cited in the System Specifications and Statement of Work.

(c) Provide the following information for each document:

(1) Identify where the document is referenced in the solicitation.

(2) List (as minimum by paragraph number) all requirements appearing in the document that are not applicable, and those that have been modified. For convenience, if most requirements in the document are not applicable, list only those requirements that are applicable and have been modified. If all provisions of the document are applicable, so indicate.

(3) Provide a simple, short entry for each requirement that has been excluded (for example, not applicable) or modified, limited to reasons such as the following:

(i) To accommodate state-of-the-art technology.

(ii) To accommodate industry capability and/or practice.

(iii) To accommodate the specific system or acquisition phase.

(iv) Alteration of requirement to match specific mission, application, or operation.

(4) Identify the applicable Data Item Description (DD Form 1664) and whether these have been tailored to conform to the governing document.

Carol M. Rose,

Air Force Federal Register Liaison Officer.

[FR Doc. 79-29939 Filed 9-26-79; 8:45 am]

BILLING CODE 3910-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 762

[FRL 1300-2; OTS-62001]

Fully Halogenated Chlorofluoroalkanes; Toxic Substances Control Act; Inkless Fingerprinting Systems

Correction

In FR Doc. 79-29182, published at page 54297, on Wednesday, September 19, 1979, the agency's docket number in the heading of the document, reading "[FRL 1300-2; OTS-6200]" should be corrected to read "[FRL 1300-2; OTS-62001]".

BILLING CODE 1505-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA 5694]

List of Communities With Special Hazard Areas Under the National Flood Insurance Program

Correction

In FR Doc. 79-28357 appearing on page 53163 in the issue of Thursday, September 13, 1979, in the table on page 53164, the first entry, now reading "Arizona, Montgomery, city of Norman, 0001B" should have read, "Arkansas, Montgomery, city of Norman, 0001B."

BILLING CODE 1505-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

[FCC 79-525]

Stating the Commission's Policy Regarding Disclosure of Information To Other Federal Agencies

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: To call attention to policies which guide the Commission in acting on requests by other Federal agencies for the inspection of papers accepted by the Commission with assurances against disclosure to public under the Freedom of Information Act, the FCC has set those policies out in its rules. The request will be granted if (1) specific assurances against such disclosure have not been given, (2) the other agency has established a legitimate need for the information, (3) disclosure is made subject to the provisions of 44 U.S.C. 3508(a), and (4) disclosure is not prohibited by the Privacy Act or other provisions of law. With one exception a person who furnished records to the Commission in confidence will be notified when the request for disclosure is submitted and will be afforded ten days in which to oppose disclosure. Notice will not be given if the agency requesting the records satisfies the Commission that notice will interfere unduly with its law enforcement activities and agrees to give notice when the potential for such interference is eliminated.

EFFECTIVE DATE: September 28, 1979.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION: Upton Guthery, Office of General Counsel, (202) 632-6990.

Order

Adopted: September 13, 1979.

Released: September 21, 1979.

In the matter of amendment of Part 0, rules and regulations, to state the Commission's policy regarding the disclosure of information to other Federal Agencies.

1. We are hereby adopting a rule to codify and to make public the standards that guide the Commission in acting on requests by other federal agencies for the inspection of Commission records and, in particular, the inspection of papers accepted by the Commission with the assurance against public disclosure provided by §§ 0.457, 0.459 and 0.461 of the Freedom of Information rules.

2. The disclosure to other federal agencies of materials that have been obtained from the public (in confidence or otherwise) is generally governed by 44 U.S.C. 3512 and 3508(a). In the interest of minimizing the burden on agencies of making, and on the public in responding to, multiple requests or demands by differing agencies for the same information, Section 3512 encourages agencies to share information they have obtained. Section 3508(a) subjects the agency to which the information is furnished to the same restrictions on disclosure of the information as apply to the agency that originally obtained it. The limitations on disclosure of information to another agency set out in Section 3508(b) do not apply to "independent Federal regulatory agencies." See the definition of "Federal agency" in 44 U.S.C. 3502.

3. Under § 0.442, as set out in the attached appendix below, information submitted to the Commission in confidence will be disclosed to other agencies provided: (1) Specific Commission assurances against such disclosure have not been given, (2) the other agency has established a legitimate need for the information, (3) disclosure is made subject to the provisions of 44 U.S.C. 3508(a), and (4) disclosure is not prohibited by the Privacy Act or other provisions of law. [1] This section also provides that staff

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[1] This policy applies to all information obtained by the Commission, and not only to the limited types of information falling within the definition of that term in 44 U.S.C. 3502. This policy is not intended to govern disclosure of information to Congress where somewhat different considerations may apply. See, e.g., *Exxon Corp.* v. *FTC*, 589 F.2d 582 (D.C. Cir. 1978), *cert. denied*, 47 U.S.L.W. 3746 (U.S. 1979); *Ashland Oil, Inc.* v. *FTC*, 548 F.2d 977 (D.C. Cir. 1976).

assurances against disclosure of information to other federal agencies may be given only with the prior written approval of the General Counsel. Advance assurances against release will not be given if submission of the information is required by statute or Commission regulation; but the person supplying such information will ordinarily be notified of a disclosure request, given an opportunity to file an objection with the Commission and, if necessary, seek a judicial stay.

4. When a request from another agency for records submitted to the Commission in confidence is received, the party who submitted the records to the Commission will be notified and afforded 10 days in which to oppose disclosure, provided the other agency has not satisfied the Commission that notice would interfere unduly with its law enforcement activities and has agreed to provide notice when the potential for such interference has been eliminated. Any request that notice not be given and any opposition to disclosure of the records will be acted on by the Commission *en banc*. If notice is given and disclosure is not opposed, the staff will make the records available to the other agency.

5. The amendment is set out in the attached Appendix. Because it concerns only Commission policies and procedures and implements Congressional policies set out in the Federal Reports Act, as amended by Pub. L. 93-153, November 16, 1973, the prior notice and effective date provisions of 5 U.S.C. 553 are inapplicable. Authority for adoption of these rules is contained in Sections 4(i) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303(r), and in 44 U.S.C. 3508(a) and 3512.

6. Accordingly, it is ordered, effective September 28, 1979, That Part O of the rules and regulations is amended as set out in the Appendix below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; (47 U.S.C. 154, 303))

Federal Communications Commission.
William J. Tricarico
Secretary.

Appendix

Part 0 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

Section 0.422 is added, to read as follows:

§ 0.422 Disclosure to other federal government agencies of information submitted to the Commission in confidence.

(a) The disclosure of records to other federal government agencies is generally governed by 44 U.S.C. 3512 and 3508(a) rather than the Freedom of Information Act. The acceptance of materials in confidence under § 0.457 or § 0.459 does not provide assurance against their disclosure to other agencies.

(b) Information submitted to the Commission in confidence pursuant to § 0.457(c) (2) and (3), (d) and (g) or § 0.459 will be disclosed to other agencies of the federal government upon request: *Provided* (1) Specific Commission assurances against such disclosure have not been given, (2) the other agency has established a legitimate need for the information, (3) disclosure is made subject to the provisions of 44 U.S.C. 3508(a), and (4) disclosure is not prohibited by the Privacy Act or other provisions of law.

(c) The Commission's staff may give assurances against disclosure of information to other federal agencies only with the prior written approval of the General Counsel. In no event will assurance against disclosure to other agencies be given in advance of submission of the information to the Commission if submission is required by statute or by the provisions of this chapter; but the notice provisions of paragraph (d) of this section will apply to such information.

(d)(1) Except as provided in subparagraph (2) of this paragraph a party who furnished records to the Commission in confidence will be notified at the time that the request for disclosure is submitted and will be afforded 10 days in which to oppose disclosure.

(2) If the agency requesting the records states to the satisfaction of the Commission that notice to the party who furnished the records to the Commission will interfere unduly with its law enforcement activities and further states that it will notify that party of the Commission's disclosure once the potential for such interference is eliminated, the Commission will not give notice of disclosure.

(3) If notice is given to the party who furnished the records to the Commission in confidence and disclosure is not opposed, the staff is authorized to make the records available to the agency which requested them.

(4) If disclosure is opposed and the Commission decides to make the records available to the other agency, the party who furnished the records to the Commission will be afforded ten (10) working days from the date of the ruling in which to move for a judicial stay of the Commission's action. If he does not move for stay within this period, the records will be disclosed.

(e) Nothing in this section is intended to govern disclosure of information to Congress.

[FR Doc. 79-29988 Filed 9-26-79; 8:45 am]
BILLING CODE 6712-01-M

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47 CFR Part 2

[Docket No. 20790; FCC 79-522]

Setting up a Single System of Identification for all Devices Covered Under the Equipment Authorization Program

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Amendment of rule in re acceptability of nameplates. Instituted because of petition for reconsideration filed by Electronic Industries Association Consumer Equipment Group. Relaxes and clarifies requirements.

EFFECTIVE DATE: October 29, 1979.

ADDRESS: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Milton C. Mobley, Laboratory Division, Office of Science and Technology, (301)-725-1585.

SUPPLEMENTARY INFORMATION:

Memorandum Opinion and Order

Adopted: September 13, 1979.

Released: September 21, 1979.

By the Commission: Commissioner Jones not participating.

In the matter of revisions of Parts 2, 15, 18, and 83 of the rules and regulations to set up a single system of identification for all devices covered under the equipment authorization program, Docket No. 20790.

1. On February 28, 1979, the Commission adopted a Report and Order in this proceeding which was published in the **Federal Register** (44 FR 17175) on March 21, 1979; and which adopted new rules (effective April 25, 1979) providing a single system of identification for all devices covered under the equipment authorization program.

2. On April 20, 1979, the Consumer Electronics Group of Electronic Industries Association (EIA/CEG) filed a petition for reconsideration of § 2.925(d) in this rulemaking.

3. Section 2.925(d) as adopted reads as follows:

"(d) The nameplate shall be permanently affixed to the equipment and shall be readily visible to the purchaser at time of purchase.

(1) As used here, "permanently affixed" means that the required nameplate data must

be etched, engraved, stamped into, indelibly printed, or otherwise permanently displayed on a permanently-attached part of the equipment enclosure, or displayed on a durable metal nameplate of at least 0.020" (or 0.5 mm) in thickness attached to such part of the equipment enclosure by means of rivets, spot welding, or other method that would make removal of the nameplate difficult. Paper nameplates and/or nameplates attached with a soluble glue are not acceptable. The nameplate must be of a permanent nature capable of lasting the expected lifetime of the device and attached so that it cannot readily be detached.

(2) As used here, "readily visible" means that the nameplate or nameplate data must be visible from the outside of the equipment enclosure. It is preferable that it be visible at all times during normal installation or use, but this is not a prerequisite for grant of equipment authorization."

4. Section 2.925(d)(1) and 2.925(d)(2) were not included in the text of the original Notice in this proceeding. They were added in the final rulemaking to clarify the intent of the Commission with regard to the meaning of the terms "permanently attached" and "readily visible."

5. Petitioner contends that inclusion of these sections in this manner did not afford any parties opportunity to comment thereon. They also contend that changing nameplates to conform to the rules cited will entail extra costs and cause production line difficulties, delays, and other problems. Their specific objections are to the prohibition of use of paper nameplates or use of soluble glue for attachment of nameplates, and to the specification of a minimum thickness of 0.020" (or 0.5 mm) for metal nameplates. Although cited in their petition, no objection was raised to § 2.925(d)(2), which had to do with visibility of nameplates.

6. Petitioner requests that the Commission reconsider its action in the Report and Order and amend § 2.925(d) to "permit use of paper nameplates if it can be shown that they cannot be removed and will last the product's lifetime, and that where metal nameplates are used that they be permitted to be less than 0.020" in thickness." They point out that the majority of EIA/CEG members now use paper nameplates attached with pressure sensitive adhesive. From the language in their petition, it appears that this method applies primarily to television and FM broadcast receivers.

7. As stated in the Report and Order adopted February 28, 1979, § 2.925(b) as proposed in the NPRM was revised to be more specific as to location and method of attachment of nameplates, in response to comments by Land Mobile Communications Section, Electronic Industries Association (LMCS/EIA). Due to rearrangement of sections in the final report, this section was renumbered as § 2.925(d).

8. Taking into account both the original comments of LMCS/EIA and those in the instant petition, we now believe that our objective of assuring reasonably permanent identification of equipment can be achieved with less restrictive language in the rules. The revised rules in the Appendix, while not identical in language to the changes proposed by EIA/CEG in their petition, will accomplish this.

9. The petition for reconsideration filed by EIA/CEG is granted to the extent discussed above. The rules adopted in the Report and Order are amended effective October 29, 1979, as set out in the Appendix below.

10. Authority for this action may be found in Sections 4(i), 302 and 303(r) of the Communications Act of 1934, as amended.

11. For further information on this proceeding, contact Milton C. Mobley, Laboratory Division, OST (301) 725-1585.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082, Sec. 302, 82 Stat., 290; (47 U.S.C. 154, 302, 303))

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS GENERAL RULES AND REGULATIONS

1. Section 2.925 is amended by revising paragraph (d)(1) as follows:

§ 2.925 Identification of Equipment.

* * * * *

(d) * * *

(1) As used here, "permanently affixed" means that the required nameplate data is etched, engraved, stamped, indelibly printed, or otherwise permanently marked on a permanently attached part of the equipment enclosure. Alternatively, the required information may be permanently marked on a nameplate of metal, plastic, or other material fastened to the equipment enclosure by welding, riveting, etc., or with a permanent adhesive. Such a nameplate must be able to last the expected lifetime of the equipment in the environment in which the equipment will be operated and must not be readily detachable.

* * * * *

[FR Doc. 79-29992 Filed 9-26-79; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 76

[FCC 79-538]

Providing Rules of Procedure Governing Petitions to Initiate Forfeiture Action Against Cable Television Systems and Related Pleadings

AGENCY: Federal Communications Commission.

ACTION: Amendment of § 76.9 of the Commission's rules.

SUMMARY: The Commission is amending its rules to specify filing periods and other procedural requirements for parties requesting the Commission to fine a cable television operator and for parties wishing to file pleadings in response to such requests. The new rules closely follow existing provisions for petitions for orders to show cause.

DATE: Effective October 1, 1979.

ADDRESSES: Office of the Secretary, Federal Communications Commission, 1919 M Street, NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Bob Ratcliffe, Cable Television Bureau, (202) 254-3407.

SUPPLEMENTARY INFORMATION: None.

Order

Adopted: September 13, 1979.

Released: September 21, 1979.

In the matter of: amendment of Part 76, Subpart A of the Commission's rules and regulations to provide rules of procedure governing petitions to initiate forfeiture action against Cable Television Systems and related pleadings.

1. Effective March 23, 1978, the Commission was empowered to impose monetary penalties on cable television systems for willful or repeated failure "(T)o comply with any of the provisions of (the Communications) Act or any rule, regulation or order issued by the Commission under (that) Act * * *."[1] Since that time the Commission has received numerous petitions from outside parties seeking to initiate forfeiture actions against cable television systems pursuant to this new authority. In dealing with these requests, we have closely followed the procedural provisions governing the analogous show cause petitioning process found in § 76.9 of the rules and have found this approach to be quite appropriate. Because these rules do not expressly encompass forfeiture proceedings, however, some uncertainty has arisen

[1] Communications Act Amendments of 1978, 92 Stat. 33 (1978), *amending* 47 U.S.C. 503(b).

among participants concerning their applicability. In order to eliminate this uncertainty and conform the rule to what has been the practice, we have decided to amend § 76.9 of the rules to include specific references to petitions for forfeiture action.

2. The amended language of § 76.9 will require parties filing petitions to initiate forfeiture proceedings or submitting responsive pleadings thereto to comply with the same time frame and other filing requirements already in effect for show cause petitions. Consistent with existing show cause practice, the Commission may in appropriate circumstances establish a shorter period for the submission of pleadings than specified in the rule.

3. Due to the alternative hearing and notice of apparent liability mechanisms by which forfeiture matters may be pursued [2] we have added Note 3 to the provisions of § 76.9 requiring petitioners to specifically justify any request to proceed by hearing in a forfeiture action in lieu of the more usual notice of apparent liability. This requirement reflects our determination that forfeiture actions will ordinarily be handled through the hearing process only when an adjudicatory proceeding is being conducted for reasons other than the assessment of a fine. *See* § 1.80(g) of the rules. In any event, of course, the Commission retains discretion to proceed by whichever approach it deems will better serve the ends of justice.

4. Since the rules we are adopting today relate only to Commission procedure, the prior notice and effective date provision of Section 4 of the Administrative Procedure Act, 5 U.S.C. 553, do not apply.

Authority for the rules adopted herein is contained in Sections 2, 3, 4 (i) and (j), 301, 303, 307, 308, and 309 of the Communications Act of 1934, as amended.

Accordingly, it is ordered, That effective October 1, 1979, Part 76 of the Commission's rules and regulations is amended as set forth in the attached Appendix below.

(Secs. 2, 3, 4, 5, 301, 303, 307, 308, 309, 315, 317, 48 Stat., as amended, 1064, 1065, 1066, 1068, 1081, 1082, 1083, 1084, 1085, 1088, 1089; (47 U.S.C. 152, 153, 154, 155, 301, 303, 307, 308, 309, 315, 317.))

[2] *See* §§ 1.80(f) and 1.80(g) of the rules.

Federal Communications Commission.
William J. Tricarico,
Secretary.

Appendix

Part 76 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

1. In § 76.9, the caption is amended, paragraphs (a), (b), (c), (f), and note 2 are amended, and a new note 3 is added, to read as follows:

§ 76.9 Order to Show Cause; Forfeiture Proceeding.

(a) Upon petition by any interested person, the Commission may:

(1) Issue an order requiring a cable television operator to show cause why it should not be directed to cease and desist from violating the Commission's rules;

(2) Initiate a forfeiture proceeding against a cable television operator for violation of the Commission's Rules.

(b) The petition may be submitted informally, by letter, but shall be accompanied by a certificate of service on any interested person who may be directly affected if an order to show cause is issued or a forfeiture proceeding initiated. An original and two copies of the petition and all subsequent pleadings should be filed.

(c) The petition shall state fully and precisely all pertinent facts and considerations relied on to support a determination that issuance of an order to show cause or initiation of a forefeiture proceeding would be in the public interest. Factual allegations shall be supported by affidavit of a person or persons with actual knowledge of the facts, and exhibits shall be verified by the person who prepares them.

* * * * *

(f) The Commission, after consideration of the pleadings, shall determine whether the public interest requires the issuance of an order to show cause or the initiation of a forfeiture proceeding.

* * * * *

Note 2.—Nothing in this Section is intended to prevent the Commission from initiating show cause or forfeiture proceedings on its own motion; *Provided, however,* That show cause proceedings and forfeiture proceedings pursuant to § 1.80(g) of the rules will not be initiated by such motion until the affected parties are given an opportunity to respond to the Commission's charges.

Note 3.—Forfeiture proceedings are generally nonhearing matters conducted pursuant to the provisions of § 1.80(f) of the rules (Notice of Apparent Liability). Petitioners who contend that the alternative hearing procedures of § 1.80(g) of the rules should be followed in a particular case must support this contention with a specific showing of the facts and considerations relied on.

[FR Doc. 79-29989 Filed 9-26-79; 8:45 am]
BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 71

[OST Docket No. 9; Notice 79-18]

Standard Time Zone Boundary in the State of Alaska; Relocation of Time Zone Boundary

AGENCY: Department of Transportation.

ACTION: Final rule.

SUMMARY: The Department of Transportation is relocating the boundary between the Pacific and Yukon Time Zones in the State of Alaska so as to move Juneau, Alaska, and a portion of the surrounding area, from the Pacific to the Yukon Zone. This action which has been requested by the governing body of the city and borough of Juneau, is taken because it appears that relocation would serve the convenience of commerce, which is the statutory standard.

EFFECTIVE DATE: 2:00 a.m., PST, Sunday, April 27, 1980.

FOR FURTHER INFORMATION CONTACT: Jack Lusk, Office of General Counsel, Department of Transportation, 400 Seventh Street, S.W.—Room 10421, Washington, D.C. 20590, (202) 426-4723.

SUPPLEMENTARY INFORMATION: Pursuant to a formal petition from the assembly of the city and borough of Juneau, Alaska, the Department of Transportation (DOT) proposed to relocate the boundary between the Pacific and Yukon Time Zones in the State of Alaska so as to move Juneau and parts of the surrounding area from the Pacific to the Yukon Time Zone. (44 FR 28696; May 16, 1979). Interested parties were given until July 16, 1979, to submit comments on the proposal; additionally representatives of DOT conducted a public hearing in Haines on June 6, 1979, and in Juneau on June 7, 1979. Comments were received, at the hearings and to the docket, from approximately 60 persons.

Under Section 4 of the Uniform Time Act of 1966 (15 U.S.C. 261) (The Act) the Secretary of Transportation has the authority to modify the boundaries between time zones in the United States so as to move an area from one time zone to another. The Act's standard is "regard for the convenience of commerce and the existing junction points and division points of common