

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

Issued: April 23, 1980.

Gloria M. Jimenez,
Federal Insurance Administrator.

[FR Doc. 80-13872 Filed 5-5-80; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5712]

Letter of Map Amendment for the City of Oshkosh, Wis., Under National Flood Insurance Program

AGENCY: Federal Insurance Administration.

ACTION: Final rule.

SUMMARY: The Federal Insurance Administrator published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the City of Oshkosh, Wisconsin. It has been determined by the Federal Insurance Administrator, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Oshkosh, Wisconsin, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: May 6, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation & Engineering Office, National Flood Insurance Program, 451 Seventh Street, SW., Washington, DC 20410, (202) 755-6570 or Toll Free Line (800) 424-8872.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same

policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, phone: (800) 638-6620 toll free.

The map amendments listed below are in accordance with § 70.7(b):

Map No. H & I 550511B, Panel No. 01, published on October 23, 1979, in 44 FR 61020, indicates that part of the South East ¼ of the North East ¼ of Section 22, Township 18 North, Range 16 East, lying East of the East line of Josslyn Street, West of Campbell Creek, and North of line that is 2107.0 feet South of the North line of the North East ¼ of said Section 22, 6th Ward, City of Oshkosh, Winnebago County, Wisconsin, recorded as Document Nos. 471814 and 468543 in the Office of the Register of Deeds of Winnebago County, Wisconsin, is partially located within the Special Flood Hazard Area.

Map No. H & I 550511B, Panel 01, is hereby corrected to reflect that the portion of the above-mentioned property lying North of the line that is 1900.60 feet South of the North line of the North East ¼ of Section 22, which lies above elevation (749.5 feet National Geodetic Vertical Datum), is not within the Special Flood Hazard Area identified on May 16, 1977. Portions of the property are in Zone B and Zone C.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 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: March 24, 1980.

Gloria M. Jimenez,
Federal Insurance Administrator.

[FR Doc. 80-13873 Filed 5-5-80; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 70

[Docket No. FEMA-5712]

Letter of Map Amendment for the City of Oshkosh, Wis., Under National Flood Insurance Program

AGENCY: Federal Insurance Administration.

ACTION: Final rule.

SUMMARY: The Federal Insurance Administrator published a list of communities for which maps were published identifying Special Flood Hazard Areas. This list included the City of Oshkosh, Wisconsin. It has been determined by the Federal Insurance

Administrator, after acquiring additional flood information and after further technical review of the Flood Insurance Rate Map for the City of Oshkosh, Wisconsin, that certain property is not within the Special Flood Hazard Area.

This map amendment, by establishing that the subject property is not within the Special Flood Hazard Area, removes the requirement to purchase flood insurance for that property as a condition of Federal or federally related financial assistance for construction or acquisition purposes.

EFFECTIVE DATE: May 6, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Robert G. Chappell, Acting Assistant Administrator, Program Implementation and Engineering Office, National Flood Insurance Program, 451 Seventh Street SW., Washington, DC 20410, (202) 755-6570 or toll free line (800) 424-8872.

SUPPLEMENTARY INFORMATION: If a property owner was required to purchase flood insurance as a condition of Federal or federally related financial assistance for construction or acquisition purposes, and the lender now agrees to waive the property owner from maintaining flood insurance coverage on the basis of this map amendment, the property owner may obtain a full refund of the premium paid for the current policy year, provided that no claim is pending or has been paid on the policy in question during the same policy year. The premium refund may be obtained through the insurance agent or broker who sold the policy, or from the National Flood Insurance Program (NFIP) at: P.O. Box 34294, Bethesda, Maryland 20034, phone: (800) 638-6620 toll free.

The Map amendments listed below are in accordance with § 70.7(b):

Map No. H&I 550511B, Panel No. 02, published on October 23, 1979, in 44 FR 61020, indicates that Lots Nos. 2 through 4, Whidden's Subdivision of Lot 5 of the South West ¼, Section 23, T-18, R-16 East, City of Oshkosh, Winnebago County, Wisconsin, as recorded in Volume 3, Page 17 of Plats, in the Office of the Register of Deeds of Winnebago County, Wisconsin, are located within the Special Flood Hazard Area.

Map No. H&I 550511B, Panel No. 02, is hereby corrected to reflect that the above-mentioned property is not within the Special Flood Hazard Area identified on May 16, 1977. Lots Nos. 2 and 4 are in Zone C. Lot No. 3 is in Zone B.

(National Flood Insurance Act of 1968 (Title XIII of Housing and Urban Development Act of 1968), effective January 28, 1969 (33 FR 17804, November 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: March 24, 1980.

Gloria M. Jimenez,

Federal Insurance Administrator.

[FR Doc. 80-13874 Filed 5-5-80; 8:45 am]

BILLING CODE 6718-03-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

45 CFR Parts 205 and 235

State Plan and Federal Matching Funds for State and Local Training

AGENCY: Social Security Administration, HEW.

ACTION: Final rules.

SUMMARY: These rules describe the requirements for training of State and local staff in the financial assistance programs under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act. They also specify the conditions under which the States can receive Federal matching funds for monies spent on training and staff development. These rules are designed to improve the management and effectiveness of the financial assistance programs and to assure that training expenditures achieve the purposes for which they are authorized.

EFFECTIVE DATE: These regulations shall be effective September 2, 1980.

FOR FURTHER INFORMATION CONTACT: Miss Evelyn Greene, Social Security Administration, Office of Family Assistance, 330 C Street, S.W., Washington, D.C. 20201, telephone (202) 245-2090.

SUPPLEMENTARY INFORMATION:

Background

Two notices on Federal matching funds for State and local training were published in the *Federal Register* on January 11, 1977. A Notice of Intent (42 FR 2440) requested comments on the structure of the regulations. Specifically, we asked if training rules for (1) the Medical Assistance program, (2) the Social Services program, and (3) the Financial Assistance Payments programs should be consolidated, or whether each program should have separate rules for training.

Twenty-one commenters favored consolidating the training rules for these three programs and eight commenters favored separate rules. This is now a moot point because the Social and Rehabilitation Service which

administered these three programs was abolished as part of this Department's reorganization of March 8, 1977. The Medical Assistance program is now administered by the Health Care Financing Administration and the Social Services program is now administered by the Administration for Public Services. The Financial Assistance Payments programs are now administered by the Social Security Administration. In view of this new structure it is no longer feasible to have consolidated training rules.

A Notice of Proposed Rule Making (NPRM) was also published on January 11, 1977 (42 FR 2445), requesting comments on proposed training rules for the financial and medical assistance programs. Since that time training rules for the social services program and the medical assistance program have been published in 45 CFR Part 228, Subpart H, and 42 CFR 432.1, 432.30-432.32; 432.50-432.55, and 432.60, respectively. The training rules for social services programs under title I, IV-A, X, XIV, or XVI (AABD) in Guam, Puerto Rico, and the Virgin Islands are currently in § 205.202.

The attached final rules affect the financial assistance programs administered under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act. The comments received on the NPRM are discussed under the subheading entitled Discussion of Comments.

The training rules for the social services programs in Guam, Puerto Rico, and the Virgin Islands remain in § 205.202. The amended training rules for the financial assistance programs in all jurisdictions are in §§ 235.60-235.66.

Delayed Effective Date

We are providing a 120 day delayed effective date for these regulations. This is being done so that any States that have already started training programs for the current fiscal year may complete them before these rules become effective.

Scope of Final Rules

1. Section 235.60 explains that the regulations contain the State plan requirements and the conditions for Federal financial participation (FFP) for State and local training costs under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act.

2. Section 235.61 defines terms used throughout §§ 235.60-235.66.

3. Section 235.62 sets forth the State plan requirements for a training program for agency personnel and for persons preparing for employment. Among other requirements, the training program must

include initial in-service training for newly appointed staff and continuing agency training opportunities for personnel to improve the operation of the program.

4. Section 235.63 states the conditions under which FFP is available for training programs provided personnel employed in all positions, volunteers, and persons preparing for employment by the State or local agency administering the program.

This section also states the conditions under which FFP is available in payments for services rendered under grants to education institutions.

5. Section 235.64 provides the rates of FFP, and describes the activities and costs that are matchable as training expenditures.

6. Section 235.65 states that salaries of supervisors and employment of students on a temporary basis are not considered training expenses and, therefore, FFP is not available for these activities as training costs. However, expenditures for these activities may be matchable as administrative costs.

7. Section 235.66 explains when public funds may be considered as the State's share in claiming Federal reimbursement. When public funds are appropriated directly to the State or local agency, or transferred from another public agency, or are Federal funds authorized by Federal law to be used to match other Federal funds they may be considered as the State's share.

This section also explains when funds donated from private sources may be considered as the State's share in claiming Federal reimbursement. When private funds are donated to the State or local agency without any restrictions and do not revert to the donor's use, these funds may be considered as the State's share.

Discussion of Comments

Interested persons were given the opportunity to submit data, views, or arguments with regard to the Notice of Proposed Rule Making published on January 11, 1977 (42 FR 2445). A number of comments were received from Federal, State, and local agencies and organizations and private citizens. Summarized comments and our responses follow:

1. Coordination With Human Service Agencies

Comment: A requirement to coordinate the State agency training program with other human service agencies was supported by two commenters and opposed by four commenters.

Response: The arguments that implementation of a requirement for coordination would be unproductive and unworkable were persuasive. It would be difficult to measure compliance and to describe in regulations the nature and scope of coordination required. Therefore, we have not provided for this requirement. This is an area in which voluntary action will be encouraged.

2. Definitions—§ 235.61 (§ 205.202(b) in the NPRM)

Comment: Definitions of "orientation" and "part-time training" are confusing and, when tied to matchable cost, restrict the agency in carrying out essential in-service training activities.

Response: The definition of "orientation" has been eliminated, and the definition of "part-time training" has been clarified. A definition of "initial in-service training" has been substituted for the definition of "orientation."

Federal financial participation flows from the definition of "initial in-service training," and assists the State agencies in developing and implementing essential training activities for new employees.

Comment: One commenter felt that the word "grant" was a misnomer to describe the agreement between the State agency and an educational institution for training provided by the educational institution. "Contract" would be a more accurate word.

Response: "Grant" is used because it is the term used in section 403(a)(3)(A) of the Social Security Act authorizing grants to educational institutions. The definition has not been changed.

3. State Plan Requirements—§ 235.62 (§ 205.202(c) in the NPRM)

Comment: Nine commenters opposed the elimination of the State plan requirement for a training program, stating that a mandated training program represented a Federal commitment to develop and maintain qualified staff resources that are needed to operate a quality program. None of the commenters expressed support of the elimination of the State plan requirement. Seven commenters requested that the regulation include a requirement providing that the State submit an annual training plan to the Department.

Response: The two sets of comments are related. A clear distinction had not been made between a requirement for a training program and a requirement for a training plan. We have interpreted these comments as requesting a Federal mandate for training beyond that expressed in the proposed revision. The State plan requirement for a training

program has been retained in § 235.62 as necessary for the proper and efficient administration of the State plan. This requirement is based on section 402(a)(5) of the Social Security Act for the AFDC program, and parallel provisions for the other financial assistance programs. This requirement commits the State to have a training program which supports the financial assistance programs under the titles of this regulation.

The final rules also require an annual training plan. The training plan is an operational tool for the State in carrying out its training program. We believe that the training plan will be a useful tool that can be used by the State and Federal staff to monitor, evaluate, and improve the training program.

4. Conditions for FFP—§ 235.63 (§ 205.202(d) in the NPRM)

Comment: There were two objections to requiring schools to have accreditation status as a condition for providing training for the State agency under grants to educational institutions. One commenter supported this requirement.

Response: We believe that this requirement provides assurance of a basic level of quality, and we have retained it.

Comment: There was objection to the authority of the panel which evaluates grants to terminate a grant. It was felt that this should be a State responsibility.

Response: Mandatory participation by Federal staff in the evaluation process has been deleted. The State agency and educational institution will carry responsibility for this process. Federal staff may be involved in the monitoring of the use of funds for educational grants as part of ongoing technical assistance and consultation responsibilities.

Comment: Under financial assistance to students, use the same language as in title XX policies when those policies are consistent with title XX.

Response: Under § 235.63, financial assistance to students, suggested changes have been made for clarity.

Comment: Allow six-months instead of thirty-days availability for a person to be employed.

Response: It is the intent of these rules that persons trained move into employment upon completion of the training. States are expected to minimize the length of time between completion of training and employment. Under § 235.63(b)(6), the person trained is not required to be available for an offer of employment for a period longer

than two months after training is completed.

Comment: Allow the State agency more discretion in determining exemptions from fulfilling commitments after full-time training.

Response: Under § 235.63(b)(1), the State has been allowed more discretion in determining when a person can be exempted from fulfilling a commitment for employment.

5. Activities and Costs Matchable as Training Expenditures—§ 235.64 (§ 205.202(c) in the NPRM)

Comment: Twenty-four commenters opposed the changes in the Federal reimbursement for expenditures in providing in-service training. The complex and changing nature of the financial assistance programs and the lack of formal educational programs to prepare staff for the specific duties of the programs make it necessary for the State agency to assume the major responsibility for training the financial assistance staff.

Response: These rules are intended to encourage and strengthen the State agency's training activities. Therefore, the changes that have been made authorize Federal matching funds for most of the same activities funded under the current regulations. Changes from the Notice of Proposed Rule Making allow FFP in: salaries for initial in-service training, salaries for full-time, short-term training of four or more consecutive work weeks, travel and per diem for State agency employees in training sessions away from the work site, and costs of maintaining and operating the agency library.

6. Activities and Costs not Matchable as Training Expenditures—§ 235.65 (§ 205.202(f) in the NPRM)

Comment: Allow FFP in expenditures for attendance at conferences sponsored by professional organizations.

Response: State staff development personnel may determine that the agenda of a professional conference will provide a useful training experience for selected staff. If such agenda or part of the agenda meets an identified agency training objective as part of the agency's continuing training program, travel and per diem are allowable under § 235.64(b)(2).

Comment: Allow FFP in salaries of students employed in summer work training programs.

Response: Costs of training students in these programs, other than salary costs, are reimbursable as training costs. The value of these programs is not being questioned. However, the primary purposes of such programs, recruitment

and selection, are considered to be administrative expenses rather than training expenses.

7. Sources of State Funds—§ 235.66 (§ 205.202(g) in the NPRM)

Comment: Eliminate restrictions on private donations so that policy will be consistent with title XX policy. This would allow training to be provided by a donor if the donor is a non-profit organization, and it is an independent decision of the State agency to purchase the training.

Response: The provision has not been changed. A change would not comport with the intent of the laws governing the financial assistance programs.

Comment: Allow private donations on the same basis as public donations.

Response: This question will need further study. Previous review of this question resulted in the decision that this change would require legislation.

We carefully considered each comment and suggestion in preparing these final rules. We believe that the issues have been addressed, and that these final rules are responsive to State agency training needs. Accordingly, with these clarifying and editorial changes, these rules are adopted as set forth below.

(Secs. 2, 3, 402, 403, 1002, 1003, 1402, 1403, 1602, and 1603, Social Security Act as amended; 49 Stat. 620 as amended, 49 Stat. 621, as amended, 49 Stat. 627, as amended, 49 Stat. 628 as amended, 49 Stat. 645 as amended, 49 Stat. 646, as amended, 49 Stat. 647, as amended, 64 Stat. 555, as amended, 76 Stat. 198, as amended, 76 Stat. 200, as amended; 42 U.S.C. 302, 303, 602, 603, 1202, 1203, 1302, 1352, 1353, 1382, and 1383) (Catalog of Federal Domestic Assistance program No. 13.761; Public Assistance State and Local Training)

Dated: February 25, 1980.

William J. Driver,

Commissioner of Social Security.

Approved: April 30, 1980.

Patricia Roberts Harris,

Secretary of Health, Education, and Welfare.

Part 205 and Part 235, Chapter II, Title 45 of the Code of Federal Regulations are amended as set forth below:

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

1. Section 205.202 is amended by adding introductory text and by revising the introductory text of paragraph (a) to read as follows:

§ 205.202 Staff development.

These rules apply only to the social services programs in Guam, Puerto Rico,

and the Virgin Islands. Rules for the financial assistance programs under title I, IV-A, X, XIV, or XVI (AABD) in all jurisdictions are found in Part 235, §§ 235.60–235.66 of this title.

(a) *State plan requirements.* A State plan for social services programs in Guam, Puerto Rico, or the Virgin Islands under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act must provide for a staff development program for personnel in all classes of positions and for volunteers, to improve the operation of the State program and to assure a high quality of service including:

* * *

PART 235—ADMINISTRATION OF FINANCIAL ASSISTANCE PROGRAMS

2. Part 235 is amended by adding new §§ 235.60 through 235.66 to read as follows:

Sec.

235.60 Federal financial participation (FFP) for State and local training.

235.61 Definition of terms.

235.62 State plan requirements for training programs.

235.63 Conditions for FFP.

235.64 FFP rates, and activities and costs matchable as training expenditures.

235.65 Activities and costs not matchable as training expenditures.

235.66 Sources of State funds.

§ 235.60 Federal financial participation (FFP) for State and local training.

Sections 235.61 through 235.66 contain (a) State plan requirements for training programs and (b) conditions for Federal financial participation (FFP) for training costs under the State plans. These sections apply to the State plans for the financial assistance programs in all jurisdictions under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act.

§ 235.61 Definition of terms.

For purposes of §§ 235.60–235.66—

“Act” means the Social Security Act, as amended.

“A grant to an educational institution” means payments to an educational institution for services rendered under a time limited agreement between the State agency and the eligible educational institution which provides for the training of State or local agency employees or persons preparing for employment with the State or local agency.

“A training program” is the method through which the State agency carries out a plan of educational and training activities to improve the operation of its programs.

(a) “Initial in-service training” means a period of intensive, task-oriented training to prepare new employees to assume job responsibilities.

(b) “Continuing training” means an on-going program of training planned to enable employees to (1) reinforce their basic knowledge and develop the required skills for the performance of specific functions, and (2) acquire additional knowledge and skill to meet changes such as enactment of new legislation, development of new policies, or shifts in program emphasis.

(c) “Full-time training” means training that requires employees to be relieved of all responsibility for performance of current work to participate in a training program.

(d) “Part-time training” means training that allows employees to continue full time in their jobs or requires only partial reduction of work activities to participate in a training program outside of the State or local agency.

(e) “Long-term training” means training for eight consecutive work weeks or longer.

(f) “Short-term training” means training for less than eight consecutive work weeks.

“FFP or Federal financial participation” means the Federal government's share of expenditures made by a State or local agency under a training program.

“Fringe benefits” means the employer's share of premiums for industrial compensation, employee's retirement, unemployment compensation, health insurance, and similar expenses.

“Persons preparing for employment” means individuals who are not yet employed by the State or local agency, but who have received financial assistance from the State agency for training, and have made a legally binding commitment with the State or local agency for future employment under the conditions of these regulations.

“Stipend” means the basic living allowance paid to a student.

§ 235.62 State plan requirements for training programs.

A State plan under title I, IV-A, X, XIV, or XVI (AABD) of the Act must provide for a training program for agency personnel and for persons preparing for employment. The training program must—

(a) Include initial in-service training for newly appointed staff, and continuing agency training opportunities to improve the operation of the program. The training program may also include

short-term and long-term training at educational institutions through grants to institutions or by direct financial assistance to students enrolled in institutions who are agency employees or persons preparing for employment with the State or local agency;

(b) Be related to job duties performed or to be performed by the persons trained, and be consistent with the program objectives of the agency; and

(c) Be described in an annual training plan prepared prior to the beginning of the fiscal year. Copies of the training plan shall be made available upon request to the Regional Office of Family Assistance for review by the Federal staff.

§ 235.63 Conditions for FFP.

(a) *Who may be trained.* FFP is available only for training provided personnel employed in all classes of positions, volunteers, and persons preparing for employment by the State or local agency administering the program.

(b) *When FFP is available.* FFP is available for personnel employed and persons preparing for employment by the State or local agency provided the following conditions are met, and with the following limitations:

(1) Employees in full-time, long-term training make a commitment to work in the agency for a period of time equal to the period for which financial assistance is granted. A State agency may exempt an employee from fulfilling this commitment only if failure to continue in employment is due to death, disability, employment in a financial assistance program in a public assistance agency in another State, or other emergent circumstances determined by the single State agency head to be valid for exemption;

(2) An employee retains his or her rights and benefits in the agency while on full-time, long-term training leave;

(3) Persons preparing for employment are selected by the State agency and accepted by the school;

(4) Persons preparing for employment are pursuing educational programs approved by the State agency;

(5) Persons preparing for employment are committed to work for State or local agency for a period of time at least equal to the period for which financial assistance is granted if employment is offered within 2 months after training is completed;

(6) The State or local agency offers the individual preparing for employment a job upon completion of training unless precluded by merit system requirements,

legislative budget cuts, position freezes, or other circumstances beyond the agency's control; and if unable to offer employment, releases the individual from his or her commitment;

(7) The State agency keeps a record of the employment of persons trained. If the persons are not employed by the State or local agency, the record specifies the reason for non-employment;

(8) The State agency evaluates the training programs; and

(9) Any recoupment of funds by the State from trainees failing to fulfill their commitment under this section shall be treated as a refund and deducted from total training costs for the purpose of determining net costs for FFP.

(c) *Grants to educational institutions.* FFP is available in payments for services rendered under grants to educational institutions provided all of the following conditions are met:

(1) Grants are made for the purpose of developing, expanding, or improving training for personnel employed by the State or local agency or preparing for employment by the State or local agency administering the program. Grants are made for an educational program (curriculum development, classroom instruction, field instruction, or any combination of these) that is directly related to the agency's program. Grants are made for not more than 3 years, but may be renewed, subject to the conditions of this section;

(2) Grants are made to educational institutions and programs that are accredited by the appropriate institutional accrediting body recognized by the U.S. Commissioner of Education. When a specialized program within the institution for which there is a specialized accrediting body is used, that program must be accredited by or have pre-accreditation status from that body. (Part 149 of this title explains the requirements and procedures for obtaining recognition as an accrediting agency or association. Lists of currently recognized accrediting bodies are published in the Federal Register periodically. See also *Nationally Recognized Accrediting Agencies and Associations* published by the Office of Education);

(3) The State agency has written policies establishing conditions and procedures for such grants;

(4) Each grant describes objectives in terms of how the educational program is related to the financial assistance programs and how it is designed to meet the State or local agency's manpower needs; and

(5) An evaluation of the educational program funded by each grant is made no later than the close of the second year of the grant. The evaluation shall be conducted by representatives from the educational institution and the State agency to determine whether conditions and objectives described in the grant are being met. If the educational program does not meet these conditions and objectives, payment shall be terminated no later than the close of the second year of the grant.

§ 235.64 FFP rates, and activities and costs matchable as training expenditures.

Under title I, IV-A, X, XIV, or XVI (AABD) of the Act, FFP is available at the rate of 75 percent* for the following costs:

(a) Salaries, fringe benefits, travel and per diem for—

(1) Staff development personnel (including support staff) assigned full time to training functions and;

(2) Staff development personnel assigned part time to training functions to the extent time is spent performing such functions.

(b) For agency training sessions, FFP is available for—

(1) Salaries, fringe benefits, travel and per diem for employees in initial in-service training of at least one week;

(2) Travel and per diem for employees in agency training sessions away from the employee's work site, or in institutes, seminars or workshops related to the job and sponsored by professional organizations;

(3) Salaries, fringe benefits, travel and per diem for experts outside the agency engaged to develop or conduct special programs; and

(4) Costs of space, postage, teaching supplies, purchase or development of teaching material and equipment, and costs of maintaining and operating the agency library as an essential resource to the agency's training program.

(c) For training and education outside of the agency, FFP is available for—

(1) Salaries, fringe benefits, dependency allowance, travel, tuition, books, and educational supplies for employees in full-time, long-term training programs (with no assigned agency duties);

(2) Salaries, fringe benefits, travel, tuition, books, and educational supplies for employees in full-time, short-term training programs of four or more consecutive work weeks;

(3) Travel, per diem, tuition, books and educational supplies for employees

*However, for title IV-A in Guam, Puerto Rico, and the Virgin Islands, FFP is available at the rate of 60 percent.

in short-term training programs of less than four consecutive work weeks, or part-time training programs; and
(4) Stipends, travel, tuition, books and educational supplies for persons preparing for employment with the State or local agency.

(d) FFP is available for payments to educational institutions, as described in § 235.63(c) for salaries, fringe benefits, and travel of instructors, clerical assistance, teaching materials and equipment.

§ 235.65 Activities and costs not matchable as training expenditures.

FFP is not available for the following expenditures as training costs; however, the expenditures described in this section may be matched as administrative costs, if conditions for such matching are met:

(a) Salaries of supervisors (day-to-day supervision of staff is not a training activity); and

(b) Employment of students on a temporary basis, such as in the summertime.

§ 235.66 Sources of State funds.

(a) *Public funds.* Public funds may be considered as the State's share in claiming Federal reimbursement where the funds—

(1) Are appropriated directly to the State or local agency, or transferred from another public agency (including Indian tribes) to the State or local agency and under its administrative control, or certified by the contributing public agency as representing expenditures eligible for FFP under §§ 235.60–235.66;

(2) Are not used to match other Federal funds; and

(3) Are not federal funds, or are Federal funds authorized by Federal law to be used to match other Federal funds.

(b) *Private funds.* Funds donated from private sources may be considered as the State's share in claiming Federal reimbursement only where the funds are—

(1) Transferred to the State or local agency and under its administrative control;

(2) Donated without any restriction which would require their use for the training of a particular individual or at particular facilities or institutions; and

(3) Do not revert to the donor's facility or use.

[FR Doc. 80-13797 Filed 5-5-80; 9:45 am]

BILLING CODE 4110-07-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 0

Commission Organization; Reflecting Change in Organizational Title Concerning the Certificate of Compliance Division of the Cable Television Bureau

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This amendment changes the Commission's Rules to incorporate a change in the organization of the Cable Television Bureau. The revision is caused by the Commission's action in September to eliminate the certificate of compliance process for cable television systems.

EFFECTIVE DATE: May 12, 1980.

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

FOR FURTHER INFORMATION CONTACT:

Charles Marietta, Jr., Office of Executive Director, (202) 632-7513.

Adopted: April 21, 1980.

Released: April 23, 1980.

1. In September 1976, the Commission eliminated the certificate of compliance process for cable television systems. As a result, the title and functions of the Certificate of Compliance Division are being revised. Part 0 is being changed to reflect the new title.

2. The newly-named Compliance Division has general responsibility for enforcing cable television regulations, ensuring annual reports by cable system operators, and providing consumer assistance in cases of inquiries and complaints.

3. The amendment adopted herein is editorial and pertains to agency procedure and practice. The prior notice procedure and effective date provisions of Section 4 of the Administrative Procedure Act, 5 U.S.C. 553, are therefore inapplicable. Authority for the amendment adopted herein is contained in Sections 4(i) and 5(b) of the Communications Act of 1934, as amended.

4. In view of the foregoing, IT IS ORDERED, effective May 12, 1980, that Part 0 of the Rules and Regulations is amended as set forth in the Appendix hereto.

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

R. D. Lichtwardt,
Executive Director.

Appendix

Part 0 of Chapter 1 of Title 47 of the Code of Federal Regulations is hereby amended as indicated below.

1. Section 0.84 is amended to read:

§ 0.84 Units in the Bureau.

The Cable Television Bureau is comprised of the following units:

- (a) Office of the Bureau Chief
- (b) Policy Review and Development Division
- (c) Research Division
- (d) Special Relief and Microwave Division
- (e) Records and Systems Management Division
- (f) Compliance Division

§§ 0.85, 0.86, 0.87, 0.88, 0.89, and 0.90 [Deleted].

2. Sections 0.85, 0.86, 0.87, 0.88, 0.89, and 0.90 are deleted.

[FR Doc. 80-13772 Filed 5-5-80; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[BC Docket No. 79-155; RM-3261 and RM-3469]

FM Broadcast Station in Mountain Home, Ark.; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Final rules.

SUMMARY: Action taken herein assigns Channel 288A to Mountain Home, Arkansas, as that community's second FM assignment, in response to a petition filed by Tri-Rivers Broadcasting Company, Inc. Further action denies the counterproposal of Mountain Valley Broadcasters, Inc., to assign Channel 282 to Mountain Home.

EFFECTIVE DATE: June 9, 1980.

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

FOR FURTHER INFORMATION CONTACT: Molly Pauker, Broadcast Bureau, (202) 632-6302.

SUPPLEMENTARY INFORMATION: In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Mountain Home, Arkansas). BC Docket No. 79-155 RM-3261 RM-3469. Report and order. (Proceeding Terminated).

Adopted: April 23, 1980.

Released: April 30, 1980.

By the Chief, Policy and Rules Division.

1. By *Notice of Proposed Rule Making*, 44 Fed. Reg. 37518, June 27, 1979, the