distribution by January 1, 1979. This would have provided a minimum of 6 months as a transition period from the older obsolete prediction models to the revised methodology.

During consultation meetings with the various States concerning this new methodology many States responded to FHWA's representation that the new methodology would be available by January 1, 1979, by indicating that they would await availability of this new model in final form and adopt it for their use. However, because of printing problems and contractual difficulties associated with the computer programs, the FHWA noise prediction model will not be available in final form until July 1979.

As a result of this delay, should FHWA not amend the implementation date for use of new models under revised § 772.25, many States which relied upon FHWA's representations would be unable to comply with the revised requirements of § 772.25 on, or soon after, July 1, 1979. Therefore, the FHWA is now amending this implementation date by deferring it until December 31, 1979. This will provide the States with a period of time which is adequate for an orderly transition to the use of the new methodology.

This amendment will not result in substantial costs nor will it result in unusual impacts. Further, since the new methodology is a refinement of older available methods and reflects advancements in technology, the deferment until December 31, 1979, will not result in any significant adverse impacts upon the environment during the period of that deferment.

Accordingly, 23 CFR 772.25(d) is amended to read as follows:

§ 772.25 Traffic noise level prediction methods.

* * * * *

(d) Traffic noise prediction methods approved pursuant to prior requirements of this part (41 FR 16936, Apr. 23, 1976) remain approved until December 31, 1979. Any noise analysis performed after December 31, 1979, must comply with the requirements of paragraph (a) of this section.

Note.—The Federal Highway Administration has determined that this document does not contain a significant regulation according to the criteria established by the Department of Transportation pursuant to E.O. 12044. A regulatory evaluation is available for inspection in the public docket any may be obtained by contacting Mr. Jerry Reagan of the program office at the address specified above.

(23 U.S.C. 101(e), 109(i), 315; 49 CFR 1.48(b).)

Issued on: May 17, 1979.

John S. Hassell, Jr.,

Deputy Administrator.

[FR Doc. 79-16582 Filed 5-25-79; 8:45 am]

BILLING CODE 4910-22-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

24 CFR Part 1914

[Docket No. FI-5491]

List of Communities Eligible for the Sale of Insurance Under the National Flood Insurance Program

AGENCY: Office of Federal Insurance and Hazard Mitigation, Federal Emergency Management Agency.[1]

ACTION: Final Rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain flood plain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The date listed in the fourth column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, phone: (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Krimm, National Flood Insurance Program, (202) 755-5581 or Toll Free Line 800-424-8872, Room 5270, 451 Seventh Street, SW., Washington, DC 20410.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Federal Insurance Administrator has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the sixth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Federal Insurance Administrator finds that delayed effective dates would be contrary to the public interest. The Administrator also finds that notice and public procedure under 5 U.S.C. 553 (b) are impracticable and unnecessary.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

Section 1914.6 is amended by adding in alphabetical sequence new entries to the table.

[1] The functions of the Federal Insurance Administration, U.S. Department of Housing and Urban Development, were transferred to the newly established Federal Emergency Management Agency by Reorganization Plan No. 3 of 1978 (43 FR 41943, September 19, 1978) and Executive Order 12127 (44 FR 19367, April 3, 1979)

§ 1914.6 List of Eligible Communities.

State	County	Location	Community No.	Effective dates of authorization/ cancellation of sale of flood insurance in community	Special flood hazard area identified
Illinois	Pike	Valley City, village of	170559-A	May 14, 1979, emergency.	Dec. 17, 1973 and Mar 19, 1976.
Pennsylvania	Snyder	Perry, township of	422038	May 17, 1979, emergency.	Jan. 3, 1975.
Do	Mercer	Sandy Lake, township of	421874	do	Dec. 13, 1974.
Pennsylvania	Washington	Beallsville, borough of	422129-A	May 21, 1979, emergency.	Dec. 13, 1974 and July 16, 1976.
Do	Jefferson	Eldred, township of	422443	do	Jan. 17, 1975.
Do	Somerset	Milford, township of	422519	do	Jan. 3, 1975.
South Carolina	Florence	Unincorporated areas	450076	May 22, 1979	Apr 26, 1978.

State	County	Location	Community No.	Effective dates of authorization/ cancellation of sale of flood insurance in community	Special flood hazard area identified
Massachusetts	Worcester	Gardner, city of	250305-A	Sept. 4, 1975, emergency, Mar. 31, 1979, suspended, May 18, 1979, reinstated.	Sept. 6, 1974 and Mar. 12, 1976.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, (42 U.S.C. 4001–4128); Executive Order 12127, 44 FR 19367; and delegation of authority to Federal Insurance Administrator, 44 FR 20963.)

Issued: May 21, 1979.

Gloria M. Jimenez,

Federal Insurance Administrator.

[FR Doc. 79-16596 Filed 5-25-79; 8:45 am]

BILLING CODE 4210-23-M

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 870]

Restriction on Garnishment

AGENCY: Wage and Hour Division, Labor.

ACTION: Final interpretative rule.

SUMMARY: The Tax Reduction and Simplification Act, which amends the Consumer Credit Protection Act, has in the case of multiple garnishments resulted in problems relating to the priorities of the garnishments. The CCPA does not define such priorities, leaving that question to other Federal and State laws. This document will assist the public in understanding the application of the CCPA to situations where various creditors are attempting to garnish a debtor's wages.

DATE: This rule shall be effective on May 29, 1979.

FOR FURTHER INFORMATION CONTACT: Paul E. Myerson, Counsel, General Legal Services, Office of the Solicitor, Room N2464, New Department of Labor Building, 200 Constitution Avenue NW., Washington, D.C. 20210, telephone No. 202–523–8244.

SUPPLEMENTARY INFORMATION: The Tax Reduction and Simplification Act of 1977 amended section 303(b) of the Consumer Credit Protection Act to restrict the amount of an individual's disposable earnings which may be garnished for the support of any person (child support and alimony). Prior to this amendment there were no Federal limitations on the amount of earnings which could be garnished for this purpose. Section 303(b) now provides that the maximum amount of an individual's disposable earnings which may be garnished for support is as follows:

(1) 50% is garnishable if the individual is supporting his spouse or a dependent child, and the garnishment for support concerns someone else (i.e. a former spouse and/or another dependent child);

(2) 60% is garnishable if the individual is not supporting any such additional person(s);

(3) these percentages are increased to 55% and 65% respectively, if the garnishment order concerns support payments more than 12 weeks in arrears.

Section 303(b) continues to provide that there are no limitations on the amount that may be garnished for debts for State or Federal taxes or for withholdings pursuant to Title XIII of the Bankruptcy Act which are, for the purposes of this law, classified as garnishments. Section 303(a) continues to provide that garnishments for all other debts (other than those for support, State or Federal taxes, and Title XIII bankruptcy) are limited to 25% of disposable earnings.

As the CCPA does not contain any provisions concerning the priority of garnishments, problems of priority have arisen when there is more than one garnishment. Such priority is a matter for determination under other Federal laws or State laws. In view of the diversity of State laws and the possibility of amendment of Federal or State laws the examples given in this section are based on stated assumptions of what the priorities are.

Where there is a garnishment for support as well as a garnishment for taxes or Title XIII bankruptcy, and if this latter type of garnishment has priority, this priority garnishment will absorb disposable earnings which otherwise would be withheld to satisfy the garnishment for support. This means that although garnishments for Federal and State taxes and Title XIII bankruptcy can be in any amount, if these garnishments have priority, then a garnishment for support can require a withholding only if these other garnishments absorb an amount less than the applicable ceiling for the support garnishment (50–65%). If that is the case, then the garnishment for support can take only the difference between the applicable ceiling and the amounts withheld pursuant to the garnishments with priority.

Where there is a garnishment for support as well as a garnishment for other debts subject to the 25% limitation in section 303(a), the priority of the garnishments is generally a matter of applicable state law. If the garnishment for support has priority and results in the withholding of 25% more of the debtor's disposable earnings, then the garnishment for the other debt takes nothing. If the garnishment for the other debt has priority, it is subject to the 25% limitation and the combined amount subject to garnishment for this debt and the support debt may not exceed the 50% to 65% maximum applicable percentage.

With the addition of § 870.11, it is necessary to amend the Title of § 870.10 to reflect its coverage of section 303(a) only.

This document was prepared under the direction and control of the Associate Solicitor for General Legal Services, Office of the Solicitor, Department of Labor.

To effectuate the above changes paragraph (a) of § 870.1 is revised, the title to § 870.10 is amended, and a new § 870.11 is added, as follows:

1. Paragraph (a) of § 870.1 is amended as follows:

§ 870.1 Purpose and scope.

(a) This part sets forth the procedures and any policies, determinations, and interpretations of general application whereby the Secretary of Labor carries out his duties under section 303 of the CCPA dealing with restrictions on garnishment of earnings, and section 305 permitting exemptions for State-regulated garnishments in certain situations. While the Secretary's duties under section 303 include insuring that certain amounts of earnings are

protected, such duties do not include establishing priorities among multiple garnishments, as such priorities are determined by other Federal statutes or by State law.

* * * * *

2. The title of § 870.10 is amended to read as follows:

§ 870.10 Maximum part of aggregate disposable earnings subject to garnishment under section 303(a).

* * * * *

3. A new § 870.11 is added which reads as follows:

§ 870.11 Exceptions to the restrictions provided by section 303(a) of the CCPA and priorities among garnishments.

(a)(1) Section 303(b) of the Consumer Credit Protection Act provides that the restrictions in section 303(a) do not apply to:

(i) Any debt due for any State or Federal tax, or

(ii) Any order of any court of bankruptcy under Chapter XIII of the Bankruptcy Act.

(2) Accordingly the Consumer Credit Protection Act does not restrict in any way the amount which may be withheld for State or Federal taxes or in Chapter XIII Bankruptcy Act proceedings.

(b)(1) Section 303(b) provides the following restrictions on the amount that may be withheld for the support of any person (e.g. alimony or child support):

"(A) Where such individual is supporting his spouse or dependent child (other than a spouse or child with respect to whose support such order is issued), 50 per centum of such individual's disposable earnings for that week; and

"(B) Where such individual is not supporting such a spouse or dependent child described in clause (A), 60 per centum of such individual's disposable earnings for that week; except that, with respect to the disposable earnings of any individual for any workweek, the 50 per centum specified in clause (A) shall be deemed to be 55 per centum and the 60 per centum specified in clause (B) shall be deemed to be 65 per centum, if and to the extent that such earnings are subject to garnishment to enforce a support order with respect to a period which is prior to the twelve week period which ends with the beginning of such workweek."

(2) Compliance with the provisions of section 303(a) and (b) may offer problems when there is more than one garnishment. In that event the priority is determined by State law or other Federal laws as the CCPA contains no provisions controlling the priorities of garnishments. However, in no event may the amount of any individual's disposable earnings which may be garnished exceed the percentages specified in section 303. To illustrate:

(i) If 45% of an individual's disposable earnings were garnished for taxes, and this garnishment has priority, the Consumer Credit Protection Act permits garnishment for the support of any person of only the difference between 45% and the applicable percentage (50 to 65%) in the above quoted section 303(b).

(ii) If 70% of an individual's disposable earnings were garnished for taxes and/or a Title XIII Bankruptcy debt, and these garnishments have priority, the Consumer Credit Protection Act does not permit garnishment either for the support of any person or for other debts.

(iii) If 25% of an individual's disposable earnings were withheld pursuant to an ordinary garnishment which is subject to the restrictions of section 303(a), and the garnishment has priority in accordance with State law, the Consumer Credit Protection Act permits the additional garnishment for the support of any person of only the difference between 25% and the applicable percentage (50–65%) in the above quoted section 303(b).

(iv) If 25% or more of an individual's disposable earnings were withheld pursuant to a garnishment for support, and the support garnishment has priority in accordance with State law, the Consumer Credit Protection Act does not permit the withholding of any additional amounts pursuant to an ordinary garnishment which is subject to the restrictions of section 303(a).

(Secs. 303, 306, 82 Stat. 163, 164; 15 U.S.C. 1673, 1676; as amended by 91 Stat. 158)

Signed at Washington, D.C., on this 22nd day of May 1979.

C. Lamar Johnson,

Deputy Administrator, Wage and Hour Division.

[FR Doc. 79-16707 Filed 5-25-79; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 223

Correction of Revision of Regulations Which Govern Surety Companies Doing Business With the United States

AGENCY: Bureau of Government Financial Operations, Department of the Treasury.

ACTION: Authority citation correction.

SUMMARY: This corrects an oversight by adding an authority citation to a final rule published in FR Doc. 78-24671 on September 1, 1978, at 43 FR 39088 and 39089. The final rule amended 31 CFR 223.3 and 223.11.

EFFECTIVE DATE: September 1, 1978.

FOR FURTHER INFORMATION CONTACT: Mr. John Newell, Audit Staff, Bureau of Government Financial Operations, U.S. Department of the Treasury, Washington, D.C. 20226. Telephone (202) 634-5978.

SUPPLEMENTARY INFORMATION: The authorities for 31 CFR Part 223, and for the above referenced September 1, 1978 amendments of that Part, are 80 Stat. 379; 5 U.S.C. 301 and 6 U.S.C. 8.

Dated: May 21, 1979.

D. A. Pagliai,

Commissioner, Bureau of Government Financial Operations.

[FR Doc. 79-16546 Filed 5-25-79; 8:45 a.m.]

BILLING CODE 4810-35-M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 744

Policies and Procedures for the Protection of Proprietary Rights in Technical Information Proposed for Release to Foreign Governments; Miscellaneous Amendments and Deletions

AGENCY: Department of the Navy, Department of Defense.

ACTION: Final rule.

SUMMARY: The Department of the Navy is amending 32 CFR Part 744 relating to the protection of proprietary rights in connection with the exchange, for defense purposes, of technical information between the United States and foreign governments. These amendments and deletions are being made in order to remove material which unnecessarily duplicates certain provisions of 32 CFR Part 264, which Part 744 implements. Additionally, references to deleted portions of Part 744 are changed to appropriate provisions in 32 CFR Part 264. The intended effect of these amendments and deletions is to improve 32 CFR by removing duplicative material.

EFFECTIVE DATE: May 29, 1979.

FOR FURTHER INFORMATION CONTACT: Lieutenant Gerald J. Kirkpatrick, JAGC, U.S. Navy, Regulations Branch Attorney (Code 133.1), Office of the Judge Advocate General, Department of the Navy, Washington, D.C. 20370, telephone number (202) 694-5267.