To provide information to individuals pursuant to a request for assistance in a criminal or civil action against a member of the U. S. Marine Corps, by the U. S. Marine Corps, the Department of the Navy, or the Department of Defense.

Department of Health, Education and Welfare (DHEW) - Disclosure of the name, rank or grade, and social security account number of each Marine Corps active duty military member to the Inspector General of DHEW for the specific purpose of comparison with appropriate rolls reflecting recipients of Aid to Families with Dependent Children (AFDC).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Data is recorded on magnetic records and discs, punch cards, computer printouts, microform, file folders, and other documents.

Retrievability: The data contained in magnetic records can be displayed on cathode-ray tubes, it can be computer printed on paper, and it can be converted to microform for information retrieval; the data in the supporting file folders and other manual records is retrieved manually. Computerized and conventional indices are required to retrieve individual records from the system. Normally, all types of records are retrieved by Social Security Number and name.

Safeguards: Building management employs security guards; building is locked nights and holidays. Authorized personnel may enter and leave the building during nonworking hours but must sign in and out. Records are maintained in areas accessible only to authorized personnel that are properly screened, cleared and trained.

Access to personal information is limited to authorized personnel with a need-to-know. Access is restricted to specific applications programs, records, and files to which personnel have a specific and recorded need-to-know. Online data sets (both tape and disc) pertaining to personal information are password protected, areas are controlled and access lists are used. The files are also protected at a level appropriate to the type of information being processed.

Retention and disposal: Magnetic records are maintained on all Marine Corps personnel while they are in service, and for a period of 4 months after they are separated from the service. Paper and film records are maintained for a period of 10 years after the final transaction. End calendar and fiscal year 'snapshots' of the MMS data base are maintained indefinitely in magnetic form at Headquarters, U. S. Marine Corps.

System manager(s) and address: Commandant of the Marine Corps, Headquarters U S Marine Corps, Washington, D C 20380.

Notification procedure: Requests from individuals for information concerning pay related matters should be addressed to the Commandant of the Marine Corps (Code FD). Requests from individuals for information concerning personnel matters should be addressed to the Commandant of the Marine Corps (Code MP).

Requesting individual must supply full name and Social Security Number.

The requester may visit the Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197 to obtain information on whether the system contains records pertaining to him or her.

In order to personally visit the above address and obtain information, individuals must present a military identification card, a driver's license, or other suitable proof of identity.

Record access procedures: Information on JUMPS may be obtained from the member's local disbursing officer. Information on MMS may be obtained from the member's immediate commanding officer. Requests for information from persons no longer in service should be signed by the person requesting the information. Dates of service, Social Security Number, and full name of requester should be printed or typed on the request. It should be sent to the Marine Corps Finance Center, 1500 East Bannister Road, Kansas City, Missouri 64197.

Contesting record procedures: The agency's rules for access to records and for contesting contents and appealing initial determinations by the individual concerned may be obtained from the SYSMANAGER.

Record source categories: Recruiting offices, disbursing offices, administrative offices, and the individual Marine are the principle sources of the information contained in the JUMPS/MMS record for that person.

Systems exempted from certain provisions of the act: None

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Federal Register

TUESDAY, AUGUST 1, 1978
PART III



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Low Income Housing

■

DEBT SERVICE VACANCY PAYMENTS

[4210-01]

Title 24—Housing and Urban Development

CHAPTER VIII—LOW-INCOME HOUSING, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. R-78-479, R-78-480, R-78-481 and R-78-482]

PART 880—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—NEW CONSTRUCTION

PART 881—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—SUBSTANTIAL REHABILITATION

PART 883—SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM—HOUSING FINANCE AND DEVELOPMENT AGENCIES AND NEW CONSTRUCTION SET-ASIDE FOR SECTION 515 RURAL RENTAL HOUSING PROJECTS

Debt Service Vacancy Payments

AGENCY: Department of Housing and Urban Development (HUD).

ACTION: Final rule.

SUMMARY: This final rule amends the Section 8, New Construction, Substantial Rehabilitation, Farmers Home Administration Section 515, Loan Program and Housing Finance and Development Agencies Program regulations to: (1) Make 1-year debt service vacancy payments available to all HUD-insured projects and (2) allow owners who had received a commitment for permanent financing before December 15, 1976, to qualify for these payments.

EFFECTIVE DATE: August 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Patricia Arnaudo, Deputy Director, Project Management Division, Office of Assisted Housing Management, Department of Housing and Urban Development, Room 6248, 451 Seventh Street SW., Washington, D.C. 20410, 202-755-6460. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On November 3, 1977 (at 42 FR 57632), the Department published rules proposing to delete the restriction that payments for vacant units up to the amount of debt service may not be made in projects insured under the National Housing Act (except under section 244). While the proposed rules for the debt-service vacancy payments provisions were published together with the proposed rules for the security deposit provisions, the final rules are being published separately.

This amendment to the debt-service vacancy payments provision is applicable to Section 8, New Construction, Substantial Rehabilitation and Housing Finance and Development Agencies Programs (sections 880.107(d), 881.107(d) and 883.204(d)). Proposed amendments to the Section 8, Farmers Home Administration and Section 515, Loan Program (section 883.706(d)), were not published for comment on November 3, 1977, due to an oversight. Since the changes are minor in nature or reflect a statutory change, HUD has determined that it is in the public interest to publish conforming changes for effect at this time to section 883.706(d) for efficient program operation.

Summary of Rules Proposed on November 3, 1977

The Department proposed to delete the restriction that debt-service vacancy payments may not be made in projects insured under the National Housing Act (except under section 244) because section 201(d) of the Housing and Community Development Act of 1977 amended section 8(c)(4) of the U.S. Housing Act of 1937 to make available debt-service vacancy payments in all HUD-insured projects, not just those insured under section 244. The rules also proposed to amend these sections to permit debt service vacancy payments even if the commitment for permanent financing was given before December 15, 1976. Finally, the sections were proposed to be amended to authorize the PHA or HFA, rather than HUD, to consider claims for payments by owners, in the case of private-owner/PHA or HFA projects.

Applicability to All HUD-Insured Projects

The Department received six written comments in response to the proposed regulation. The comments supported making section 8 debt service vacancy payments available in all HUD-insured projects and this proposed change has been adopted.

Deletion of the Effective Date Provision

Several commenters objected to the use of the December 15 qualifying date in sections 880.107(d)(4), 881.107(d)(4), 883.204(d)(4) and 883.706(d)(4) because of the difficulty in determining the exact date the commitment for permanent financing was obtained. Other comments indicated that the section 8 debt-service vacancy payments provision should apply to all projects without regard to the effective date of the financing. The justification for not making the section 8 debt service vacancy payments provisions available where the permanent financing was obtained prior to December 15, 1976, was to reduce program expenditures. Projects with financing by that date presumably do not require the further security of debt-service vacancy payments.

However, in reconsidering this restriction, the Department has determined that the interests of having uniform rules for all projects and simplifying administration to the program outweigh the amount of savings anticipated, particularly since relatively few projects are subject to this restriction. Therefore, the Department is deleting sections 880.107(d)(4), 881.107(d)(4), 883.204(d)(4) and 883.706(d)(4), thereby making the provisions applicable even if the commitment for the permanent financing was given before December 15, 1976.

PHA Responsibility in Private-Owner/PHA or HFA Projects

The sections are also being amended to authorize the PHA or HFA, rather than HUD, to consider claims for payments by the Owner, in the case of Private-Owner/PHA or HFA Projects.

Technical Clarification

Sections 880.107(d)(2)(iii), 881.107(d)(2)(iii), 883.204(d)(2)(iii) and 883.706(d)(2)(iii), as renumbered, have been rephrased for clarity to state that the amount of payments requested may not exceed the amount needed to make up the deficiency.

A finding of inapplicability respecting the National Environmental Act of 1969 has been made in accordance with HUD procedures. A copy of this finding of inapplicability will be available for public inspection during regular business hours at the office of the Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410.

Accordingly, title 24 of the CFR is amended as follows:

1. Sections 880.107(d), 881.107(d) and 883.706(d) are revised to read as follows;

§§ 880.107, 881.107, 883.706 [Amended]

Sections 880.107, 881.107 and 883.706, Housing assistance payments to owners.

* * * * *

(d) *Debt-service vacancy payments.* (1) If a unit continues to be vacant after the 60-day period specified in paragraph (b) or (c) of this section, the owner may submit a claim to receive additional housing assistance payments on a semiannual basis with

respect to the vacant unit in an amount equal to the principal and interest payments required to amortize the portion of the debt attributable to that unit for the period of the vacancy, whether the vacancy commenced during rent-up or after rent-up.

(2) Additional payments under this paragraph (d) for any unit shall not be for more than 12 months for any vacancy period, and shall be made only if:

(i) The unit was in decent, safe and sanitary condition during the vacancy period for which payments are claimed.

(ii) The Owner has taken and is continuing to take the actions specified in paragraphs (b) (1), (2) and (3) or paragraphs (c)(1) (i) and (ii) and (c)(2) of this section, as appropriate.

(iii) The owner has demonstrated, in connection with the semiannual claim on a form and in accordance wih the standards prescribed by HUD with respect to the period of the vacancy, that the project is not providing the owner with revenues at least equal to the project costs incurred by the owner and that the amount of the payments requested is not in excess of the amount needed to make up the deficiency.

(iv) The owner has submitted to HUD or the PHA, as appropriate, in connection with the semiannual claim, a statement with relevant supporting evidence that there is a reasonable prospect that the project can achieve financial soundness within a reasonable time. The statement shall indicate the causes of the deficiency; the corrective steps that have been and will be taken; and the time by which it is expected that the project revenues will at least equal project costs without the additional payments provided under this paragraph.

(3) HUD or the PHA, as appropriate, may deny any claim for additional payments or suspend or terminate payments if it determines that, based on the owner's statement and other evidence, there is not a reasonable prospect that the project can achieve financial soundness within a reasonable time.

2. Section 883.204(d) is revised to read as follows:

§ 883.204 Housing assistance payments to owners.

* * * * *

(d) *Debt-service vacancy payments.* (1) If a unit continues to be vacant after the 60-day period specified in paragraph (b) or (c) of this section, the owner may submit a claim to receive additional housing assistance payments on a semiannual basis with respect to the vacant unit in an amount equal to the principal and interest payments required to amortize the portion of the debt attributable to that unit for the period of the vacancy, whether the vacancy commenced during rent-up or after rent-up.

(2) Additional payments under this paragraph (d) for any unit shall not be for more than 12 months for any vacancy period and shall be made only if:

(i) The unit was in decent, safe and sanitary condition during the vacancy period for which payments are claimed.

(ii) The owner has taken and is continuing to take the actions specified in paragraphs (b) (1), (2) and (3) or paragraphs (c)(1) (i) and (ii) and (c)(2) of this section, as appropriate.

(iii) The owner has demonstrated, in connection with the semiannual claim on a form and in accordance with the standard prescribd by HUD with respect to the period of the vacancy, that the project is not providing the owner with revenues at least equal to the project costs incurred by the owner and that the amount of the payments requested is not in excess of the amount needed to make up the deficiency.

(iv) The owner has submitted to the HFA, in connection with the semiannual claim, a statement with relevant supporting evidence that there is a reasonable prospect that the project can achieve financial soundness within a reasonable time. The statement shall indicate the causes of the deficiency; the corrective steps that have been and will be taken; and the time by which it is expected that the project revenues will at least equal project costs without the additional payments provided under this paragraph.

(3) The HFA may deny any claim for additional payments or suspend or terminate payments if it determines that, based on the owner's statement and other evidence, there is not a reasonable prospect that the project can achieve financial soundness within a reasonable time.

* * * * *

AUTHORITY: Sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)); Sec. 5(b), United States Housing Act of 1937 (42 U.S.C. 1437c(b)).

Issued at Washington, D.C., July 21, 1978.

LAWRENCE B. SIMONS,
Assistant Secretary for Housing, Federal Housing Commissioner.

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