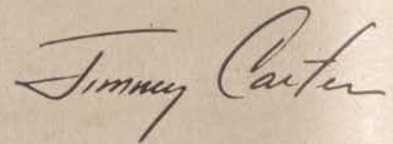


Now is the time to renew a national discussion on these and related issues, through local, state and regional meetings leading up to the White House Conference on Aging in 1981. The forums must involve Americans from all segments of our society: business, labor, educational, cultural, religious, political and community leaders; specialists working with the aged; and, most important, older people themselves.

I therefore urge that community forums be held throughout the Nation during May, to begin the process which will culminate in a thoughtful, productive and enduringly beneficial White House Conference in 1981.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby designate May 1980 as Older Americans Month. I ask all Americans to participate in the activities and discussions marking this special period, so that America can be strengthened and enlightened by the result. I further designate May 8, 1980, as Senior Citizens Day in honor of older Americans.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord nineteen hundred eighty, and of the Independence of the United States of America the two hundred and fourth.



Presidential Documents

Proclamation 4746 of April 9, 1980

National Consumer Education Week

By the President of the United States of America

A Proclamation

America's economy is the largest and most complex in the history of the world. It offers an unparalleled choice of goods and services. For our economy to work best for our people, all of us must have the information and knowledge we need to make intelligent decisions as consumers.

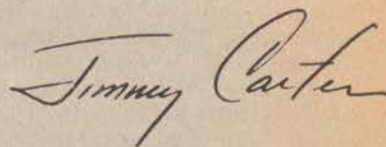
Every citizen can benefit from knowing more about consumer laws, rights, and avenues of redress. Many people—including the young, the elderly and the poor—need help in learning about buying skills, financial management, resource conservation methods, and self-help or alternative solutions to economic constraints. In addition, educated consumers can do much to ensure genuine competition, increased productivity, higher quality, and lower prices in the marketplace.

Many good programs for consumer education, public and private, are now in place. But we need a more comprehensive and coordinated approach. Just as our democratic political system needs well-informed citizens, our free economy needs well-informed consumers who can participate effectively in the marketplace partnership among consumers, government, and business.

Schools, governments, consumer organizations, labor unions, and businesses all can play a role in meeting this challenge. I call upon each of these sectors to examine closely how, individually and collectively, they can initiate and support consumer education.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, do hereby proclaim the week beginning October 5, 1980, as National Consumer Education Week.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of April, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.



Rules and Regulations

Federal Register

Vol. 45, No. 72

Friday, April 11, 1980

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.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Parts 335; 351; 432; 752; and 771

Promotion and Internal Placement; Reduction in Force; Reduction in Grade and Removal Based on Unacceptable Performance; Adverse Actions; Agency Grievance System

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: In response to requests from various agencies, the Office of Personnel Management (OPM) is amending its regulations to provide agencies with the authority to make term promotions after entering into a formal agreement with OPM and to exclude from Adverse Action, Reduction-in-Grade and Removal Based on Unacceptable Performance and Agency Grievance Systems regulations the return of an individual from a term promotion to a position of like pay and grade from which promoted.

EFFECTIVE DATE: May 12, 1980.

FOR FURTHER INFORMATION CONTACT: Maribeth Zankowski, Office of Policy Analysis and Development, Staffing Services, (202) 632-6817.

SUPPLEMENTARY INFORMATION: Under this authority agencies may promote employees for extended, although temporary, periods of time (in excess of 2 years but no more than 5 years in length). There is a clear distinction between term promotions and the broader authority to make temporary promotions. The change permits agencies, after entering into a formal agreement with OPM, to make term promotions in two situations. The first involves the assignment of an employee to a position which is clearly of a project nature and terminates upon completion

of the project. The second involves assigning an expert in a specialist field (such as a curator or scientist) to an administrative position for a specified period. At the end of the period, the employee would return to his or her former position or an equivalent position of like pay and status. Such return is excluded from Parts 752, 771, and 432 of Title 5, Code of Federal Regulations.

The performance agreements will include a description of specific types of positions to which term promotions may be made, documentation of the temporary nature of the promotion, and notice to employees that they would be returned to their original position or one of equivalent pay and status at the conclusion of the project or agreed upon period. The notice will also inform the employee that upon completion of the assignment or project, or at the end of the rotational period, the return to the former position (or its equivalent) will not be subject to procedures provided in Parts 432 or 752 and will not be grievable under Part 771. Employees must agree in writing to these conditions before commencing the assignment.

Use of the authority is subject to post-audit and oversight by OPM. The exclusions from Parts 432 and 752 procedures apply only to the "return from" or "termination of" a specific project or assignment, or the end of a specified rotation period. For removal or change to lower grade based on unacceptable performance or misconduct, 5 CFR Part 432 or Part 752 will apply.

On January 4, 1980, the Office of Personnel Management published proposed regulations to authorize term promotions and invited comments from the public (45 FR 1040). All comments received were given careful consideration and, for the most part, were favorable. As a result, the Office has not modified its regulation other than to make editorial changes as set out below.

The editorial changes are as follows:

§ 335.102(g)(1). The first sentence now reads "Upon completion or termination . . ." This was added for clarification.

§ 335.102(g)(2). We removed the phrase "Demotion of an employee promoted" and added instead "Termination of an assignment". This makes our terminology consistent throughout.

The Office will supplement the regulations with guidance issued through the Federal Personnel Manual System to clarify certain items brought to our attention during the comment period which are outside the scope of the regulations.

One technical aspect of the regulations, eligibility for within-grade increases upon return, was the primary focus of the comments. Clarification will appear in the FPM explaining that individuals returning from term promotions at the completion of the specified period or project are entitled to any within-grade increases which would have accrued to them if they had remained in their former position.

Office of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, the Office of Personnel Management is amending Title 5, Code of Federal Regulations, as follows:

(1) In § 335.102 paragraph (g) is added to read as follows:

§ 335.102 Agency authority to promote, demote, or reassign.

* * * * *

(g) After entering into a formal agreement with the Office (OPM), promote an employee for a limited term in excess of 2 years but not more than 4 years to complete a designated project, or as part of a planned rotational system for a definite period. Upon the approval of the Office, an agency may extend the period 1 year for a total of 5 years. OPM will consider such requests only on a case-by-case basis.

(1) Upon completion or termination of the assigned project or the termination of the specified rotation period, the agency shall return the employee from the term promotion to the position from which he or she was promoted or to a position of equivalent grade and pay.

(2) The return of an employee to the position from which he or she was promoted to a position of equivalent grade and pay is not subject to Parts 351, 432, 752, and 771, of this chapter. Termination of an employee promoted under this paragraph for any other reason, such as unacceptable performance or misconduct, is covered by the appropriate part of this chapter (Part 432 or 752).

(2) In § 351.201 paragraph (h) is added to read as follows:

§ 351.201 Use of regulations.

* * * * *

(h) This part does not apply to the return of an employee promoted under § 335.102(g) to the position from which promoted or to a position of equivalent grade and pay.

(3) In § 432.201 paragraphs (c)(3)(x) through (xiii) are redesignated paragraphs (c)(3)(xi) through (xiv). A new paragraph (c)(3)(x) is added to read as follows:

§ 432.201 Coverage.

* * * * *

(c) * * *

(3) * * *

(x) An action which terminates a term promotion at the completion of the project or specified period, or at the end of a rotational assignment in excess of two years but not more than five years, and returns the employee to the position from which promoted or to a different position of equivalent grade and pay in accordance with § 335.102(g).

* * * * *

(4) In § 752.401 paragraphs (c)(8) through (14) are redesignated paragraphs (9) through (15) respectively. A new paragraph (c)(8) is added to read as follows:

§ 752.401 Coverage.

* * * * *

(c) * * *

(8) Action which terminates a term promotion at the completion of the project or specified period, or at the end of a rotational assignment in excess of two years but not more than five years, and returns the employee to the position from which promoted or to a position of equivalent grade and pay in accordance with § 335.102(g).

* * * * *

(5) In § 771.206 paragraphs (c)(1)(vii) through (xii) are redesignated paragraphs (c)(1)(viii) through (xiii). A new paragraph (c)(1)(vii) is added to read as follows:

§ 771.206 Exclusions.

* * * * *

(c) * * *

(1) * * *

(vii) An action which terminates a term promotion at the completion of the project or specified period, or at the end of a rotational assignment in excess of two years but not more than five years, and returns the employee to the position from which promoted or to a different position of equivalent grade and pay in accordance with § 335.102(g).

Authority: 5 U.S.C. 3301, 3302, 3502, 4305, 7514 6325-01.

[FR Doc. 80-11034 Filed 4-10-80; 8:45 am]

BILLING CODE 6325-01-M

5 CFR Part 831**Retirement; Exclusions From Retirement Coverage; Senior Executive Service**

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: This regulation is being issued under the Civil Service Retirement Act, to exclude from retirement coverage limited term, limited emergency, and noncareer (indefinite) appointees in the Senior Executive Service established by the Civil Service Reform Act.

EFFECTIVE DATE: May 12, 1980.

FOR FURTHER INFORMATION CONTACT: Gus Ghessie, 202-632-4684.

SUPPLEMENTARY INFORMATION: On September 21, 1979, the Office of Personnel Management published § 831.201(a)(17) in the *Federal Register* (44 FR 54695) as an interim rule, with a request for comments from interested parties before publication as a final rule. No opposition to this rule, which excludes all such appointments made on or after the date of publication (September 21, 1979) was expressed by those who forwarded comments. This rule is, therefore, being adopted as a final rule. For the convenience of the user, the text is reprinted below.

OPM has determined that this is a significant regulation for the purposes of E.O. 12044.

Office Of Personnel Management.

Beverly M. Jones,

Issuance System Manager.

Accordingly, the Office of Personnel Management revises 5 CFR § 831.201 by adding (a)(17) to read as follows:

§ 831.201 Exclusions from retirement coverage.

(a) * * *

(17) Employees serving under limited term, limited emergency and noncareer (designated as indefinite) appointments in the Senior Executive Service.

(5 U.S.C. 8347)

[FR Doc. 80-11035 Filed 4-10-80; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****7 CFR Part 301****Domestic Quarantine Notices; Gypsy Moth and Browntail Moth Quarantine and Regulations***Correction*

In the *Federal Register* of Tuesday, March 11, 1980, in FR Doc. 80-7398 appearing on page 15505, make the following corrections:

(1) On page 15513 in the middle column, the eleventh line reading "Monroe County. The entire County." Should be deleted.

(2) On page 15514, in the second column, under the heading "Maine", the sixteenth line should read "(2) *Low-risk area.* None"

(3) On page 15517, the chart starting on line 13 and covering the first and second columns, under the heading "Concentration readings—" the third subheading should read "8h".

(4) Also on page 15517, the chart at the bottom of the page (chart "b"), should read:

BILLING CODE 1505-01-M