presidential documents

[3195-01]

## Title 3—The President

PROCLAMATION 4580

# National Grandparents Day, 1978

*By the President of the United States of America*

## A Proclamation

Our nation was shaped by the wisdom and courage of our founding fathers, and by the steadfastness of succeeding generations who have sustained their vision through two turbulent centuries of challenge and growth.

Each American family is similarly shaped and guided by its forbears. Just as a nation learns and is strengthened by its history, so a family learns and is strengthened by its understanding of preceding generations. As Americans live longer, more and more families are enriched by their shared experiences with grandparents and great-grandparents.

The elders of each family have the responsibility for setting the moral tone for the family and for passing on the traditional values of our nation to their children and grandchildren. They bore the hardships and made the sacrifices that produced much of the progress and comfort we enjoy today. It is appropriate, therefore, that as individuals and as a nation, that we salute our grandparents for their contribution to our lives.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby designate Sunday, September 10, 1978, as "National Grandparents Day." I urge officials of Government at the national, state, and local levels, and of voluntary organizations to plan appropriate activities so that the contributions that our grandparents have made may be appropriately recognized.

I urge each citizen to pause and to reflect on the influence his grandparents have had in shaping his own destiny, and on the legacy bestowed upon our contemporary society by his grandparents' generation.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of August, in the year of our Lord nineteen hundred seventy-eight, and of the Independence of the United States of America the two hundred and third.

Jimmy Carter

[FR Doc. 78-22163 Filed 8-4-78; 10:38 am]

# rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

[3410-01]

## Title 7—Agriculture

## SUBTITLE A—OFFICE OF THE SECRETARY OF AGRICULTURE

## PART 15—NONDISCRIMINATION

### Subpart B—Nondiscrimination—Direct USDA Programs and Activities

PROHIBITION OF AGE DISCRIMINATION

AGENCY: Department of Agriculture.

ACTION: Final rule.

SUMMARY: This rule amends the Department's rules governing nondiscrimination in direct USDA programs and activities by prohibiting age discrimination. The Department amends its nondiscrimination rules affecting direct assistance in order to make its rules consistent with the policy of the Age Discrimination Act of 1975

EFFECTIVE DATE: This amendment becomes effective August 7, 1978.

FOR FURTHER INFORMATION CONTACT:

William C. Payne, Jr., Program Planning and Evaluation Division, Office of Equal Opportunity, Washington, D.C. 20250, phone 447-4806.

SUPPLEMENTARY INFORMATION: On December 30, 1977, notice was published in the FEDERAL REGISTER (42 FR 65202) inviting comments not later than January 30, 1978, on a proposed amendment to title 7, part 15, subpart B, of the Code of Federal Regulations. One comment was received questioning the authority and wisdom of adopting such a proposed amendment.

After consideration of all relevant matter presented, including the proposal, and other available information, it is hereby determined that title 7, part 15, subpart B, of the Code of Federal Regulations should be and is amended by adding the word "age" after the word "sex" in § 15.51 (a) and (b), and by adding a new subsection (c) which sets out certain exemptions.

Accordingly, 7 CFR 15.51 is amended to read as follows:

**§ 15.51 Discrimination prohibited.**

(a) No agency, officer, or employee of the U.S. Department of Agriculture, shall exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States on the ground of race, color, religion, sex, age, or national origin under any program or activity administered by such agency, officer, or employee.

(b) No agency, officer, or employee of the Department shall on the ground of race, color, religion, sex, age, or national origin deny to any person in the United States: (1) Equal access to buildings, facilities, structures, or lands under the control of any agency in this Department, and (2) under any program or activity of the Department, equal opportunity for employment, for participation in meetings, demonstrations, training activities or programs, fairs, awards, field days, encampments, for receipt of information disseminated by publication, news, radio, and other media, for obtaining contracts, grants, loans, or other financial assistance or for selection to assist in the administration of programs or activities of this Department.

(c) It shall not be a violation of this section if: (1) As a matter of policy, age is taken into account as a factor necessary to the normal operation or the achievement of any statutory objective of any program or activity; or (2) the program or activity is established under a law which: (i) Provides any benefits or assistance to persons based upon the age of such persons, or (ii) established criteria for participation in age-related terms or describes intended beneficiaries or target groups in such terms.

Dated: August 1, 1978.

BOB BERGLAND,
*Secretary of Agriculture.*

[FR Doc. 78-21825 Filed 8-4-78; 8:45 am]

[3410-16]

## CHAPTER VI—SOIL CONSERVATION SERVICE, DEPARTMENT OF AGRICULTURE

## PART 661—PUBLIC INFORMATION AND RIGHT TO PRIVACY

### Availability of Information

AGENCY: Soil Conservation Service, USDA.

ACTION: Final rule.

SUMMARY: This rule prescribes the availability of information and the procedures for obtaining information under the Freedom of Information Act and Privacy Act as implemented by the regulations of the Secretary of Agriculture and the Soil Conservation Service.

EFFECTIVE DATE: August 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Verne M. Bathurst, Deputy Administrator for Administration, Soil Conservation Service, U.S. Department of Agriculture, P.O. Box 2890, Washington, D.C. 20013, telephone 202-447-6297.

SUPPLEMENTARY INFORMATION: On January 18, 1977, the Soil Conservation Service published a proposed rule (42 FR 3311) to review present regulations on the availability of information under the Freedom of Information Act and implement the Privacy Act of 1974 as it applies to the Soil Conservation Service. As set out in the proposed rulemaking, the regulations of the Secretary of Agriculture are to be followed.

Two comments were received from the general public. The concern of the two comments was the exemption of certain records.

DISCUSSION OF COMMENTS

WHAT RECORDS ARE EXEMPT

Records exempt from access to the general public were the concern of the two comments received. Comment No. 1 read as follows:

"Sec. 661.5 *Exempt records.* Written records of periodic and special inspections of installed project measures should be open and available to the public. We ask clarification that these inspection records will not

fall under category (2) of this section—inventories and evaluations."

Records of inspection of installed project measures maintained by the Soil Conservation Service are available under the Freedom of Information Act upon request.

Comment No. 2 read in part as follows:

"The Freedom of Information Act, 5 U.S.C. 552, is a legislative plan that requires disclosure, upon request, of records of governmental agencies. The liberal disclosure requirement is limited by nine specific exemptions, 5 U.S.C. 552(b), which are to be narrowly construed in order to assure public access to all governmental records whose disclosure would not significantly harm specific governmental interests. *Soucie* v. *David*, 145 U.S. App. Ct., D.C. 144, 448 F. 2d 1067 (1971), *Washington Research Project, Inc.* v. *Department of Health, Education, and Welfare*, 366 F. Supp. 929 (1973). *B & C Tire Co.* v. *Internal Revenue Service, Department of Treasury*, 376 F. Supp. 708 (1974).

"Proposed revision 661.5 would significantly broaden the scope of the 552(b)(4) exemption. Section (b)(4) exempts 'trade secrets and commercial or financial information obtained from a person and privileged or confidential.' The proposed revision will withhold 'to the maximum extent permitted' by (b)(4) conservation plans including those supporting cost share contracts, inventories and evaluations, any recorded information which shows scope of a farm operation or other enterprises including boundaries and economic data collected during the planning process, and economic data collected from individuals which is used for evaluation or watershed, RC&D and other projects.

"These revisions are a serious and unwarranted evasion of the public's right of access to Government controlled information. They are overly broad and unnecessarily vague. They essentially exempt all records that justify the economic underpinnings of watershed projects. The proposed revisions would allow the agency to withhold information essential to the assessment of any project, such information would include cost share figures, data supporting 100-year storm delineations and data supporting flood damage and benefit analysis. The revisions mandate court action for any person who seriously questions a watershed project."

The Soil Conservation Service has determined that all records except those exempt under 5 U.S.C. 552 or a court decision will be available for inspection and copying.

Accordingly, 7 CFR, Chapter VI, Part 661 is revised and published as a final.

NORMAN A. BERG,
*Associate Administrator.*

JULY 31, 1978.

### Subpart A—Availability of Records and Materials

Sec.
661.1 General.
661.2 Public access and copying.
661.3 Request for records.
661.4 Appeals.
661.5 Exempt records.

### Subpart B—Right to Privacy

661.6 General.

Appendix A—Availability of Information.

AUTHORITY: 5 U.S.C. 552, 552a; 7 CFR 1.1-1.16, 1.110-1.123.

## Subpart A—Availability of Records and Materials

### § 661. General.

This part is issued in accordance with the regulations of the Secretary of Agriculture at 7 CFR 1.1-1.16 implementing the Freedom of Information Act, 5 U.S.C. 552. The Secretary's regulations, as implemented by the regulations in this part, govern the availability to the public of records of the Soil Conservation Service and the records for which the Soil Conservation Service has custodial responsibility.

### § 661.2 Public access and copying.

Soil Conservation Service will make available for public inspection and copying those materials covered by 5 U.S.C. 552(a)(2) as set out in the Secretary's regulations.

### § 661.3 Requests for records.

Requests for records under 5 U.S.C. 552(a)(3) will be made in accordance with 7 CFR 1.3(a). The titles and mailing addresses of the officials in Soil Conservation Service authorized to receive requests for records are shown in appendix A of this subpart. Authority is hereby delegated to these officials to make determinations regarding such requests in accordance with 7 CFR 1.4(c).

### § 661.4 Appeals.

Any person whose request for records above is denied shall have the right to appeal that denial in accordance with 7 CFR 1.3(e). All appeals shall be addressed to: Administrator, Soil Conservation Service, U.S. Department of Agriculture, P.O. Box 2890, Washington, D.C. 20013.

### § 661.5 Exempt records.

Records exempt under 5 U.S.C. 552(b) may be withheld in accordance with 7 CFR 1.11.

## Subpart B—Right to Privacy

### § 661.6 General.

Soil Conservation Service implementation of the Privacy Act of 1974, 5 U.S.C. 552a is contained in the regulations of the Secretary, 7 CFR 1.110-1.123.

APPENDIX A-AVAILABILITY OF INFORMATION

The following list pertaining to the availability of information are published in accordance with the requirement and pursuant to the authority of sections 552, 559 of Title 5, United States Code.

REQUEST FOR EXAMINATION OR COPY OF RECORDS

*General*

Request for examination and copying of a record or for copies of records shall be made to the Deputy Administrator for Administration, Soil Conservation Service, U.S. Department of Agriculture, P.O. box 2890, Washington, D.C. 20013, or to the State Conservationist in any of the listed state offices.

SOIL CONSERVATION SERVICE, STATE OFFICE LOCATION

State Conservationist, Wright Building, 138 South Gay St., P.O. Box 311, Auburn, Ala. 36830.
State Conservationist, Suite 129, Professional Bldg., 2221 East Northern Lights Blvd., Anchorage, Alaska 99504.
State Conservationist, 230 North 1st Ave., Federal Bldg., Phoenix, Ariz. 85025.
State Conservationist, Federal Bldg., Room 5029, 700 West Capitol St., P.O. Box 2323, Little Rock, Ark. 72203.
State Conservationist, 2828 Chiles Rd., Davis, Calif. 95616.
State Conservationist, Mansfield Professional Park, Route 44A, Storrs, Conn. 06268.
State Conservationist, Treadway Towers, Suite 2-4, 9 East Loockerman St., Dover, Del. 19901.
State Conservationist, Federal Bldg., P.O. Box 1208, Gainsville, Fla., 32602.
State Conservationist, Federal Bldg., 355 East Hancock Ave., P.O. Box 832, Athens, Ga. 30603.
State Conservationist, 300 Moana Blvd., Ala, Room 4316, P.O. Box 50004, Honolulu, Hawaii 96850.
State Conservationist, Room 313, 2490 West 26th Ave., P.O. Box 17107, Denver, Colo. 80217.
State Conservationist, Federal Bldg., 200 West Church St., P.O. Box 678, Champaign, Ill. 61820.
State Conservationist, Atkinson Square-West, Suite 2200, 5610 Crawfordsville Rd., Indianapolis, Ind. 46224.
State Conservationist, 823 Federal Bldg., 210 Walnut St., Des Moines, Iowa 50309.
State Conservationist, 760 South Broadway, P.O. Box 600, Salina, Kans. 67401
State Conservationist, 333 Waller Ave., Lexington, Ky. 40504.
State Conservationist, 3737 Government St., P.O. Box 1630, Alexandria, La. 71301.
State Conservationist, USDA Bldg., University of Maine, Orono, Maine 04473.
State Conservationist, Hartwick Bldg., Room 522, 4321 Hartwick Rd., College Park, Md. 20740.
State Conservationist, 29 Cottage St., Amherst, Mass. 01002.
State Conservationist, Room 345, 304 North 8th St., Boise, Idaho 83702.
State Conservationist, Milner Bldg., Room 590, 210 South Lamar St., P.O. Box 610, Jackson, Miss. 39205.

State Conservationist, 555 Vandiver Dr., Columbia, Mo. 65201.
State Conservationist, Federal Bldg., P.O. Box 970, Bozeman, Mont. 59715.
State Conservationist, Federal Bldg.-U.S. Courthouse, Room 345, Lincoln, Nebr. 68508.
State Conservationist, U.S. Post Office Bldg., P.O. Box 4850, Reno, Nev. 89505.
State Conservationist, Federal Bldg., Durham, N.H. 03824.
State Conservationist, 1370 Hamilton St., P.O. Box 219, Somerset, N.J. 08873.
State Conservationist, 517 Gold Ave., SW., P.O. Box 2007, Albuquerque, N. Mex. 87103.
State Conservationist, U.S. Courthouse and Federal Bldg., 100 South Clinton St., Room 771, Syracuse, N.Y. 13260.
State Conservationist, 1405 South Harrison Rd., East Lansing, Mich. 48823.
State Conservationist, 200 Federal Bldg. and U.S. Courthouse, 316 North Robert St., St. Paul, Minn. 55101.
State Conservationist, 200 North High St., Room 522, Columbus, Ohio 43215.
State Conservationist, Agriculture Center Bldg., Farm Rd. and Brumley St., Stillwater, Okla. 74074.
State Conservationist, Federal Bldg., 1220 Southwest 3d Ave., Portland, Oreg. 97204.
State Conservationist, Federal Bldg. and Courthouse, Box 985 Federal Square Station, Harrisburg, Pa. 17108.
State Conservationist, Caribbean Area, Room 633 Federal Bldg., Chardon Ave., G.P.O. Box 4868, Hato Rey, P.R. 00936.
State Conservationist, 222 Quaker Lane, West Warwick, R.I. 02893.
State Conservationist, 240 Stoneridge Dr., Columbia, S.C. 29210.
State Conservationist, 200 4th St., SW., P.O. Box 1357, Huron, S. Dak. 57350.
State Conservationist, Federal Office Bldg., 310 New Bern Ave., Fifth Floor-P.O. Box 27307, Raleigh, N.C. 27611.
State Conservationist, Federal Bldg., P.O. Box 1458, Bismarck, N. Dak. 58501.
State Conservationist, Federal Bldg., 101 South Main St., P.O. Box 648, Temple, Tex. 76501.
State Conservationist, 4012 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.
State Conservationist, Burlington Square, Suite 205, Burlington, Vt. 05401.
State Conservationist, Federal Bldg., Room 9201, 400 North 8th St., P.O. Box 10026, Richmond, Va. 23240.
State Conservationist, 360 U,S. Courthouse, West 920 Riverside Ave., Spokane, Wash. 99201.
State Conservationist, 75 High St., P.O. Box 865, Morgantown W. Va. 26505.
State Conservationist, 4601 Hammersley Rd., Madison, Wis. 53711.
State Conservationist, Federal Office Bldg., P.O. Box 2440, Casper, Wyo. 82601.
State Conservationist, 675 U.S. Courthouse, Nashville, Tenn. 37203.

Only those matters pertaining to the particular State and matters of general application will be available in each State office.

[FR Doc. 78-21800 Filed 8-4-78; 8:45 am]

[3410-05]

## CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1978 Crop Rice Supplement]

## PART 1421—GRAIN AND SIMILARLY HANDLED COMMODITIES

### Subpart—1978 Crop Rice Loan and Purchase Program

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to set forth the: (1) Final loan and purchase availability dates, (2) maturity dates, (3) loan and purchase rates, (4) premiums and discounts, and (5) location differentials under which Commodity Credit Corporation (CCC) will extend price support on 1978 crop rice. This rule is needed in order to satisfy statutory requirements which provide that price support shall be made available to rice producers who comply with program provisions. This rule will permit eligible rice producers to obtain loans and purchases on their eligible 1978 crop rice.

DATE: Effective August 7, 1978.

ADDRESS: Price Support and Loan Division, ASCS, U.S. Department of Agriculture, 3727 South Building, P.O. Box 2415, Washington, D.C. 20013.

FOR FURTHER INFORMATION CONTACT:

Dalton Ustynik (ASCS), 202-447-6611.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking was published in the FEDERAL REGISTER on April 26, 1978, 43 FR 17964, stating that the Secretary of Agriculture proposed to make determinations and issue regulations relative to a loan and purchase program for 1978 crop rice. Such determinations included determining loan rates, premiums, and discounts for grades, classes, other qualities, location differentials, and other provisions as may be needed to carry out the program. Interested persons were given until May 30, 1978, to submit recommendations, views, and comments. Three responses were received. Two commented that the target and loan prices as published in the FEDERAL REGISTER were adequate. One recommended an increase in the target price. Due to statutory directives, it was determined that the target and loan prices would remain as published.

FINAL RULE

The general regulations governing price support for the 1978 and subsequent crops, as amended, and the 1978 and subsequent crops rice loan and purchase program regulations, as amended, are further supplemented, as stated herein, for the 1978 crop of rice. The material previously appearing in this subpart remains in full force and effect as to the crops to which it was applicable. Accordingly, the regulations in §§ 1421.325 through 1421.328 and the title of the subpart are revised to read as follows:

**Subpart—1978 Crop Rice Loan and Purchase Program**

Sec.
1421.325 Purpose.
1421.326 Availability.
1421.327 Maturity of loans.
1421.328 Loan and purchase rates.

AUTHORITY: Secs. 4 and 5, 62 Stat. 1070, as amended (15 U.S.C. 714 b and c); secs. 101, 401, 63 Stat. 1051, as amended, sec. 702, 91 Stat. 940 (7 U.S.C. 1441 and 1421).

### Subpart—1978 Crop Rice Loan and Purchase Program

§ 1421.325 Purpose.

This subpart contains additional program provisions which, together with the applicable provisions of the regulations contained in the general regulations governing price support for the 1978 and subsequent crops, as amended, and the 1978 and subsequent crops rice loan and purchase program regulations, as amended, apply to loans and purchases for 1978 crop rice.

§ 1421.326 Availability

(a) *Loans.* A producer must request a loan on his 1978 crop eligible rice on or before March 31, 1979.

(b) *Purchases.* Producers desiring to offer eligible rice not under loan for purchase must execute and deliver to the county ASCS office prior to April 30, 1979, a purchase agreement (Form CCC-614) indicating the approximate quantity of rice they will sell to CCC.

§ 1421.327 Maturity of loans.

Unless demand is made earlier, loans on rice will mature on April 30, 1979.

§ 1421.328 Loan and purchase rates.

(a) *Farm storage loans.* The loan rate for farm storage rice shall be $6.40 per hundredweight for any class. The settlement rate shall be the applicable basis rate specified in paragraph (c) of this section, adjusted in accordance with the provision of this section and §§ 1421.311 and 1421.22.