in 20 copies, in conformance with 15 CFR 2003, to the Secretary, TPSC, Room 500, Office of the United States Trade Representative, 600 17th Street, NW., Washington, D.C. 20506. In order to be fully considered briefs should be submitted as soon as possible, but in any event not later than the close of business Wednesday, October 20, 1982.

Additional information can be found in USITC report No. TA–406–9. For further information contact William Triplett (202–395–4543) or Robert Simpson (202–395–5006). Legal issues should be referred to C. Michael Hathaway (202–395–3432).

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

[FR Doc. 82–27721 Filed 10–7–82; 8:45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF THE TREASURY

Customs Service

[T.D. 82–185]

Customs Approved Public Gauger; Approval of Public Gauger Performing Gauging Under Standards and Procedures Required by Customs

Notice is hereby given pursuant to the provisions of section 151.43 of the Customs Regulations (19 CFR 151.43) that the application of Thornton Laboratories, Inc., 1145 East Cass Street, Tampa, Florida 33601, to gauge imported petroleum and petroleum products in the Customs Districts of Miami, New Orleans and Houston, in accordance with the provisions of § 151.43, Subpart C, of the Customs Regulations is approved.

Dated: October 4, 1982.

A. Piazza,

Acting Director, Entry Procedures and Penalties Division.

[FR Doc. 82–27797 Filed 10–7–82; 8:45 am]

BILLING CODE 4820–02–M

[T.D. 82–186]

Customs Approved Public Gauger; Approval of Public Gauger Performing Gauging Under Standards and Procedures Required by Customs

Notice is hereby given pursuant to the provisions of section 151.43 of the Customs Regulations (19 CFR 151.43) that the application of Thionville Surveying Company, Inc., 5440 Pepsi Street, New Orleans, Louisiana 70183, to gauge imported petroleum and petroleum products in all Customs districts in accordance with the provisions of § 151.43, Subpart C, of the Customs Regulations is approved.

Dated: October 4, 1982.

A. Piazza,

Acting Director, Entry Procedures and Penalties Division.

[FR Doc. 82–27798 Filed 10–7–82; 8:45 am]

BILLING CODE 4820–02–M

Sunsh Act Meetings

Federal Register
Vol. 47, No. 196
Friday, October 8, 1982

This section of EDERAL REGISTER contains notice etings published under the "Go t in the Sunshine Act" (Pub. L. 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Civil Aeronautics	1
Civil Rights Comr	2
Commodity Futu ding Commission	3
Federal Commun Commission.	4
Federal Deposit nce Corporation	5–9
Federal Election C ssion	10
Federal Maritime C ssion	11
Foreign Claims S nent Commission	12
Parole Commissio	13
Securities and Ex Commission.	14–15

1

CIVIL AERONAUT ARD

TIME AND DATE: ., October 7, 1982.

PLACE: Room 10 5 Connecticut Avenue, NW., W gton, D.C. 20428.

SUBJECT:

1. Ratification of s Adopted by Notation.

2. Dockets 40951 40976, Applications of Interstate Airlines nternational Air Service Company d IASCO, respectively, for an exemption fr ection 401(o) of the Act. (BDA, OGC)

3. Commuter carri itness determination of F&F Aircraft Lea Inc. d.b.a. Finair Express. (Memo 143 , BDA, OGC)

4. Commuter carri itness determination of Flight Trails, Inc. a. Air Resorts Airlines. (Memo 151 DA)

5. Dockets 40899, 4 0 and 40901, Applications of Jet U /Airlines, Inc. under Subpart Q of the Bo s Regulations for certificates of public c nvenience and necessity under secti 401(d)(1) to engage in interstate and overse air transportation and under section 40 (3) to engage in charter foreign air tra portation and application of Jet USA Airlines, Inc., Arthur S. Hill, and Fred R. W ht for approval of interlocking relationsh ps under section 409. (Memo 1519, BDA)

6. Docket 40674, Certificate application of Air Polynesia, Inc., t/a DHL Cargo filed under Subpart Q. (Memo 1435–B, BDA)

7. Docket 40925, Application of Alaska Island Air, Inc., under expedited procedures, for a section 401 certificate. (BDA)

8. Docket 40898, Application of Ryan Air Service, Inc., under expedited procedures, for a section 401 certificate. (BDA)

9. Docket 40992, 30-day notice by Eagle Commuter Airlines, Inc. of its intent to suspend service at Brownwood, Texas. (BDA, OCCCA)

10. Dockets 39843 and NR–460, Notice of Hawaiian Airlines to suspend service at Kanuela, Hawaii. (BDA, OCCCA)

11. Dockets 39864 and EAS–813, Western's notice to suspend service at Pierre, South Dakota, and Pioneer's petition to reopen bidding for Pierre. (BDA, OCCCA, OC)

12. Dockets EAS–353 and EAS–365, Essential Air transportation determinations of Alamosa and Cortez, Colorado. (BDA, OCCCA, OGC)

13. Dockets 40612 and EAS–631, EAS determination for Sheridan, Wyoming. (BDA, OCCCA, OGC)

14. Dockets EAS–565 and 37501, Request for review of the essential air service determination for Hazleton, PA, established by Order 81–8–34. (BDA)

15. Dockets 34556 and EAS–427, Renewal of subsidized essential air service at London/Corbin, Kentucky. (Memo 006–A, BDA, OCCCA, OGC)

16. Dockets 33363, 32606, 32607, *Former Large Irregular Air Service Investigation, Applications of Worldwide Airlines, Inc.* (Memo 1509, OGC)

17. Elimination of Time and Mileage Guides. (Memo 1507, OGC, BIA, BDA)

18. Dockets 39932, 36294, 39504, Denied Boarding Compensation. (OGC, BDA, BIA, OC, OEA, OCCCA)

19. Docket 39932, Motion of ACAP for oral argument or an additional comment period in the comprehensive DBC rulemaking. (OGC)

20. Docket 40141, Application of Empresa Guatemalteca de Aviacion (AVIATECA) for renewal of its foreign air carrier permit. (BIA, OGC, BALJ)

21. Docket 38623, Agreement CAB 28828 R–1 through R–31, IATA passenger agreement establishing resolutions, applicable worldwide, governing such matters as rates of exchange, currency conversion and rounding procedures, fare construction rules and certain discount fares. (Memo 1514, BIA)

22. Docket 35634, Agreement CAB 28838 R–1 through R–9, IATA agreement proposing a new U.S.-Africa cargo rate structure. (BIA)

23. Docket 40781, Application of Dominion Intercontinental Airlines, Inc. for a certificate of public convenience and necessity to engage in overseas and foreign air transportation. (BIA, OGC)

24. Dockets 40831, 40940, Applications of Arrow Airways, Inc. for certificate of public convenience and necessity and exemption (Denver-London). (Memo 1487–A, BIA, OGC, BALJ)

25. Docket 40459, United States-Brazil/Argentina All-Cargo Proceeding. (Memo 1100–F, BIA, OGC)

STATUS: Open.

PERSON TO CONTACT: Phyllis T. Kaylor, the Secretary, (202) 673–5068.

[S–1431–82 Filed 10–6–82; 9:24 am]

BILLING CODE 6320–01–M

2

CIVIL RIGHTS COMMISSION

PLACE: Room 512, 1121 Vermont Avenue, N.W., Washington, D.C.

DATE AND TIME: October 12, 1982; 9:30 a.m.–12 noon; 1:30 p.m.–4 p.m.

STATUS OF MEETING: Items I–XII (open to public); Item XIII (closed to public).

MATTERS TO BE CONSIDERED:

I. Approval of Agenda.
II. Approval of Minutes of Last Meeting.
III. Review of Tentative Findings of the San Jose Hearing.
IV. Review of the Religious Discrimination Statement.
V. Discussion of School Desegregation Issues.
VI. Review of the Department of Education's Proposed Changes in Regulations for Handicapped Students.
VII. State Advisory Committee Recharters:
A. Hawaii.
B. Massachusetts.
C. New Hampshire.
VIII. Vermont Advisory Committee Report *Entitled Sexual Harassment on the Job: A Guide for Employers.*
IX. New Hampshire Advisory Committee Report Entitled *Sexual Harassment on the Job: A Guide for Employers.*
X. Iowa Advisory Committee Report Entitled: *Iowa Civil Rights Agencies.*
XI. Civil Rights Developments in the Mid-Atlantic Region.
XII. Staff Director's Report:
A. Status of Funds.
B. Personnel Report.
C. Office Directors' Reports.
XIII. Personnel Issue (in close session).

PERSON TO CONTACT FOR FURTHER INFORMATION: Barbara Brooks, Press and Communications Division, (202) 254–6697.

[S–1445–82 Filed 10–6–82; 3:12 pm]

BILLING CODE 6335–01–M

3

COMMODITY FUTURES TRADING COMMISSION

TIME AND DATE: 10 a.m., Wednesday, October 13, 1982.

PLACE: 2033 K Street, N.W., Washington, D.C., fifth floor hearing room.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Proposed Amendments to Regulation 1.33(a) (Monthly Customer Statements)

First Quarter, FY 1983 Programs, Plans and Priorities

CONTACT PERSON FOR MORE INFORMATION: Jane Stuckey, 254–6314.

[S–1432–82 Filed 10–6–82; 10:37 am]

BILLING CODE 6351–01–M

4

FEDERAL COMMUNICATIONS COMMISSION

October 6, 1982.

The following item has been deleted at the request of the Chairman's office from the list of agenda items scheduled for consideration at the October 6, 1982, Open Meeting and previsously listed in the Commission's Notice of September 29, 1982.

Agenda, Item No., and Subject

Renewal—1—*Title:* License Renewal application of Provident Broadcasting Company for Station WQCK (FM), Manchester, Georgia. *Summary:* The East Central Alabama-West Central Georgia Minority Christian Broadcast Coalition filed a petition to deny alleging that licensee's programming does not serve the needs and interests of the local minority population and that licensee's employment practices regarding minorities do not comply with the Commission's EEO rules and policies. The Commission considers petitioner's allegations.

Issued: October 6, 1982.

William J. Tricarico,

Secretary, Federal Communications Commission.

[S–1441–82 Filed 10–6–82; 2:10 pm]

BILLING CODE 6712–01–M

5

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 11:00 p.m. on Sunday, October 3, 1982, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to provide financial assistance, pursuant to section 13(e) of the Federal Deposit Insurance Act (12 U.S.C. 1823(e)), in order to facilitate the acquisition of Oklahoma National Bank and Trust Company, Oklahoma City, Oklahoma, by the First National Bank and Trust Company of Oklahoma City, Oklahoma City, Oklahoma.

In calling the meeting, the Board determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required its consideration of the matter on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matter in a meeting open to public observation; and that the matter could be considered in a closed meeting pursuant to subsections (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Chairman's office, Room 6023, of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Dated: October 5, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1433–82 Filed 10–6–82; 11:18 am]

BILLING CODE 6714–01–M

6

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Monday, October 4, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Recommendations regarding the liguidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liguidating agent of those assets:

Case No. 45,202–L (Amended)—Banco Credito y Ahorro Ponceno, Ponce, Puerto Rico

Case No. 45,423—The Greenwich Savings Bank, New York, New York

Memorandum re: Auditing Services for Penn Square Bank, National Association, and Deposit Insurance National Bank of Oklahoma City—Request for Authority to Expend Funds

Memorandum re: Implementation of Corporation-Wide Word Processing Program

By the same majority vote, the Board further determined that no earlier notice of the changes in the subject matter of the meeting was practicable.

Dated: October 5, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1434–82 Filed 10–6–82; 11:18 am]

BILLING CODE 6714–01–M

7

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Monday, October 4, 1982, the Corporation's Board of Directors determined, on motion of Chairman William M. Isaac, seconded by Director Irvine H. Sprague (Appointive), concurred in by Director C. T. Conover (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matters:

Discussion of Corporation policy regarding stock option plans involved in applications for Federal deposit insurance.

Recommendation regarding an Assistance Agreement entered into between the Corporation and an insured bank, pursuant to section 13(e) of the Federal Deposit Insurance Act.

The Board further determined, by the same majority vote, that no earlier notice of the changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Dated: October 5, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S–1435–82 Filed 10–6–82; 11:18 am]

BILLING CODE 6714–01–M

8

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Tuesday, October 12, 1982, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Application for Federal deposit insurance and for consent to exercise trust powers:

Resource Bank and Trust, an operating noninsured trust company, to be located at Opus Center, 9900 Bren Road East, Minnetonka, Minnesota.

Applications for consent to merge and establish branches:

Metropolitan Bank, Oak Grove, Oregon, for consent to merge, under its charter and with the title "United Bank of Oregon," with The Independent Bank of Sandy, Sandy, Oregon, and Willamette Falls State Bank, Oregon City, Oregon, and to establish the sole offices of The Independent Bank of Sandy and Willamette Falls State Bank as branches of the resultant bank.

Strafford Savings Bank, Dover, New Hampshire, for consent to merge, under its charter and with the title "Southeast Bank for Savings," with Granite State Savings Bank, Somersworth, New Hampshire, and to establish the four offices of Granite State Savings Bank as branches of the resultant bank.

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 45,429-L—Franklin National Bank, New York, New York

Memorandum re: Replacement of FDIC Computer Center Disk Storage Devices.

Reports of committees and officers:

Minutes of actions approved by the standing committees of the Corporation pursuant to authority delegated by the Board of Directors.

Reports of the Division of Bank Supervision with respect to applications or request approved by the Director or Associate Director of the Division and the various Regional Directors pursuant to authority delegated by the Board of Directors.

Report of the Director, Office of Corporate Audits:

Audit Report re: Travel Voucher Subsystem (Dated June 9, 1982)

Discussion Agenda:

No matters scheduled.

The meeting will be held in the Board Room on the sixth floor of the FDIC building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: October 5, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1436-82 Filed 10-6-82; 11:18 am]

BILLING CODE 6714-01-M

9

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Tuesday, October 12, 1982, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552b(c)(2), (c)(6), (c)(8), and (c)(9)(A)(ii) of Title 5, United States Code, to consider the following matters:

Summary Agenda: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Recommendations with respect to the initiation, termination, or conduct of administrative enforcement proceedings (cease-and-desist proceedings, termination-of-insurance proceedings, suspension or removal proceedings, or assessment of civil money penalties) against certain insured banks or officers, directors, employees, agents or other persons participating in the conduct of the affairs thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Note.—Some matters falling within this category may be placed on the discussion agenda without further public notice if it becomes likely that substantive discussion of those matters will occur at the meeting.

Discussion Agenda:

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation at (202) 389-4425.

Dated: October 5, 1982.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1437-82 Filed 10-6-82; 11:18 am]

BILLING CODE 6714-01-M

10

FEDERAL ELECTION COMMISSION

DATE AND TIME: Wednesday, October 13, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Compliance, Litigation, Audits, Personnel.

* * * * *

DATE AND TIME: Thursday, October 14, 1982 at 10 a.m.

PLACE: 1325 K Street, N.W., Washington, D.C. (fifth floor).

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings
Correction and approval of minutes
FY '83 management plan
Routine Administrative matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Public Information Officer, telephone 202-523-4065.

Majorie W. Emmons,

Secretary of the Commission.

[S-1442-82 Filed 10-6-82; 2:17 pm]

BILLING CODE 6715-01-M

11

FEDERAL MARITIME COMMISSION

TIME AND DATE: 9 a.m., October 13, 1982.

PLACE: Hearing Room One, 1100 L Street, N.W., Washington, D.C. 20573.

STATUS: Part of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Sea-land Service, Inc. Tariff FMC-F No. 34 applying between U.S. Atlantic and Gulf ports and ports in Puerto Rico and the U.S. Virgin Islands and Tariff FMC-F No. 53 applying between ports in Puerto Rico and

ports in Canada via Elizabeth, New Jersey—General Rate Increases.

2. The International Household Goods Rate Agreement (8470); the U.S. Hawaii/Puerto Rico/Guam Household Goods Rate Agreement (8480); and the U.S. Alaska Household Goods Rate Agreement (8490) (As Respondents in Docket No. 82–8): Motion to dismiss and petition for exemption from the independent policing authority requirement of General Order 7.

3. Agreement No. 10107–13: Modification of the Trans-Pacific Freight Conference (Hong Kong)/Independent Lines Rate Agreement—Deletion of Annual Reporting Requirements.

4. Agreements Nos. 10108–7 and 5700–29: Modifications of FMC Rate Agreement No. 10108, and the New York Freight Bureau to include intermodal transportation services.

Portion closed to the public:

1. Docket No. 82–35: In the Matter of Agreement No. 10423 Between Philippines, Micronesia & Orient Navigation Company and Matson Navigation Company—Consideration of Petition for Declaratory Order.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Assistant Secretary (202) 523–5725.

[S–1440–82 Filed 10–6–82; 1:04 pm]

BILLING CODE 6730–01–M

12

FOREIGN CLAIMS SETTLEMENT COMMISSION

[Notice No. 5–82]

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

Date, Time, and Subject Matter

Tuesday, October 19, 1982, at 10:30 a.m.
Redetermination of claims against the Government of the Czechoslovak Socialist Republic and determination of claims against the Socialist Republic of Vietnam. Claims for prisoner of war compensation.

Tuesday, November 16, 1982, at 10:30 a.m.
Redetermination of claims against the Government of the Czechoslovak Socialist Republic and determination of claims against the Socialist Republic of Vietnam. Claims for prisoner of war compensation.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 1111 20th Street, NW., Washington, D.C. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 1111 20th Street, NW., Room 409, Washington, DC 20579. Telephone: (202) 653–6155.

Dated at Washington, D.C. on October 4, 1982.

Judith H. Lock,

Administrative Officer.

[S–1438–82 Filed 10–6–82; 11:21 am]

BILLING CODE 4410–01–M

13

PAROLE COMMISSION

TIME AND DATE: 9 a.m. to 5:30 p.m., Wednesday, October 20, 1982.

PLACE: Room 420–F, One North Park Building, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815.

STATUS: Closed pursuant to a vote to be taken at the beginning of the meeting.

MATTERS TO BE CONSIDERED:

1. Appeals to the Commission of approximately 11 cases decided by the National Commissioners pursuant to a reference under 28 CFR 2.17 and appealed pursuant to 28 CFR 2.27. These are all cases originally heard by examiner panels wherein inmates of Federal prisons have applied for parole or are contesting revocation of parole or mandatory release.

2. An application for a Certificate of Exemption under the Labor-Management Reporting and Disclosure Act of 1959, and the Employee Retirement Income Security Act of 1974.

CONTACT PERSON FOR MORE INFORMATION: Linda Wines Marble, Chief Case Analyst, National Appeals Board, United States Parole Commission (301) 492–5987.

[S–1443–82 Filed 10–6–82; 2:48 pm]

BILLING CODE 4410–01–M

14

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of October 4, 1982, at 450 5th Street, N.W., Washington, D.C.

A closed meeting will be held on Wednesday, October 6, 1982, at 10:00 a.m.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a) (4), (8), (9)(i) and (10).

Chairman Shad and Commissioners Thomas, Longstreth and Treadway voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Wednesday, October 6, 1982, at 10:00 a.m., will be:

Litigation matter.
Regulatory matter bearing on current litigation.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272–2000.

October 5, 1982.

[S–1439–82 Filed 10–6–82; 1:04 pm]

BILLING CODE 8010–01–M

15

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act. Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of October 11, 1982, at 450 5th Street, N.W., Washington, D.C.

A closed meeting will be held on Wednesday, October 13, 1982, at 10:00 a.m. An open meeting will be held on Thursday, October 14, 1982, at 10:00 a.m. in Room 1C30.

The Commissioners, their legal assistants, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, the items to be considered at the closed meeting may be considered pursuant to one or more of the exemptions set forth in 5 U.S.C. 552b(c) (4), (8), (9) (A) and (10) and 17 CFR 200.402(a) (4), (8), (9) (i) and (10).

Commissioners Evans, Thomas, Longstreth and Treadway voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Wednesday, October 13, 1982, at 10:00 a.m., will be:

Formal orders of investigation.
Access to investigative files by Federal, State, or Self-Regulatory authorities.
Institution of injunctive actions.

Institution of administrative proceedings of an enforcement nature.

The subject matter of the open meeting scheduled for Thursday, October 14, 1982, at 10:00 a.m., will be:

1. Consideration of whether to designate the General Counsel as the officer to whom any petition for review of any order or rule issued under the securities laws is to be transmitted. For further information, please contract Robert Mills at (202) 272–3070.

2. Consideration of whether to amend 17 CFR 200.80f, Appendix F, to reduce the retention period for certain classes of Commission records and to provide a fixed period for other Commission records where none was previously provided. For further information, contact Robert M. Duffey at (202) 272–2454.

3. Consideration of whether to issue a release announcing proposed rules designed, among others things, to provide minimum standards for registered transfer agents in the preparation and maintenance of accurate security-holders records and the safeguarding of funds and securities. For further information, please contact Jonathan Kallman at (202) 272–2775.

4. Consideration of whether to issue a release requesting public comment on a wide variety of questions relating to the security holder proposal process pursuant to Rule 14a–8 under the Securities Exchange Act of 1934 and soliciting comment with respect to three alternative proposals for dealing with that matter. For further information, please contact William E. Morley at (202) 272–2573.

5.Consideration of whether a renewed request for acceleration of the effective date of the registration statement of The School Street Fund, a money market fund which proposes to distribute its shares through a wholly-owned subsidiary of a state-chartered savings bank, should be granted. For further information, please contact Diane Sanger at (202) 272–3014

6. Consideration of whether to propose for public comment Rule 6c–7 under the investment Company Act of 1940, which would provide registered insurance company separate accounts and others with exemptive relief from various provisions of that Act to the extent necessary to permit them to comply with certain provisions of Texas law in connection with the sale of variable annuity contracts to certain employees of Texas institutions of higher education, and and amended Rule 14a–2 under that Act, which would expand the availability of the exemptive relief presently provided by that rule. For further information, please contact Thomas P. Lemke at (202) 272–2061.

7. Consideration of whether to announce the withdrawal of proposed rule amendments which would have had the effect of excluding accountants from liability under Section 11 of the Securities Act of 1933 for reports on unaudited supplementary financial information as to the effects of changing prices and as to oil and gas reserves. For further information, please contact Linda Griggs at (202) 272–2130.

8. Consideration of whether to announce a new policy regarding the public availability of correspondence about the impact of certain relationships between registrants and accountants on the independence of such accountants. For further information, please contact Clarence Staubs at (202) 272–2130.

9. Consideration of whether to issue a release which proposes amendments to the Commission's rule regarding the independence of accountants. The proposed amendments would revise the definition of the term "member" in § 210.2–01(b) and make minor technical changes to clarify the intent of the rule. The proposed revisions would cause Rule 2–01(b) to no longer apply to any professional employee of an accounting firm, provided that such employee is not involved in providing professional services to the subject client or any of its affiliates, and is not a managerial employee located in an office of the firm participating in a significant portion of the audit. For further information, please contact Clarence M. Staubs at (202) 272–2130.

10. Consideration of whether to issue orders approving proposed rule changes filed by the (1) American Stock Exchange ("Amex") relating to the trading of options on Treasury securities; (2) the Chicago Board Options Exchange, Incorporated ("COBE") with respect to the trading of options on GNMA Securities and Treasury securities; (3) the Philadelphia Stock Exchange ("Phlx") with respect to options of foreign currency; and (4) the Options Clearing Corporation ("OCC") with respect to issuance of options of GNMA. Treasuries and foreign currencies and the establishment of a system for the clearance and settlement of such options. For further information, please contact Thomas G. Lovett at (202) 272–2913.

At times changes in Commission priorties require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Diane Klinke at (202) 272–2000.

October 6, 1982.

[S–1444–82 Filed 10–6–82; 2:48 pm]

BILLING CODE 8010–01–M

federal register

Friday
October 8, 1982

Part II

Department of Labor

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

Modifications and Supersedeas Decisions to General Wage Determination Decisions

Modifications and supersedeas decisions to general wage determination decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the modifications and supersedeas decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of part 1 of subtitle A of title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing general wage determination decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and supersedeas decisions are effective from their date of publication in the **Federal Register** without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Office of Government Contract Wage Standards, Division of Government Contract Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rulemaking procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Determination Decision.

Modifications to General Wage Determination Decisions

The numbers of the decisions being modified and their dates of publication in the **Federal Register** are listed with each State.

Colorado:	
CO82-5103	Feb. 12, 1982.
CO82-5104	Feb. 26, 1982.
Illinois:	
IL81-2043	July 17, 1981.
IL82-2003	Mar. 5, 1982.
Iowa: IA82-4030	June 18, 1982.
Kansas: KA82-4015	Apr. 16, 1982.
Louisiana: LA82-4020	May 7, 1982.
Massachusetts: MA82-3005	Apr. 30, 1982.
North Dakota: ND82-5130	July 6, 1982.
Pennsylvania:	
PA80-3059	Oct. 3, 1980.
PA82-3010	Mar. 5, 1982.
PA82-3028	Sept. 10, 1982.
Texas:	
TX82-4001	Jan. 29, 1982.
TX82-4002	Jan. 15, 1982.
TX82-4024	June 18, 1982.
TX82-4026	June 18, 1982.
TX82-4029	June 18, 1982.
Utah: UT82-5121	Sept. 3, 1982.
Virginia:	
VA82-3024	July 23, 1982.
VA82-3023	July 9, 1982.
VA82-3022	July 9, 1982.
Wyoming: WY82-5106	Mar. 12, 1982.

Supersedeas Decisions to General Wage Determination Decisions

The numbers of the decisions being superseded and their dates of publication in the **Federal Register** are listed with each State. Supersedeas decision numbers are in parentheses following the numbers of the decisions being superseded.

Georgia:	
GA82-1016(GA82-1059)	Mar. 5, 1982.
GA82-1017(GA82-1058)	Mar. 5, 1982.
Illinois: IL80-2072(IL82-2047)	Aug. 15, 1980.
Iowa: IA81-4098(IA82-4049)	Nov. 27, 1981.
Kentucky: KY80-1098(KY82-1060)	Aug 22, 1980.
Mississippi: MS81-1173(MS82-1061)	Jan. 30, 1981.
Pennsylvania: PA81-3044(PA82-3027)	Aug. 7, 1981.
Tennessee: KY80-1098(KY82-1060)	Aug. 22, 1980.

Cancellation of General Wage Determination Decisions

The general wage decision listed below is cancelled. Agencies with construction projects pending to which

the cancelled decision would have been applicable should utilize the project determination procedure by submitting Form SF–308. See Regulations Part 1 (29 CFR), Section 1.5. Contracts for which bids have been opened shall not be affected by this notice. Also consistent with 29 CFR, 1.7(b)(2), the incorporation of the cancelled decision in contract specifications, the opening of bids is within ten (10) days of this notice, need not be affected.

NJ79–3033—Gloucester County, New Jersey, dated October 12, 1979 in 44 FR 59060—Residential Construction

This is to advise all interested parties that the Department of Labor intends to withdraw 14 days from the date of this notice the following general wage determinations:

KY77–1102—Knox, Laurel, McCreary, Pulaski, Rockcastle, Wayne and Whitley Counties, Kentucky, dated August 26, 1977, in 42 FR 3305—Building Construction

KY77–1154—Bell County, Kentucky, dated December 23, 1977, in 42 FR 64617—Building Construction

KY81–1293—Daviess County, Kentucky, dated September 25, 1981, in 46 FR 47400—Building Construction

KY81–1298—Henderson County, Kentucky, dated October 16, 1981, in 46 FR 51158—Building Construction

Signed at Washington, D.C. this 1st day of October 1982.

Dorothy P. Come,

Assistant Administrator, Wage and Hour Division.

BILLING CODE 4510-27-M

MODIFICATION PAGE 1

DECISION NO. CO82-5103 - Mod. #7
(47 FR 6549 February 12, 1982)
Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Morgan, Park, Summit, and Weld Counties, Colorado

	Basic Hourly Rates	Basic Hourly Rates
Change:		
Carpenters: (Area 1):		
Denver County ONLY:		
Zone 1	$14.045	
Zone 2	15.80	
Zone 3	17.56	
Fringe Benefits: $3.46		
	ZONE 1	ZONE 2
Laborers:		
Building Construction: Adams, Arapahoe, Denver, Eagle and Jefferson Counties ONLY:		
Group 1	$ 9.94	$10.45
Group 2	10.23	10.73
Group 3	10.75	11.25
Fringe Benefits: $2.59		
Truck Drivers:		
Building Construction: Arapahoe, Boulder, Denver, Jefferson and Larimer Counties ONLY:		
Group 1	12.46	12.96
Group 2	12.56	13.06
Group 3	12.66	13.16
Group 4	12.71	13.21
Group 5	12.76	13.26
Group 6	12.81	13.31
Group 7	12.86	13.36
Group 8	12.91	13.47
Group 9	13.01	13.51
Group 10	13.06	13.56
Group 11	13.16	13.66
Group 12	13.36	13.86
Group 13	13.31	13.81
Group 14	13.46	13.96
Group 15	13.56	14.06
Group 16	13.66	14.16
Group 17	13.76	14.26
Group 18	13.96	14.46
Fringe Benefits: $2.34		

DECISION NO. CO82-5103 (Cont'd

	Basic Hourly Rates	Basic Hourly Rates
Sheet Metal Workers	$17.03	
Fringe Benefits: $3.86		

DECISION NO. CO82-5104 - MOD. #10 - (47 FR 8497- February 26, 1982)
El Paso County, Colorado

	ZONE 1	ZONE 2
Change:		
Laborers:		
Group 1	$ 9.95	$10.45
Group 2	10.23	10.73
Group 3	10.75	11.25
Fringe Benefits: $2.59		

DECISION NO. IL81-2043 - MOD. #2
(46 FR 37167 - July 17, 1981)
Sangamon County, Illinois

	Basic Hourly Rates	Fringe Benefits
Change:		
Laborers:		
Unskilled	$14.10	2.10
Semi-Skilled	14.30	2.10
Skilled	14.45	2.10

DECISION NO. IL82-2003 - MOD. #3
(47 FR 9659 - March 5, 1982)
Adams, Bond, ... Winnebago, & Woodford Counties, Illinois

Change:		
Laborers:		
Area 1:		
Unskilled	13.84	1.35
Semi-Skilled	14.04	1.35
Skilled	14.19	1.35
Area 2:		
Unskilled	13.59	1.60
Semi-Skilled	13.79	1.60
Skilled	13.94	1.60
Area 3:		
Unskilled	14.15	1.55
Semi-Skilled	14.35	1.55
Skilled	14.50	1.55
Area 4:		
Unskilled	14.10	2.10
Semi-Skilled	14.30	2.10
Skilled	14.45	2.10

MODIFICATION PAGE 2

DECISION NO. IA82-4030 - MOD. #7
(47 FR 26537 - 6/18/82)
Black Hawk, Cerro Gordo, Clinton, Des Moines, Dubuque, Johnson, Linn & Polk Cos., Iowa

	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Ironworkers:		
Zones 2 & 8	$13.26	2.44

DECISION NO. KS82-4015 - Mod. #3
(47 FR 16525-April 16, 1982)
Douglas, Jefferson, Leavenworth, Miami and Shawnee Counties, Kansas

Change:		
Cement Masons:		
Zone 1	$14.97	$1.95

DECISION NO. LA82-4020 - MOD. #9
(47 FR 19880 - 5/7/82)
Statewide Louisiana

CHANGE:		
Power equipment operators:		
Zone 6 - Group 1	$14.86	1.95
Group 2	15.11	1.95
Group 3	15.36	1.95
Group 4	15.61	1.95
Group 5	16.11	1.95
Group 6	15.86	1.95
Group 7	14.61	1.95
Group 8	12.78	1.95
Group 9	11.21	1.95
Group 10	11.21	1.95
Group 11	9.35	1.95
Group 12	10.53	1.95

DECISION NO. MA82-3005 - MOD. #1
(47 FR 18737 - April 30, 1982)
BERKSHIRE, FRANKLIN, HAMPDEN, HAMPSHIRE, MASSACHUSETTS

	Basic Hourly Rates	Fringe Benefits
CHANGE:		
PLUMBERS & STEAMFITTERS:		
FRANKLIN COUNTY (Orange)	15.07	1.85+a
HAMPDEN COUNTY; HAMPSHIRE COUNTY; BERKSHIRE COUNTY (Otis, Becket, Sandifield; FRANKLIN CO. (Remainder of County)	15.82	2.61+a
BERKSHIRE CO. (Remainder of County); FRANKLIN CO. (Monroe, Towe and Western part of Charlemont)	16.25	3.10

a. Paid Holidays (for employees who have been employed seven days prior to the holiday for the same employer): July 4th and Labor Day

DECISION NO. ND81-5130 - Mod. #2
(46 FR 35005 - July 6, 1981)
Statewide, North Dakota

	Basic Hourly Rates	Fringe Benefits
Change:		
Power Equipment Operators:		
Group 1	$11.42	$1.65
Group 2	11.25	1.65
Group 3	11.08	1.65
Group 4	11.02	1.65
Group 5	10.73	1.65
Group 6	11.46	1.65
Group 7	9.38	1.65
Group 8	9.20	1.65
Group 9	9.08	1.65
Group 10	8.68	1.65

DECISION NO. PA80-3059 MOD. NO. 10 (45 FR 65895 - October 3, 1980) Erie County, Pennsylvania	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Carpenters	$13.60	.05+27%
Soft Floor Layers	13.60	.05+27%
Roofers:		
Composition	15.34	1.57
POWER EQUIPMENT OPERSTORS:		
Class 1	16.12	2.30
Class 1-A	16.41	2.30
Class 1-B	16.98	2.30
Class 1-C	16.96	2.30
Class 2	15.62	2.30
Class 3	15.45	2.30
Class 4	13.96	2.30
Class 5	13.67	2.30
Class 5-A	13.96	2.30
Class 5-B	14.44	2.30
Class 6	14.69	2.30
Class 6-A	13.96	2.30
Class 6-B	13.67	2.30

DECISION NO. PA82-3010 MOD. NO. 4 (47 FR 9684 - March 5, 1982) Clinton, Centre, Huntingdon, Fulton & Mifflin Cos., Pa.	Basic Hourly Rates	Fringe Benefits
CHANGE:		
POWER EQUIPMENT OPERATORS:		
Class 1	15.075	3.07
Class 1-A	15.325	3.07
Class 1-B	15.575	3.07
Class 1-C	15.825	3.07
Class 2	14.925	3.07
Class 3	12.85	3.07
Class 3-A	13.35	3.07
Class 4	12.20	3.07
Class 5	11.15	3.07
Class 6	11.45	3.07
Class 6-A	11.55	3.07

DECISION NO. PA82-3010, CONT'D.	Basic Hourly Rates	Fringe Benefits
POWER EQUIPMENT OPERATORS:		
Class 6-B	11.70	3.07
Class 6-C	12.45	3.07
ADD:		
POWER EQUIPMENT OPERATORS:		
Class 1-D Gradall (Remote Control)	17.075	3.07

DECISION NO. PA82-3028 MOD. NO. 1 (47 FR 39972 — Sept. 10, 1982) Elk, Forest, McKean, Warren Counties, Pennsylvania	Basic Hourly Rates	Fringe Benefits
CHANGE:		
LABORERS:		
Wrecking Laborers	12.50	17%
POWER EQUIPMENT OPERATOR:		
Class 1	15.075	3.07
Class 1-A	15.325	3.07
Class 1-B	15.575	3.07
Class 1-C	15.825	3.07
Class 2	14.925	3.07
Class 3	12.85	3.07
Class 3-A	13.35	3.07
Class 4	12.20	3.07
Class 5	11.15	3.07
Class 6	11.45	3.07
Class 6-A	11.55	3.07
Class 6-B	11.70	3.07
Class 6-C	12.45	3.07
ADD:		
POWER EQUIPMENT OPERATORS:		
Class 1-D Gradall(remote control)	17.075	3.07

DECISION NO. TX82-4001 - MOD. #8 (47 FR 4463 - 1/29/82) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Cos., Texas	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Asbestos workers	$14.50	2.37
Electricians:		
Electricians	14.48	1.30+ 3⅛%
Cable splicers	15.93	"
Plumbers & pipefitters	14.55	2.56

DECISION NO. TX82-4002 - MOD. #7 (47 FR 2472 - 1/15/82) Wichita County, Texas	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Plasterers	13.50	.01

DECISION NO. TX82-4024 - MOD. #6 (47 FR 26548 - 6/18/82) Travis County, Texas	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Carpenters:		
Carpenters	14.36	1.82
Millwrights	14.61	1.82
Glaziers	13.06	1.37
Plasterers	14.09	1.61

DECISION NO. TX82-4026 - MOD. #5 (47 FR 26547 - 6/18/82) Lubbock County, Texas	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Asbestos workers	14.50	2.37

DECISION NO. UT82-5121 - Mod. #1 (47 FR 39085 - September 3, 1982) Statewide, Utah	Basic Hourly Rates	Fringe Benefits
Change:		
Sprinkler Fitters	$15.92	$2.83

DECISION NO. TX82-4029 - MOD. #7 (47 FR 26552 - 6/18/82) Bell, Bosque, Coryell, Falls, Hill & McLennan Cos., Texas	Basic Hourly Rates	Fringe Benefits
CHANGE:		
Building Construction:		
Plasterers	$14.09	1.61

Decision No. VA82-3024-Mod. #2 (47 FR 32034-July 23,1982) York County, & the Cities of Hampton and Newport News (including Langley AFB, Fort Eustis and Fort Monroe, Virginia	Basic Hourly Rates	Fringe Benefits
CHANGE:		
CEMENT MASONS:		
Cement Masons	$10.85	.40
Machine and Scaffold Men	10.95	.40

Decision No. VA82-3023-Mod. #1 (47 FR 29983-July 9,1982) The Cities of Chesapeake, Portsmouth & Virginia Beach, Virginia	Basic Hourly Rates	Fringe Benefits
CHANGE:		
CEMENT MASONS:		
Cement Masons	10.85	.40
Machine and Scaffold Men	10.95	.40
ELECTRICIANS AND CABLE SPLICERS	13.45	9%+1.00
LINE CONSTRUCTION:		
LINEMEN AND CABLE SPLICERS	13.45	9%+.60
PLUMBERS AND STEAMFITTERS	13.30	2.02

Decision No. VA82-3022-Mod. #1 (47FR 29984-July 9,1982) Henrico County & the Independent City of Richmond, Virginia	Basic Hourly Rates	Fringe Benefits
CHANGE:		
CEMENT MASONS	11.25	
MACHINE MEN	11.35	
PLUMBERS AND PIPEFITTERS	14.45	1.95

DECISION NO. WY82-5106- Mod. #4 (47 FR 10968 - March 12, 1982) Converse, Goshen, Laramie, Niobrara and Platte Counties, Wyoming	Basic Hourly Rates	Fringe Benefits
Change:		
Bricklayers; Stonemasons: Area 1	$14.24	$.57

SUPERSEDEAS DECISION

STATE: GEORGIA COUNTY: RICHMOND
DECISION NUMBER: GA82-1059 DATE: DATE OF PUBLICATION
Supersedes Decision Number GA82-1016, dated March 5, 1982, in 47 FR 9656.
DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including four (4) stories).

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	$12.85	.92
BOILERMAKERS	14.50	3.015
BRICKLAYERS, STONE MASONS, MARBLE MASONS, PLASTERERS, TERRAZZO WORKERS, & TILE SETTERS	11.90	
CARPENTERS	12.88	.02
CEMENT MASONS	11.50	
ELECTRICIANS:		
Wiremen	13.35	1.45+3%
Cable splicers	13.60	1.45+3%
ELEVATOR CONSTRUCTORS:		
Mechanics	11.36	2.465+a
Helpers	7.95	2.465+a
Probationary helpers	5.68	
IRONWORKERS	12.30	1.83
LABORERS:		
CLASS I - Building & Construction laborers	7.56	.43
CLASS II - Power & air tool operators, concrete & clay pipe layers & wipers, mortar mixers, & power buggy operators	7.71	.43
CLASS III - Powderman, wagon drill operator, tunnel laborers, shaft laborers, burners, acetylene (demolition work), slip form workers (steel or wood, screw or jack type), potman, creosote materials handler, steel form setter (on grade), chimney or stack work	7.76	.43
LINE CONSTRUCTION:		
Linemen & Heavy equipment operators (crane, dragline, & 5th wheel tractor)	13.65	1.15+3%
Cable splicers	13.90	1.15+3%
Equipment operators (hole digging equipment, tractor with winch & derrick, anchor machine, backhoe, & ground rod drivers)	11.19	1.15+3%
Truck operators	8.46	1.15+3%
Groundmen	7.64	1.15+3%

	Basic Hourly Rates	Fringe Benefits
MILLWRIGHTS	$13.88	.02
PAINTERS:		
Brush & 9" roller	9.35	1.30
Power tools, sign painting, glazing, structural steel (painting & cleaning, excluding metal doors & frames)	9.85	1.30
Paperhanging	10.10	1.30
Drywall finishers	10.60	1.30
All types of epoxy & chemical materials, such as bitumastic, conaps, & clornate, all stage work, window jacks, botsun chair, ladder jacks & built-up scaffold, extension ladder over 36'	11.00	1.30
Regular spray & gloves, & blasting	11.25	1.30
PILEDRIVEMEN	13.38	.02
PLUMBERS & PIPEFITTERS	13.38	1.73
ROOFERS	3.60	
SHEET METAL WORKERS	12.05	.04
SPRINKLER FITTERS	14.57	2.83

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTE: 'a': Seven Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving Day; Christmas Day: Vacation Pay Credit: Employer contribute 8% of the basic hourly rate for employees with 5 years or more of service, or 6% for employees with 6 months to 5 years of service.

DECISION NO. GA82-1059 PAGE 2

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits
GROUP I - Crane, derrick, dragline, side boom, cherry picker, mechanic, piledriver, crawler, backhoe (3/4 cy. & up), concrete pump, clamshell, drill operator, concrete mixer plant, locomotive, two-drum hoist, shovel, generator (250 KW & up), hydraulic crane over 10 tons, finish motor grader.	$13.53	1.87
GROUP II - Bulldozer, hydraulic boom truck (10 tons & under), scraper, end loader, fork tractor, one-drum hoist, air compressor (600 CFM & over), tugger, roller, plain tractor, fireman, rubber-tired backhoe (less than 3/4 cy.), push dozer, trenching machine.	12.10	1.87
GROUP III - Oiler, pump operator (over 4" diameter), air compressor (under 600 CFM).	9.46	1.87
GROUP IV - Mechanic's tender, servicing welding machine & pump (up to 4" diameter).	7.34	1.87

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

Basic Hourly Rates	Fringe Benefits

SUPERSEDEAS DECISION

STATE: GEORGIA
DECISION NUMBER: GA82-1058
COUNTY: CHATHAM
DATE: DATE OF PUBLICATION
Supersedes Decision Number GA82-1017, dated March 5, 1982, in 47 FR 9657.
DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including four (4) stories).

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	$13.24	2.16
BOILERMAKERS	14.50	3.015
BRICKLAYERS, STONE MASONS, MARBLE MASONS, TERRAZZO WORKERS, & TILE SETTERS	10.45	.45
CARPENTERS & SOFT FLOOR LAYERS:		
Contracts $4.5 Million or less	12.25	.85
Contracts over $4.5 Million	13.00	.85
CEMENT MASONS & PLASTERERS	9.50	
ELECTRICIANS	13.50	1.95+3.3%
ELEVATOR CONSTRUCTORS:		
Mechanics	11.36	2.465+a
Helpers	7.95	2.465+a
Probationary helpers	5.68	
IRONWORKERS	12.30	1.83
LABORERS:		
CLASS I	6.82	.38
CLASS II	6.97	.38
CLASS III	7.07	.38
CLASS IV	7.32	.38
CLASS V	7.82	.38
MILLWRIGHTS	13.60	.85
PAINTERS:		
Brush & Roller	11.35	.75
Rubberhanging (installation only) & Paint burners	$11.60	.75
Paperhanging, steel brush, & steel roller	11.85	.75
Sandblasting, paint spraying, paint mitts & gloves, & power tools (no rollers larger than 9")	12.10	.75
Drywall finishers	12.25	.75
PILEDRIVERMEN:		
Contracts $4.5 Million or less	12.50	.85
Contracts over $4.5 Million	13.25	.85
PLUMBERS & PIPEFITTERS:		
Contracts $20,000 or less	13.65	1.85
Contracts over $20,000	14.30	1.85
POWER EQUIPMENT OPERATORS:		
GROUP I	13.53	1.87
GROUP II	12.10	1.87
GROUP III	9.46	1.87
GROUP IV	7.34	1.87
ROOFERS	5.50	
SHEET METAL WORKERS	12.53	.57
SPRINKLER FITTERS	14.57	2.83

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

CLASSIFICATION DEFINITIONS - LABORERS:
CLASS I - General laborers.
CLASS II - Operators of jack hammer, tamp, paving breaker, chipping hammer, spade, chain saw, vibrator, motorized buggy, mason tender, terrazzo helper, railroad or track laborers, walk behind compactor or roller, plaster & carpenter tender.
CLASS III - Mortar mixer (hand or machine), pipe layer (harner, potman, etc.), flagmen (crane, derrick, etc.).
CLASS IV - Burner (torch), on demolition work, track or wagon drill used in blasting.
CLASS V - Powderman or blaster.

CLASSIFICATION DEFINITIONS - POWER EQUIPMENT OPERATORS:
GROUP I - Crane, derrick, dragline, side boom, cherry picker, mechanic, piledriver, crawler, backhoe (3/4 cy. & up), concrete pump, clamshell, drill operator, concrete mixer plant, locomotive, two-drum hoist, shovel, generator (250KW & up), hydraulic crane over 10 tons, finish motor grader.
GROUP II - Bulldozer, hydraulic boom truck (10 tons & under), scraper, end loader, fork tractor, one-drum hoist, air compressor (600 CFM & over), tugger, roller, plain tractor, fireman, rubber-tired backhoe (less than 3/4 cy.), push dozer, trenching machine.
GROUP III - Oiler, pump operator (over 4" diameter), air compressor (under 600 CFM).
GROUP IV - Mechanic's tender, servicing welding machine & pump (up to 4" diameter).

FOOTNOTE: 'a' - Seven Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving Day; Christmas Day: Vacation Pay Credit: Employer contributes 8% of the basic hourly rate for employees with 5 years or more of service, or 6% for employees with 6 months to 5 years of service.

SUPERSEDEAS DECISION

STATE: ILLINOIS
DECISION NO. IL82-2047
COUNTY: MACON
DATE: Date of Publication
Supersedes Decision No. IL80-2072, dated August 15, 1980 in 45 FR 54580
DESCRIPTION OF WORK: Building Construction (including Residential) Projects

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	$15.49	2.26
BOILERMAKERS	18.30	3.305
BRICKLAYERS; Caulkers; Cement Block Layers; Cleaners; Marble Setters; Pointers; Terrazzo Workers; & Tile Setters	16.20	1.655
CARPENTERS; Lathers; Millwrights; Piledrivermen; & Soft Floor Layers: Carpenters; Soft Floor Layers: Residential not to exceed 3 levels (including level below ground)	11.03	2.23
All Other Work: Carpenters; Lathers; & Soft Floor Layers	15.755	2.23
Millwrights; Piledrivermen	16.255	2.23
CEMENT MASONS	16.00	1.775
ELECTRICIANS: Residential not to exceed 6 Family Units	11.44	1.49
All Other Work	17.60	2.12
GLAZIERS	14.89	.97
IRONWORKERS: East of Decatur	15.00	3.03
Remainder of County	15.95	2.23
MARBLE & TILE SETTERS' FINISHERS	16.00	
PAINTERS: Brush; Roller; & Vinyl Paperhangers	15.05	1.40
Spray	15.80	1.40
Steeples & Structures over 50 ft.	16.05	1.40
PLASTERERS	16.22	1.775
PLUMBERS; Steamfitters: Residential not to exceed 3 floors	13.57	1.22
All Other Work	19.39	2.55
ROOFERS	15.88	1.72
SHEET METAL WORKERS: Residential	10.91	2.46
Commercial Building	16.78	2.46+a
SPRINKLER FITTERS	16.67	2.83
TERRAZZO WORKERS' FINISHERS	16.15	
LABORERS: Residential	10.15	2.00
Commercial Building: Unskilled	14.05	2.25
Semi-Skilled	14.25	2.25
Skilled	14.40	2.25
POWER EQUIPMENT OPERATORS: Class I	16.25	1.85
Class II	14.60	1.85
Class III	13.00	1.85
TRUCK DRIVERS: Group I	14.325	1.15+b
Group II	14.725	1.15+b
Group III	14.925	1.15+b
Group IV	15.175	1.15+b

FOOTNOTES:
a. 3% of gross earnings to SASMI
b. $51.00 per week per employee

DECISION NO. IL82-2047

CLASSIFICATION DEFINITIONS

LABORERS:

Unskilled - All Sewer Workers, plus Depth Pay; Asphalt Plant Laborers; Bankmen on Floating Plant; Batch Dumpers; Carpenters' Tenders; Cleaning Lumber; Cofferdam Workers, plus Depth Pay; Deck Hand, Dredge Hand and Shore Laborer; Dispatchers; Driving of Stakes, Stringlines for all Machinery; Fencing Laborers; Firemen or Salamander Tenders; Fireproofing Laborers; Form Handlers; Gravel Box Men, Dumpmen and Spotters; Laborers with De-Watering System; Landscapers; Laying of Sod; Material Handlers; Pit Men; Plastic Installers; Planting of Trees; Removal of Trees; Rip Rap Men; Scaffold Workers; Tool Cribmen; Track Laborers; Unloading & Carrying Lath; Unloading and Carrying of Re-Bars; Wrecking, Dismantling Buildings; Wallmen & Housemovers; Wrecking Laborers

Semi-Skilled Laborers - Asphalt Workers with Machine; Asphalt Raker and Layers; Cement Handlers; Cement Silica, Clay, Fly Ash, Lime and Plasterers, Handlers (Bulk or Bag); Chain Saw; Chloride Handlers; Concrete Workers (Wet); Grade Checker; Handling of Materials Treated with Oil, Creosote, Asphalt and/or any Foreign Material Harmful to Skin or Clothing; Kettle Tar Men on Concrete Paving, Placing, Cutting and Tying of Reinforcing; Tank Cleaners; Tunnel Tenders in Free Air

Skilled Laborers - Air Tamping Hammerman; Caisson Workers, Plus Depth Pay; Concrete Burning Machine Op.; Concrete Saw Op.; Coring Machine Op.; Curb Asphalt Machine Op.; Gunnite Nozzle Men; Jackhammer and Drill Op.; Laborers Handling Masterplate or similar materials; Laborers Tending Masons with Hot Material or where Foreign Materials are used; Laser Beam Op.; Layout Man on Sewer Work; Luteman; Mason Tenders; Mortar Mixer Op.; Motorized Buggies or Motorized Unit used for Wet Concrete or Handling of Building Materials; Multiple Concrete Duct - Leadman; Plasterers' Tenders; Ready Mix Scalemen; Screenman on Asphalt Pavers; Steel Form Setters - Street & Highway; Vibrator Ops.; Welders, Cutters, Burners & Torchmen

POWER EQUIPMENT OPERATORS:

CLASS I - Asphalt Plant Engineer; Asphalt Screed Man; Apsco Concrete Spreaders; Asphalt Pavers; Asphalt Rollers on Bituminous Concrete; Athey Loaders; Backfillers; Crane Type Backhoes; Cableway; Cherry Pickers; Clam Shell; C.M.I. & Similar Type Autograde Formless Paver, Autograde Placer & Finisher; Concrete Breakers; Concrete Plant Operators; Concrete Pumps;

DECISION NO. IL82-2047

POWER EQUIPMENT OPERATORS (CONT'D)

Cranes; Derricks; Derrick Boats; Draglines; Earth Auger Boring Machines; Elevating Graders; Engineers on Dredge; Gravel Processing Machines; Head Equipment Greasers; High Lift or Fork Lifts; Hoist W/two Drums or Two or more Loadlines; Locomotives; Mechanics; Motor Graders or Auto Patrols; Operators or Levelman on Dredges; Operators Power Boat; Operators Pug Mill (Asphalt Plants); Orange Peels; Overhead Cranes; Paving Mixers; Pile-drivers; Pipe Wrapping & Painting Machines; Push Dozers or Push Cats; Rock Crushers; Ross Carriers or similar Machines; Scoops; Skimmers 2 cu. yd. cap. & under; Sheep Foot Roller (Self-propelled); Shovels;Skimmer Scoops; Test Hole Drilling Machines; Tower Cranes; Tower Machines; Tower Mixers; Track Type & Loaders; Track Type Fork Lift or High Lifts; Track Jacks & Tampers; Tractors; Sideboom; Trenching Machines; Ditching Machine; Tunnel Luggers; Wheel Type End Loaders; Winch Cat; Scoops (all or Torunapull)

CLASS II - Asphalt Boosters & Heaters; Asphalt Distributors; Asphalt Plant Fireman; Building Elevator; Bull Floats or Flexplanes; Concrete Finishing Machines; Concrete Saws, Self-propelled; Concrete Spreader Machines; Gravel or Stone Spreaders, Power Operated; Hoist Automatic; Hoist w/1 Drum & 1 Load Line; Oiler on 2 Paving Mixers when used in Tandem Boom or Winch Truck; Post Hole Diggers, Mechanical; Road or Street Sweeper-Self-Propelled; Scissors Hoist; Seaman Tiller; Straw Machine; Vibratory Compactors; Well Drill Machines; & Mud Jacks (Hvy & Hwy only)

CLASS III - Air Compressors*; Air Compressors, Track or Self-propelled; Bulk Cement Batching Plants; Conveyors*; Concrete Mixers (except plant paver, tower); Firemen; Generators*; Greasers; Light Plants*; Mechanical Heaters*; Oilers; Power Form Graders; Power Sub-Graders; Pug Mills, when used for other than Asphalt Operation; Rollers (except Bituminous Concrete); Tractors w/o Power Attachments Regardless of size or type; Truck Crane Oiler & Driver (1 man); Vibratory Hammer; Water Pumps*; Welding Machines (one 300 amp. or over)*; Welding Machines*

*COMBINATIONS OF ONE TO FIVE OF ANY AIR COMPRESSORS, CONVEYORS, WELDING MACHINES, WATER PUMPS, LIGHT PLANTS OR GENERATORS SHALL BE IN BATTERIES OR WITHIN 300 FT.

DECISION NO. IL82-2047

TRUCK DRIVERS:

GROUP I - Drivers on 2 Axles hauling less than 9 tons; Air Compressor & welding Machine incl. those pulled by separate units; Fork Lifts up to 6,000 lb. cap.; Mechanic Tenders; Pick-ups when hauling materials, tools, or men to and from and on the job site; & Truck Driver Tenders

GROUP II - 2 or 3 Axles hauling more than 9 tons, but hauling less than 16 tons; A-Frame Winches; Fork Lifts over 6,000 lbs. cap.; 4-axle Combination units; Hydrolifts or similar equipment when used for transportation purposes; & Winches

GROUP III - 2, 3, or 4 Axles hauling 16 tons or more; Dispatcher; 5-Axles or more combination units; Mechanics & Working Foreman; & Water Pulls

GROUP IV - Drivers on Oil Distributors; & Drivers on Semi-Lowboys when moving equipment

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: Iowa COUNTY: Scott
DECISION NO.: IA82-4049 DATE: Date of Publication
Supersedes Decision No. IA81-4098, dated 11/27/81 in 46 FR 58021.
DESCRIPTION OF WORK: Building Projects (does not include single family homes and apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	$16.86	2.40
BOILERMAKERS	16.12	2.825
BRICKLAYERS & STONEMASONS	15.46	2.32
CARPENTERS:		
Carpenters	14.91	2.78
Millwrights	16.00	3.10
Piledrivermen	15.41	2.78
CEMENT MASONS	15.00	1.80
ELECTRICIANS:		
Electricians	16.34	.76+7½%
Cable splicers	17.34	.76+7½%
ELEVATOR CONSTRUCTORS:		
Mechanics	15.00	2.465+a
Helpers	70%JR	2.465+a
Helpers (Prob.)	50%JR	
GLAZIERS	15.71	1.77
IRONWORKERS	16.40	2.375
LABORERS:		
GROUP 1 - Carpenter tenders, common laborers, mason tenders	13.18	2.20
GROUP 2 - Concrete saw, pipesetters, plumber laborer, power tools (barco-vibrator-mortar mixers-dynamite handlers-burner on dismantling work to be junked), prime movers, sand points	13.43	2.20
GROUP 3 - Caissons after 6 ft. depth, dynamite men, tunnel miners	13.68	2.20
MARBLE, TILE & TERRAZZO WORKERS	$14.20	2.10
PAINTERS:		
Brush, Roller	14.92	3.04
Spray, structural steel	15.42	3.04
PLASTERERS	10.90	
PLUMBERS & STEAMFITTERS	16.65	2.32
POWER EQUIPMENT OPERATORS:		
GROUP 1	15.25	2.98
GROUP 2	13.85	2.98
GROUP 3	12.80	2.98
ROOFERS	15.60	2.66
SHEET METAL WORKERS	14.45	2.61
SOFT FLOOR LAYERS	14.91	2.78
SPRINKLER FITTERS	16.47	2.83
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.		

FOOTNOTE FOR ELEVATOR CONSTRUCTORS
a - Employer contributes 8% of basic hourly rate for over 5 years service & 6% of basic hourly rate for 6 months to 5 years service as Vacation Pay Credit. Also 7 Paid Holidays - New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Day

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5(a)(1)(ii)).

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - All hoists or steel erecting equipment: Crane,Shovel,Clamshell,Dragline,Backhoe,Derrick,Tower Crane,Cableway,Concrete Spreader(servicing 2 pavers), Asphalt Spreader,Asphalt Mixer Plant Engineer,Dipper Operator & Craneman,Dual Purpose Truck(boom or winch);Leverman or Engineman(hydraulic dredge),Mechanic, Paving Mixer with tower attached(2 ops. required);Piledriver,Boom Tractor. Stationary,Portable or Floating Mixing Plant,Trenching Machine(over 40 HP), Building Hoist(2 drums),Hot Paint Wrapping Machine,Cleaning & Priming Machine, Backfiller(throw bucket),Locomotive Engineer,Qualified Welder,Tow or Push Boat, Concrete Paver,Seaman Trav-L-Plant or similar machine,CMI Autograder or similar machines,Slip Form Paver,Caisson Augering Machine,Mucking Machine,Asphalt Heater-Planer Unit,Hydraulic Cranes,Mine Hoists;Athey,Barber-Green,Euclid or Haiss Loader,Asphalt Pug Mill,Fireman & Drier,Concrete Pump,Concrete Spreader (servicing 1 paver);Bulldozer,Endloader,Log Chippers or similar machines, Elevating Grader,Group Equipment Greaser, LeTourneaupull & similar machines, DW-10,Hyster Winch & Similar machines,Motor Patrol,Power Blade,Push Cat, Tractor Pulling Elevating Grader or Power Blade,Tractor Operating Scoop or Scraper,Tractor with Power Attachments,Roller on Asphalt or Blacktop,Single Drum Hoist,Jaeger Mix & Plant Machine,Pipe Bending Machine,Flexaplane or similar machines,Automatic Curbing Machine,Automatic Cement & Gravel Batch Plants(1 stop set-up),Seaman Pulvi-Mixer or similar machines,Blastholer Self-Propelled Rotary Drill or similar machines,Work Boat,Combination Concrete Finishing Machine & Float,Self-Propelled Sheep Foot Roller or Compactor (used in conjunction with a Grading Spread),Asphalt Spreader Screed Operator, Apsco Spreader or similar machine,Slusher,Forklift(over 6000 lbs. capacity or working at heights above 28 ft.),Concrete Conveyors

GROUP 2 - Asphalt Booster,Fireman & Pump Operator at Asphalt Plant,Mud Jack, Underground Boring Machine,Concrete Finishing Machine,Form Grader with Roller on Earth, Mixers(3 bag to 61E),Power Operated Bull Float,Tractor without Power Attachments,Dope Pot(agitating motor),Dope Chop Machine,Distributor (back end),Straddle Carrier,Portable Machine Fireman,Hydro-Hammer,Power Winch on Paving Work;Self-Propelled Roller or compactor(other than provided for above),Pump Operator(more than 1 well point pump),Portable Crusher Operator, Trench Machine (under 40 HP),Power Subgrader(on forms) or similar machines, Forklift(6000 lbs. or less capacity ,Gypsum Pump,Convevor over 20 HP,Fuller-Kenyon Cement Pump or similar machines;Air Compressor(275 CFM or over), Driver on Truck Crane or similar machines,Light Plant,Mixers(1 or 2 bag), Power Batching Machine(Cement Auger or Conveyor),Boiler(Engineer or Fireman), Water Pumps,Mechanical Broom,Automatic Cement & Gravel Batch Plants (2 or 3 stop set-up),Small Rubber-tired Tractor(not including backhoes or endloaders), Self-Propelled Curing Machine

GROUP 3 - Oiler,Mechanic's Helper,Mechanical Heater (other than steam boiler), Belt Machine,Small Outboard Motor Boat,Engine Driven Welding Machine

SUPERSEDEAS DECISION

STATE: KENTUCKY

LOCATION: FORT CAMPBELL (CHRISTIAN COUNTY, KY. & MONTGOMERY CO., TN.)

DECISION NUMBER: KY82-1060

DATE: DATE OF PUBLICATION

Supersedes Decision Number KY80-1098, dated August 22, 1980, in 45 FR 56285.

DESCRIPTION OF WORK: BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including four (4) stories).

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS	$15.10	2.41
BOILERMAKERS	18.45	2.715
BRICKLAYERS, STONE MASONS, MARBLE MASONS, TILE SETTERS, TERRAZZO WORKERS, CEMENT MASONS, & PLASTERERS	13.05	1.45
CARPENTERS, LATHERS, & SOFT FLOOR LAYERS	15.20	.72
ELECTRICIANS:		
Wiremen:		
Kentucky portion	15.23	.65+13¾%
Tennessee portion	13.60	.65+3⅜%
Cable splicers:		
Kentucky portion	15.48	.65+13¾%
Tennessee portion	13.85	.65+3⅜%
ELEVATOR CONSTRUCTORS:		
Mechanics	11.48	2.33 + a
Helpers	8.04	2.33 + a
Probationary helpers	5.74	
GLAZIERS	12.50	1.12 + b
IRONWORKERS	12.85	2.07
LABORERS:		
Group 1	11.20	1.25
Group 2	11.35	1.25
Group 3	11.70	1.25
MILLWRIGHTS & PILEDRIVERMEN	$15.70	.72
PAINTERS:		
Brush & Roller	11.10	1.30
Spray work, drywall finishing	11.35	1.30
Structural steel, swing stage & chair, motor stage	11.45	1.30
Paperhangers	11.60	1.30
Sandblasting	11.85	1.30
PLUMBERS & PIPEFITTERS	14.14	1.79
POWER EQUIPMENT OPERATORS:		
Kentucky Portion:		
CLASS A	14.77	2.13
CLASS B	12.03	2.13
CLASS C	11.26	2.13
Tennessee Portion:		
CLASS A	11.90	1.20
CLASS B	11.23	1.20
CLASS C	10.55	1.20
CLASS D	10.01	1.20
ROOFERS	9.95	1.46
SHEET METAL WORKERS	15.03	1.14
SPRINKLER FITTERS:		
Kentucky Portion	16.47	2.83
Tennessee Portion	14.57	2.83

WELDERS: Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

a. Seven Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Friday after Thanksgiving Day; Christmas Day; Vacation Pay Credit: Employer contributes 8% of the basic hourly rate of employees with 5 years or more of service, or 6% for employees with 6 months to 5 years of service.

b. Six Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day.

CLASSIFICATION DEFINITIONS - LABORERS:

Group 1 - General laborers, wrecking labor on buildings, clearing right-of-way & building site, carpenter tender, truck spotter & dumper, axe & cross cut saw filer, concrete pudler & form stripper.

Group 2 - All power driven tools; hod carrier, mason tender, finisher tender, mortar mixer, jack hammer, vibrator, wagon drill, core drill, test drill, well drill, concrete pump machine, tunnel boring machine, men in tunnel & crib ditch work, signal men, riprap rock setter & handler, asphalt raker, tamper & smoother, pipe layer, grout pump men, chain saw, pipe clearing, doping & wrapping, swamper & straight cable hooking, cement gun, grade checker machine excavating, batch plant scale man, sand hog free air, sand hog compressed air, cutting torch man on salvage work, road form setters, brick slingers, hand spikers, power buggy, handling of creosote material, sandblaster, curing of concrete & apply hardner, air & gas tamper, concrete saw, power post hole digger & green cut man on concrete work.

Group 3 - Powderman, blaster.

CLASSIFICATION DEFINITIONS - POWER EQUIPMENT OPERATORS (KENTUCKY PORTION):

CLASS A - Auto patrol, batcher plant, bituminous paver, cable way, central compressor plant, clamshell, concrete mixer (21cu.ft.or over), concrete pump, crane, crusher plant, derrick, derrick boat, ditching & trenching machine, dragline, dredge operator, dredge engineer, elevating grader & all types of loaders, hoe type machine, hoist (1-drum when used for stack or chimney construction or repair), hoisting engine (2-drums or more), locomotive, motor scraper, carry-all scoop, bulldozer, heavy duty welder, mechanic, Orangepeel bucket, pile driver, power blade, motor grader, roller (bituminous), scarifier, shovel, tractor shovel, truck crane, winch truck, push dozer, high lift, fork lift (regardless of lift height & except when used for masonry construction), all types of boom cats, core drill, hopto, tow or push boat, A-frame winch truck, concrete paver, gradeall, hoist, hyster, pumpcrete, Ross carrier, boom, tail boom, rotary drill, hydro hammer, mucking machine rock spreader attached to equipment, scoopmobile, KeCal loader, tower cranes (French, German, & other types), hydro crane, backfiller, gurries, sub-grader.

CLASS B - All air compressors (over 900 CFM), bituminous mixer, joint sealing machine, concrete mixer (under 21cu.ft.), form grader, roller (rock), tractor (50HP & over), bull float, finish machine, outboard motor boat, flexplane, fireman, boom type tamping machine, truck crane oiler, greaser on grease facilities servicing heavy equipment, switchman or brakeman, mechanic helper, whirley oiler, self-propelled compactor, tractair & road widening trencher, farm tractor with attachments (except backhoe, high lift & end loader), elevator (when used to hoist building materials), hoisting engine (1-drum or buck hoist), fork lift (when used for masonry construction), well points, grout pump, throttle-valve man, tugger, electric vibrator compactor.

CLASS C - Bituminous distributor, cement gun, conveyor, mud jack, paving joint machine, roller (earth), tamping machine, tractors (under 50HP), vibrator, oiler, concrete saw, burlap & curing machine, hydro-seeder, power form handling equipment, deckhand steersman, hydraulic post driver, drill helper.

CLASSIFICATION DEFINITIONS - POWER EQUIPMENT OPERATORS (TENNESSEE PORTION):

CLASS A - Shovel, backhoe, dragline, crane, derrick, gantrey, gradeall, winches with boom, motor patrol, trenching machine (18" or over), pile driver, tug boat operator, mechanic, fork lift, central mixing plant, locomotive engineer, straddle carrier, core drill, tower crane, hydro-crane, Austin Western & all similar type crane, drilling of piling (all types), tugger, hoist (2-drums or more), earth freezing equipment, sideboom, dredge operator & engineer, hopto, pump crete, mucking machine, cableway, finishing machine, central compressor, derrick boat, concrete pump, welders, helicopters, de-watering system (all types), sweeper, bulldozer, pan, pull, scraper, traxcavator, front end loader, concrete placing machine.

CLASS B - Trenching machine (18" or smaller), tandem roller, paver, mixer mobile, backfiller, blade grader, dinkey operator, elevating grader, winch operated from truck & tractor without boom, distributor bituminous surface, hoist (1-drum), mixer, grout pump, motor boat, switchman, brake man, elevator earth compactor, tractor, conveyor.

CLASS C - Locomotive fireman on boiler, air compressor (stationary), earth drill, scale operator, motor crane driver & oiler, pump (4" & larger), oiler on gantrey, greaser, drill helper.

CLASS D - Air compressor, mechanic helper, firemen (low pressur pump under 4"), oiler, welding machine operator, deckhand.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a) (1) (ii)).

SUPERSEDEAS DECISION

STATE: MISSISSIPPI COUNTIES: FORREST AND JONES
DECISION NUMBER: MS82-1061 DATE: DATE OF PUBLICATION
Supersedes Decision No.: MS81-1173 dated January 30, 1981 in 46 FR 10091.
DESCRIPTION OF WORK: BUILDING CONSTRUCTION (excluding single family homes and apartments up to and including four stories.)

	Basic Hourly Rates	Fringe Benefits		Basic Hourly Rates	Fringe Benefits
BRICKLAYERS	$10.55		ROOFERS	$ 5.00	
CARPENTERS	8.11		SHEET METAL WORKERS	5.88	
CEMENT MASONS	7.21		SOFT FLOOR LAYERS	5.33	
ELECTRICIANS	8.25		TILE SETTERS	6.50	
GLAZIERS	6.90		TRUCK DRIVERS	4.08	
IRONWORKERS	11.05		WELDERS - Rate for Craft		
LABORERS:			POWER EQUIPMENT OPERATORS:		
Mason Tenders	4.55		Asphalt Distributor	4.15	
Mortar Mixers	4.95		Asphalt Spreader	5.25	
Pipelayers	5.00		Backhoe	5.00	
Unskilled	4.08		Bulldozer	5.73	
LATHERS	8.50		Crane	6.94	
PAINTERS	7.00		Drill, earth type	7.76	
PLASTERERS	10.00		Motor Patrol	4.38	
PLUMBERS & PIPEFITTERS	9.31		Tractor	5.00	

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5 (a)(1)(ii)).

SUPERSEDEAS DECISION

STATE: PENNSYLVANIA

COUNTIES: BEDFORD, CAMBRIA, CAMERON, CLARION, CLEARFIELD JEFFERSON, CRAWFORD AND VENANGO

DECISION NO.: PA82-3027

DATE: DATE OF PUBLICATION

Supersedes Decision No. PA81-3044 dated, August 7, 1981, in 46 FR 40477.

DESCRIPTION OF WORK: Building Erection and Foundation Excavation, (does not include single family homes or apartments up to and including 4 stories), excluding Sewage and Water Treatment Plant Projects.

	Basic Hourly Rates	Fringe Benefits
ASBESTOS WORKERS		
ZONE 1	15.06	3.27
ZONE 2	15.74	2.32
BOILERMAKERS		
ZONE 1	14.93	1.14+ 12%
ZONE 2	15.755	2.80
BRICKLAYERS & STONEMASONS		
ZONE 1	13.65	2.45
ZONE 2	15.50	2.30
ZONE 3	15.65	2.37
ZONE 4	14.40	2.40
ZONE 5	12.85	2.45
ZONE 6	14.11	3.12
CARPENTERS & SOFT FLOOR LAYERS		
ZONE 1	13.80	25%
ZONE 2	12.75	26½%
CEMENT MASONS		
ZONE 1	15.31	3.52
ZONE 2	13.83	16%
ZONE 3	16.65	1.37
ZONE 4	9.65	.90
ELECTRICIANS:		
ZONE 1	16.80	2.85+ 3%
ZONE 2	15.85	5.51+ 3%
ZONE 3	16.90	1.50+ 9%
ELEVATOR CONSTRUCTORS	16.145	2.69+ j+k
ELEVATOR CONSTRUCTORS	11.30	2.69+ j+k
ELEVATOR CONSTRUCTORS HELPERS (PROB.)	8.07	
GLAZIERS		
ZONE 1	13.44	3.96
ZONE 2	15.24	1.42
IRONWORKERS		
ZONE 1	15.84	3.24
ZONE 2	14.12	2.90
ZONE 3	15.50	3.92
ZONE 4	16.35	1.41
ZONE 5	14.67	2.93
LABORERS		
ZONE 1		
CLASS I	12.55	20%
CLASS II	12.67	20%
CLASS III	12.82	20%
CLASS IV	13.07	20%
CLASS V	13.25	20%
ZONE 2		
CLASS I	12.03	20%
CLASS II	12.105	20%
CLASS III	12.13	20%
CLASS IV	12.18	20%
CLASS V	12.28	20%
CLASS VI	12.52	20%
CLASS VII	12.57	20%
ZONE 3		
CLASS I	12.50	17%
CLASS II	12.75	17%
CLASS III	13.30	17%
ZONE 4		
CLASS I	11.78	18%
CLASS II	11.86	18%
CLASS III	12.17	18%
CLASS IV	12.25	18%
CLASS V	12.04	18%
CLASS VI	12.37	18%
CLASS VII	12.04	18%
CLASS VIII	12.25	18%
ZONE 5		
CLASS I	10.40	20%
CLASS II	10.90	20%
CLASS III	11.00	20%
CLASS IV	10.90	20%
CLASS V	10.45	20%
ZONE 6		
CLASS I	10.66	20%
CLASS II	11.16	20%
CLASS III	11.26	20%
CLASS IV	11.16	20%
CLASS V	10.73	20%
LANDSCAPING:		
ZONE 1		
CLASS I	9.57	22%
CLASS II	9.99	22%
ZONE 2		
CLASS I	11.50	17%

DECISION NO. PA82-3027

	Basic Hourly Rates	Fringe Benefits
LATHERS		
Bedford, Cambria, Cameron, Clarion, Clearfield, Crawford, Jefferson Cos.	13.80	25%
LEAD BURNERS	10.75	66+a
LINE CONSTRUCTION		
ZONE 1		
CLASS I	17.17	.60+ 3 3/8%
CLASS II	10.30	.60+ 3 3/8%
CLASS III	12.01	.60+ 3 3/8%
ZONE 2		
CLASS I	13.37	.55+ 3 3/8%
CLASS II	9.38	.55+ 3 3/8%
CLASS III	8.97	.55+ 3 3/8%
MARBLE SETTERS		
ZONE 1	13.65	2.45
ZONE 3	15.65	2.37
ZONE 4	14.17	3.27
MARBLE FINISHER: Counties covered Bedford Cambria, Clarion and Jefferson	7.95	.10
MILLWRIGHTS	13.16	37½%
PAINTERS:		
ZONE - 1		
COMMERCIAL - shall include stores, schools, warehouses not in plant showrooms, apartment buildings, commercial garage, office buildings Brush & Roller	12.34	3.02
INDUSTRIAL - shall include sewage treatment plants, water works or authorities, and power plants, all skeleton steel, railroad and highway bridges, towers, tanks, furnances, machinery, corrugated ceiling and sidewalks sheeting steel sash and all steel surfaces, offices & hospital, both interior and exterior Brush	15.23	3.02
ZONE 2		
COMMERCIAL - shall include stores, schools, warehouses not in plant showrooms, apartment buildings, commercial garage, office buildings		
Brush & Roller	15.00	2.50
Spray	16.00	2.50
INDUSTRIAL - shall include sewage treatment plants, water works or authorities, and power plants, all skeleton steel, railroad and highway bridges, towers, tanks, storage tanks, furnances, machinery, corrugated ceiling and sidewalks, sheeting steel sash and all steel surfaces, offices & hospital, both interior and exterior		
Brush & Roller	15.50	2.50
Spray	16.50	2.50
POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION		
CLASS 1	15.075	3.07
CLASS 1-A	15.325	3.07
CLASS 1-B	15.575	3.07
CLASS 1-C	15.825	3.07
CLASS 1-D	17.075	3.07
CLASS 2	14.925	3.07
CLASS 3	12.85	3.07
CLASS 3-A	13.35	3.07
CLASS 4	12.20	3.07
CLASS 5	11.15	3.07
CLASS 6	11.45	3.07
CLASS 6-A	11.55	3.07
CLASS 6-B	11.70	3.07
CLASS 6-C	12.45	3.07

DECISION NO. PA82-3027

	Basic Hourly Rates	Fringe Benefits
PILEDRIVERMEN	16.02	17½%
PLASTERERS		
ZONE 1	15.65	2.37
ZONE 2	16.80	2.35
ZONE 3	14.10	.01
PLUMBERS & STEAMFITTERS		
ZONE 1	16.20	3.68
ZONE 2	17.57	1.71
ZONE 3		
Contracts Under $10,000	16.20	2.40
Contracts Over $10,000	17.30	2.40
ZONE 4	15.48	3.14
ROOFERS		
ZONE 1	15.34	1.57
ZONE 2	15.96	2.43
SHEET METAL WORKERS		
ZONE 1	15.84	3.71
ZONE 2	15.01	3.04
SPRINKLER FITTERS	16.92	2.83
TRUCK DRIVERS		
ZONE 1		
CLASS I	8.42	c+d
CLASS II	8.35	c+d
CLASS III	8.42	c+d
CLASS IV	8.17	c+d
ZONE 2		
CLASS I	11.86	16.8%+e
CLASS II	11.91	16.8%+e
CLASS III	11.93	16.8%+e
CLASS IV	12.01	16.8%+e
CLASS V	12.20	16.8%+e
CLASS VI	12.03	16.8%+e
CLASS VII	12.18	16.8%+e
ZONE 3		
CLASS I	7.20	.40
CLASS II	7.30	.40
CLASS III	7.40	.40
CLASS IV	7.50	.40
CLASS V	7.35	.40
CLASS VI	7.45	.40
CLASS VII	7.40	.40
CLASS VIII	7.70	.40
CLASS IX	7.80	.40
CLASS X	7.45	.40
CLASS XI	7.70	.40
ZONE 4		
CLASS I	9.12	f+g+h

AREA COVERED BY ASBESTOS WORKERS ZONES

ZONE 1 - Bedford, Cambria, Cameron, Clarion, Clearfield, Jefferson
ZONE 2 - Crawford and Venango

AREA COVERED BY BOILERMAKERS ZONES

ZONE 1 - Bedford, Cambria, Cameron, Clarion, Clearfield, Jefferson, Venango
ZONE 2 - Crawford

AREA COVERED BY BRICKLAYERS & STONEMASONS ZONES

ZONE 1 - Cambria
ZONE 2 - Clearfield, Jefferson, Venango and Clarion Counties
ZONE 3 - Crawford
ZONE 4 - Cameron
ZONE 5 - Bedford
ZONE 6 - Brady, Madison, Perry, Tobe, Porter, Redbank Twps. in Clarion County

DECISION NO. PA82-3027

AREA COVERED BY CARPENTER & SOFT FLOOR LAYERS ZONES

ZONE 1 - Bedford, Cambria, Cameron, Clarion, Clearfield, Crawford, Jefferson Counties
ZONE 2 - Venango County

AREA COVERED BY CEMENT MASONS

ZONE 1 - Clearfield, Jefferson
ZONE 2 - Bedford, Cameron, Cambria
ZONE 3 - Crawford
ZONE 4 - Clarion & Venango

AREA COVERED BY ELECTRICIANS ZONES

ZONE 1 - Bedford, Cambria, Clearfield, Clarion, Jefferson & Cameron
ZONE 2 - Crawford
ZONE 3 - Venango

AREA COVERED BY GLAZIERS ZONES

ZONE 1 - Bedford, Cambria, Cameron, Clarion, Clearfield, Jefferson Counties
ZONE 2 - Crawford & Venango Counties

AREA COVERED BY IRONWORKERS ZONES

ZONE 1 - Cambria & Clarion
ZONE 2 - Bedford County
ZONE 3 - Crawford County
ZONE 4 - Venango County
ZONE 5 - Cameron, Clearfield & Jefferson

DECISION NO. PA82-3027

LABORERS CLASSIFICATIONS DEFINITIONS AND AREA COVERED

ZONE 1 - Clarion & Jefferson Counties
CLASS I - Laborers, carryable pumps, west brick buggy or similar (non-self-propelled) vibrator operators, walk behind forklift or similar, stripper & mover of forms, cement finisher, footers, window cleaner, all material conveyor (regardless of power used, incl. starting & stopping)
CLASS II - West brick buggy or similar (self-Propelled), power wheelbarrows & buggies, walk behind forklift or similar (self-propelled), wagon drill tender, drill mounted on truck, track or similar blaster's tenders, all operators of compacting equipment, pipe layer, burner, jackhammerman, concrete buster
CLASS III - Hod carrier, scaffold builder, bell & bottom man on furances & stacks, mortar mixer, mortar mixing machine (regardless of power used, inc. starting & stopping) grout machine feeder & pump operator, wagon drill operator, concrete saw operator wagon
CLASS IV - Gunnite nozzleman
CLASS V - Blaster
ZONE 2 - Venango County
CLASS I - Building laborer, west brick buggy or similar, walk behind forklift or similar (non-self-propelled), stripper and mover of forms, window cleaner, cement finisher, footers
CLASS II - Powered wheelbarrows, buggies
CLASS III - Mason tender, pipe layer, bottom man (10' below grade)
CLASS IV - Mortar mixer, mason plasterer, hod carrier, scaffold builder, concrete buster-jackhammer (air tool, electric, other) other mechanical or power tools concrete saw, carryable pumps and operating all operators of compacting equipment, grout machine feeder and pump operator, all material conveyors (regardless of power used, including starting & stopping), bell and bottom man on furnaces & stacks
CLASS V - Burner (demolition) groundman, jackhammerman; drill man blaster tender, wagon drill tender
CLASS VI - High (climber)
CLASS VII - Blaster, wagon drill operator
ZONE 3 - Cameron County
CLASS I - Common laborer, carpenter tender, scaffold builder for mason, window cleaner, form stripper and mover, scaffold and runways, building material handlers (loading and unloading) concrete pitman, puddler, mason tender
CLASS II - Mechanical tampers (power), powered wheelbarrows and buggies & work-lifts, sweepers and similar, mortar mixer, bell bottom man on furnances and stacks, jackhammer man, concrete buster, wagon drill tender, concrete saw operator, blaster's tender, drill runner's tender (includes drill mounted trucks, tracks of similar) sheeters and shores, vibrator operators, power tamper operators, y-gun, burner cutting torch, carryable pumps, chain saw operator, pipe layers, all material conveyors and elevators signal man, walk behind fork lift or similar, scaffold builder for plasterers; regardless of height, hod carrier, plasterers tender, form cleaning machine operator, plasterer application and/or pump machine operator, paving breaker asphalt raker, lancer, berfix cutting tool, gunnite potman, blacksmith, tool, dresser (cable tools)

DECISION NO. PA82-3027

LABORERS CLASSIFICATION DEFINITIONS AND AREA COVERED CONT'D

CLASS III - Blasters, wagon drill operator, drill runner, gunnite nozzle man, groute machine operator, walk behind power roller and tamper, welder, drill (cable tools)
ZONE 4 - Crawford County
CLASS I - Common laborers
CLASS II - Mason tender, hod carriers, mortar mixers, scaffold builder
CLASS III - Pipelayers (concrete & clay)
CLASS IV - Blaster, mechanical tampers, powered wheel-barrow, wagon drill operators
CLASS V - Material, buggy handler, blaster tender, all power tool operators, wagon drill tenders & drill runner
CLASS VI - Burners
WHEN WORKING IN PIERS, TRENCHERS, OPEN COFFER DAMS & CAISSONS AT DEPTHS MORE THAN TEN (10) FEET BELOW THE LOWEST ADJACENT GRADE:
CLASS VII - Bottom man
CLASS VIII - All power operators, drill man
ZONE 5 - Bedford County
CLASS I - Unskilled laborers
CLASS II - Ditch, trench or sumpwork exceeding 10' in depth including caissons
CLASS III - Blasters
CLASS IV - Air track men, demolition of chimneys & erection of towers, antennas, cooling towers, (on power plants) or other similar work 10' inheight, suspension or workmen in swinging-cages, suspended scaffolds, swings, busun's chair
CLASS V - Plasterer tenders
ZONE 6 - Cambria and Clearfield Countie
CLASS I - Unskilled laborers
CLASS II - Ditch, trench or sumpwork exceeding 10' depth including caissons
CLASS III - Blasters
CLASS IV - Air track men, demolition of chimneys & erection of towers, antennas, cooling towers, (on power plants) or other similar work 10' in height, suspension or workmen in swinging-cages, suspended scaffolds, swings, bosun's chair
CLASS V - Plasterer tenders

LANDSCAPE LABORERS DEFINITION AND AREA COVERED

ZONE 1 - Bedford, Cambria, Clarion, Clearfield, Crawford, Jefferson, Venango
CLASS I - Landscape laborer to include general landscaping work and the driving of trucks for the distributing of materials on the job site but not to include dump trucks used to transport supplies to the job
CLASS II - Landscape Tractor Operator to operate small industrial rubber tire tractor equipped with front end loader and back hoe attachment used for the sole purpose of landscape work including soil spreading, but not for heavy and highway construction work

DECISION NO. PA82-3027

LANDSCAPE LABORERS DEFINITION AND AREA COVERED CONT'D

ZONE 2 - Cameron County
CLASS I - Landscape Laborer to include general landscaping work and the driving of trucks for the distributing of materials on the job site but not to include dump trucks used to transport supplies to the job

LINE CONSTRUCTIONS CLASSIFICATIONS DEFINITIONS AND AREA COVERED

ZONE 1 - Bedford, Cambria, Clarion, Clearfield & Jefferson Counties
CLASS I - Lineman
CLASS II - Groundman
CLASS III - Winch truck operator
ZONE 2 - Cameron, Crawford & Venango Counties
CLASS I - Linemen, dynamite man, heavy equipment operator
CLASS II - Winch truck operator
CLASS III - Groundman

AREA COVERED BY MARBLE SETTERS ZONES

ZONE 1 - Bedford & Cambria Cos.
ZONE 2 - Crawford County
ZONE 3 - Venango County
ZONE 4 - Jefferson County

AREA COVERED BY PAINTERS ZONES

ZONE 1 - Bedford, Cambria Counties, Beaver, Ringgold, Porter, Perry, Yound, Bell, Gaskill Twps., in Jefferson County; Remainder of Clearfield County
ZONE 2 - Cameron, Clarion, Crawford, Venango Counties, remainder of Jefferson County; Townships in Clearfield County - Bell, Burnside, Greenwood, Chester, Jordan, Beccaria, Knox, and Fergusen

DECISION NO. PA82-3027

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS

CLASS 1 - Austin-Western or similar type under 25 ton, austin-western similar type 25 ton or over, auto grader (CMI or similar, backhoe, batch plant when conveyors are used for direct deedling or discharge, batch plant no conveyors for direct feeding or discharge cableway, caisson drill, central mix plant, crane (excluding overhead) (truck or crawler type), cranes tower (mobile) cranes tower (stationary) (climbing type), cranes tower (climbing type) cranes hydraulic self contained over 18 ton cranes hydraulic self contained - 18 ton or less, derrick traveler (self propelled) derrick (all types), derrick boats, dragline, dredge, engineer maintenance, franki or similar type pile driver, gradall (remote control or otherwise), helicopter (when used for erection purposes), hi-lift 4 yds or over, hoist-hod (2 cages up to 10 floors) Chicago Boom attached hoist (50 ft. or over) stacks, stoves or furances) hoist (slipform jobs hop to or similar type with 180 swing hop to or similar type with 360 swing local koehring scooper, metro chip harvester or similar type, mix mobile or similar type (with self-loading attachment), mix mobiling or similar type, mucking machine (tunnel), multiple bowl machines, pipe driver (sonic or similar type) post driver-guard rail (truck mounted), post driver-guard rail (skid type), slip form paver (CMI or similar), tractors - boom mounted (all types), tractors (all types with hydraulic backhoe attached), tug boat, whirley
CLASS 1-A - Austin-Western or similar type under 25 ton with jib, austin-western or similar type 25 ton or over with jib, cranes boom or mast 100 ft. or over up & including 150 ft. +$.25)(truck or crawler type), cranes mobile (any type 15 ton or over placed on nay bldg. structure + $.25), hoist-hod (2 cages over 10 floors Class I rate +$.25, hoist single cage with
CLASS 1-B - Cranes (boom or mast over 150 ft. up to & including 200 ft. +$.50) (truck or crawler type), engineer lead
CLASS 1-C - Cranes (boom or mast over 200 ft. + .75)
CLASS 1-D - Gradall (remote control)
CLASS 2 - Asphalt plant operator, athey loader, auger - truck or tractor, mounted, back filling machine, boat material or personnel carrying (powered) boat - job work (inboard or outboard), bulldozer, cable layer, compactor with blade, compressor (1) and air tugger (1) (combination), compressor (1) and gunite machine (1) (combination), concrete belt placer, crane - overhead, crushing & screening plants, drill - davey or similar type drill - core (truck or skid mounted), drill - well & core (truck mounted), elevator (new buildings),euclid loader, excavating equipment (all other), forklift lull or similar, (grader), grader elevating, greaser-equipment (head), hi-lift-less than 4 yds., hoist - one drum (4 floors or over), hoist - hod (buildings 4 floors or more), hoist - (2 drums or more in one unit), jumbo operator, locomotive, lift slab machine (hydraulic) mixer - paving, mucking machine, pipe cleaning machine, refrigeration plant (used for construction jobs that is, cooling concrete & holding banks), ross carrier (or similar type), scoop (single bowl) (self-powered & tractor drawn), spreader - concrete, asphalt and stone, tower mobile (hoisting

DECISION NO. PA82-3027

CLASSIFICATION DEFINITIONS
POWER EQUIPMENT OPERATORS CONT'D

CLASS 2-CONT'D - or lowering material), trencher, well point systems, (the following machines shall be consider minor), compressors (3 within a reasonable distance); generators electric (3) (over 5 KW up to 20 KW), pumps (1½" discharge or less) (4 to 5 within reasonable distance), welding machines (4 to 6 within reasonable distance) (other than electrically driven), grout pump (10 H. P. or over), elevator (when used for alterations & remodeling all buildings), paver operator - asphalt (spreader), pumpkrete or similar type (not self-propelled), pumpkrete machine operator (stationary), tire repairman (when assigned job), welder (repairmen)

CLASS 3 - Boiler, compactor (ridden or self-propelled), compressor (over 125 CFM and air pump), compressor (1) and sand blasting machine (1) (combination), crane (carry), curb builder (selfpropelled), drills-well & horizional truck mounted, forklifts (ridden or self-propelled), hoist one drum (regardless of power used), pavement breaker (self-propelled or ridden), pipe dream, roller, saw (concrete), soil stabilizer (pump type), stone crusher, stone spreader self-propelled, tractors (when used for snaking and hauling), tube finisher (CMI or similar type), tugger, truck, (winch) truck or hydraulic boom (when hoisting & placing), compressors (2) generators (2) mortar machine over 10 cu. ft. and single unit conveyor, pumps (1½" discharge or less (2 to 3), pumps (over 1½" discharge (2) in back) within reasonable distance), welding machine (2 to 3), (other than electrically driven)

CLASS 3-A - Conveyors 4 units or more

CLASS 4 - Ballast regulator, boring machine, broom power (except push type), compressor - single (over 65 CFM), conveyor over 1 and up to 3 units (regardless of power used) form line machine, generator (over 5 KW), hoist (monorail) (regardless of power used), hoist roof (regardless of power used), huck machine or similar type, mixer concrete (regardless of power used) mixer mortar - over 10 cu. ft. (regardless of power used) pump (over 1½" discharge regardless of power used) spray cure machine (power driven) steam jenny (or similar type) syphone (steam or air) welding machine single (300 amp or over) (other than electrically driven) plant, private or industrial air of steam valve

CLASS 5 - Compressor - 65 cubic ft. or under (regardless of power used) conveyor one (1) unit (regardless of power used) heaters - up to and including 6 jack motor hydraulic (single type) power driven ladavator, mixer mortar, (10 cubic ft. or under), mulching machine pin puller (powered) pulverizer, pump - 1½" discharge or less, seeding machine, spreader side delivery, shoulder (attachment) tie tamp (multiple heads) tractor farm (when used for landscaping) water blaster, oiler-truck crane 50 ton up to not incl. 100 ton

CLASS 6 - Brake man, deck hand, helicopter signalman, oiler, mechanic helper

CLASS 6-A - Crane truck oiler & fireman

CLASS 6-B - Oiler - Truck crane 50 ton up to & incl. 100 ton

CLASS 6-C - Oiler - Truck crane 100 ton and over

DECISION NO. PA82-3027

AREA COVERED BY PLASTERERS

ZONE 1 - Crawford County
ZONE 2 - Clearfield, Clarion, Jefferson, Venango Counties
ZONE 3 - Bedford, Cambria Counties

AREA COVERED PLUMBERS AND STEAMFITTERS ZONES

ZONE 1 - Clarion County
ZONE 2 - Twps. in Crawford County: Beaver, Spring, Cussawago, Cambridge Rockdale, Bloomfield and Sparta
ZONE 3 - Venango County & Remainder of Crawford County
ZONE 4 - Bedford, Cambria, Cameron, Clearfield, Jefferson

AREA COVERED BY ROOFERS ZONES

ZONE 1 - Crawford, Venango Counties
ZONE 2 - Bedford, Cambria, Cameron, Clarion, Clearfield, Jefferson

AREA COVERED BY SHEET METAL ZONES

ZONE 1 - Cambria, Cameron, Clearfield, Clarion, Crawford, Jefferson, Venango
ZONE 2 - Bedford

TRUCK DRIVERS CLASSIFICATION DEFINITION AND AREA COVERED

ZONE 1 - Bedford, Cambria, Clearfield & Jefferson Counties
CLASS I - Service, dump, flat top, jeep, fuel & water
CLASS II - Transit mix, dump trailer, winch truck
CLASS III - Euclids & tractor trailer
CLASS IV - Helper
ZONE 2 - Clarion & Venango Counties
CLASS I - Service Truck (pickup, Jeep, Buses, Station Wagon, Pane; truck escort vehicle, including fuel and water trucks)
CLASS II - Dump and Flat Top (including Fuel and Water Trucks, Fork Lift in Warehouse or job site storage area and single axle trucks with power tailgate); distributor truck over 33,000 lbs. gross weight (oil, tar asphalt products two man operation, both
CLASS III - Transit mix, single axle
CLASS IV - Transit mix, single tandem axle
CLASS V - Heavy duty tractor and trailer with low bed, 6 to 16
CLASS VI - Distributor truck up to 33,000 lbs. gross weight (oil, tar asphalt products) one man operation; truck with dolly and scissor truck; truck with dump trailer or tandem, including fuel and water tandem axle truck with power tailgate and scissor truck; euclids or equivalent, tri-axle including mixer, drivers towing equipment
CLASS VII - Winch truck and form truck

DECISION NO. PA82-3027

TRUCK DRIVERS CLASSIFICATION DEFINITION AND AREA COVERED CONT'D

ZONE 3 - Cameron County
CLASS I - Trucks up to 30,000 lbs. includes pickups, fuel and water trucks)
CLASS III - Tri-Axle Trucks over 30,000 (includes fuel and water trucks)
CLASS IV - Low boy
CLASS V - Concrete Mixer Trucks
CLASS VI - Concrete Mixer Truck (Tri-Axle)
CLASS VII - Semi-Trailer
CLASS VIII - Earth Moving Equipment up to 35 Ton (Belly Dump, Side Dump, End Dump, etc.)
CLASS IX - Earth Moving Equipment over 35 Ton (Belly Dump, Side Dump, End Dump, etc.)
CLASS X - A-Frame and Winch Trucks (when used for hauling material on bed of truck)
CLASS XI - Distributor Truck (Oil, Tar, Asphalt, etc.)
ZONE 4 - Crawford County
CLASS I - Truck Drivers

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES
a. Holidays A through F, plus Washington's Birthday and Good Friday, providing the employee has worked 45 full days for the employer during the 120 days prior to the holiday, and is available for work the day preceding and following the holiday.

c. $59.90 per month

d. $14.00 per week

e. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and Veterans Day and Good Friday, provided the employee is available for work the day before and the day after the holiday and has been employed by the employer a minimum of 40 hours each calendar month for two consecutive months.

f. 1 week vacation after 1 year's work; two weeks vacation after five years of service.

DECISION NO. PA82-3027

FOOTNOTES (CONT'D)
g. $137.27 per month

h. Contributes $26.00 per week

j. Employer contributes 6% of basic hourly rate for 5 years or more of service or 8% hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

k. Paid Holidays: New Year's Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day and Christmas Day.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR, 5.5(a)(1)(ii)).

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federal register

Friday
October 8, 1982

Part III

Department of the Interior

Bureau of Indian Affairs

Buy Indian Act; Procedures for Contracting With Indians; Proposed Rule

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

41 CFR Part 14H-71

Buy Indian Act; Procedures for Contracting With Indians

September 23, 1982.

AGENCY: Bureau of Indian Affairs (Interior).

ACTION: Proposed rule.

SUMMARY: Notice is hereby given that it is proposed to add a new Part 14H-71 to Subchapter 14H of Title 41 of the Code of Federal Regulations to establish policies and procedures as part of the Bureau of Indian Affairs acquisition and assistance agreement management system. This proposed rule pertains to acquisitions (purchase orders and contracts) entered into by the Bureau of Indian Affairs with Indian/Alaska Native economic enterprises for the products of Indian industry pursuant to the "Buy Indian" Act in order to promote business concerns.

DATE: Written comments must be received no later than January 6, 1983.

ADDRESS: Written comments may be directed to U.S. Department of the Interior, Bureau of Indian Affairs, Chief, Contracting and Grants Administration Staff (Cond 660-PC), 1951 Constitution Avenue, N.W., Washington, D.C. 20245. The envelope should bear the legend: "Buy Indian Act Comments" in the lower left corner.

FOR FURTHER INFORMATION CONTACT: Dr. Peter A. Campanelli, Contracting and Grants Administration Staff (Code 660-PC), Bureau of Indian Affairs, 1951 Constitution Avenue, N.W., Washington, D.C. 20245, telephone number (202) 343-5125.

SUPPLEMENTARY INFORMATION: This proposed rule is published in exercise of the authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8.

The Buy Indian Act (referred to as "the Act" throughout this part) provides, as follows: "So far as may be practicable Indian labor shall be employed, and purchases of the products of Indian industry may be made in open market in the discretion of the Secretary of the Interior". The Act permits the Bureau of Indian Affairs to negotiate with, and award purchase orders and contracts to, Indian/Alaska Native economic enterprises to the exclusion of non-Indian offerors pursuant to the authority of section 302(c)(15) of the Federal Property & Administrative Services Act of 1949 (41 U.S.C. 252(c)(15)). This latter authority provides that contracts may be negotiated without formal advertising "if otherwise authorized by law".

It is the policy of the Bureau of Indian Affairs that products of Indian industry be used to the maximum extent practical to meet Bureau acquisition needs. The Bureau will be responsible for ensuring that such acquisition costs are reasonable amounts and that profits or fees are reasonable in contracting under the Act. When the proposed acquisition (over $10 thousand) involves services to be performed on an Indian reservation or in an Alaska Native Village, written notification to the governing body of that entity shall be provided. The Assistant Secretary—Indian Affairs or designee may, on a case-by-case or class basis, grant exceptions to the general policy that the products of Indian industry be used to the maximum extent practical.

Three final points are mentioned: (1) Buy Indian Act acquisitions shall comply with all applicable requirements of the Federal and Interior Procurement Regulations (41 CFR Chapter 1 and 41 CFR Chapter 14, respectively); (2) The Act shall not be used to operate, administer or manage those Bureau of Indian Affairs programs or parts thereof that are within the scope of the regulations contained in 25 CFR Parts 271, 272, and 274, and Part 14H-70 of this title which govern the implementation of the Indian Self-Determination and Education Assistance Act (Pub. L. 93-638; 25 U.S.C. 450 et. seq.); and (3) The Buy Indian Act authority shall not be used to contract with Indian/Alaska Native economic enterprises for any type of construction, alteration and repair services, work, or activity affected by the U.S. Supreme Court decision in *Andrus* v. *Glover Construction Co.* (Supreme Court No. 79-48, May 27, 1980).

The policy of the Department of the Interior is, whenever practical, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections regarding the proposed regulation.

The Department of the Interior has determined that this document is not a major rule under the criteria established by Executive Order 12291 and does not have a significant economic effect on a substantial number of small entities under the criteria established by the Regulatory Flexibility Act.

The authors of this document are Donald F. Asbra and Dr. Peter A. Campanelli, Contracting and Grants Administration Staff, Bureau of Indian Affairs, U.S. Department of the Interior, Washington, D.C. 20245, telephone number (202) 343-5125.

This document contains a List of Subjects which includes Government procurement and Indians.

It is proposed to amend Subchapter 14H of Chapter 14 of Title 41 of the Code of Federal Regulations by adding a new Part 14H-71 to read as follows:

PART 14H-71—BUY INDIAN ACT; PROCEDURES FOR CONTRACTING WITH INDIANS PURSUANT TO THE ACT OF JUNE 25, 1910

Sec.

14H-71.000 Scope of part.

Subpart 14H-71.0—Regulation System

14H-71.001 General.
14H-71.002 Federal and Interior procurement regulations.
14H-71.003 Applicability.

Subpart 14H-71.1—Definition of Terms

14H-71.101 Definitions.

Subpart 14H-71.2—Policy

14H-71.201 General.
14H-71.202 Assistant Secretary—Indian Affairs Waiver.

Subpart 14H-71.3—Procedures

14H-71.301 Application.
14H-71.302 Bidder's mailing list.
14H-71.303 Synopsis publication.
14H-71.304 Invitation for bids.
14H-71.305 Request for proposals.
14H-71.306 Subsequent involvement of Indian/Alaska Native contractor.
14H-71.307 Controlling date.
14H-71.308 Architect—engineer services.
14H-71.309 Breach of contract.

Subpart 14H-71.4—Limitations

14H-71.401 Construction.
14H-71.402 Subcontracting.

Subpart 14H-71.5—Exceptions

14H-71.501 Indian self-determintion programs.

Subpart 14H-71.6—Clauses and Notices

14H-71.601 Notification to tribal government.
14H-71.602 Notice of restriction.
14H-71.603 Contract clause for subcontracting.

Authority: 25 U.S.C. 47, 36 Stat. 861.

§ 14H-71.000 Scope of part.

This part sets forth policies and procedures concerning the Bureau of Indian Affairs Acquisition and Assistance Agreement Management System insofar as the system pertains to purchase orders and contracts entered into under the authority of the Buy Indian Act (25 U.S.C. 47).

Subpart 14H-71.0—Regulation System

§ 14H-71.001 General.

(a) This part sets forth the policies and procedures concerning Bureau of Indian Affairs acquisitions (purchase orders and contracts) entered into with Indian/Alaska Native economic enterprises for the products of Indian industry pursuant to the Buy Indian Act (25 U.S.C. 47) which provides that:

(1) So far as may be practical Indian labor shall be employed, and purchases of the products of Indian industry may be made in the open market in the discretion of the Secretary of the Interior.

(2) The Bureau Contracting Officer may negotiate with, and award contracts and purchase orders to, Indian/Alaska Native economic enterprises to the exclusion of non-Indian offerors pursuant to the authority of section 302(c)(15) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252(c)(15)), except for construction, alteration and repair services, work, or activity. This latter authority provides that contracts may be negotiated without formal advertising "if otherwise authorized by law".

§ 14H-71.002 Federal and Interior Procurement Regulations.

Purchase orders and contracts entered into pursuant to the Buy Indian Act (25 U.S.C 47) shall comply with all applicable requirements of the Federal Procurement Regulations (41 CFR Chapter 1) and all provisions of the Interior Procurement Regulation System, including published regulations under 40 CFR Chapter 14.

§ 14H-71.003 Applicability

The provisions of this part apply only to those acquisitions (purchase orders or contracts) between the Bureau of Indian Affairs and Indian/Alaska Native economic enterprises entered into pursuant to the Act.

Subpart 14H-71.1—Definition of Terms

§ 14H-71.101 Definitions

"Assistant Secretary" means the Assistant Secretary—Indian Affairs, Department of the Interior.

"Bureau" means the Bureau of Indian Affairs, Department of the Interior.

"Buy Indian Act" means the authority and provisions of the Act of June 25, 1910 (25 U.S.C 47), and is referred to as the Act in this Part.

"Buy Indian Act Contract" means any acquisition (by contract or purchase order) of the products of Indian/Alaska Native industry, which contract is entered into between Indian/Alaska Native economic enterprise and the Bureau of Indian Affairs pursuant to the authority of the Buy Indian Act.

"Contracting Officer" means a Bureau official designated and certified by the Assistant Secretary under the Warrant System to enter into or administer contracts and assistance agreements, and to make related determination and findings.

"Dealer" means a person who owns, operates or maintains a store, warehouse, or other establishment in which the commodities being supplied are bought, kept in stock, and sold to the public in the usual course of business.

"Indian" means any person of Indian descent who is an enrolled member of an Indian tribe, as defined herein; or, who is a descendant of one-fourth degree or more Indian blood of an enrolled member of a tribe whose rolls have been closed by Act of Congress; or, any Alaska Native of one-fourth degree or more Alaska, Indian, Eskimo, or Aleut blood; and all persons of one-half degree or more Indian blood.

"Indian/Alaska Native Economic Enterprise" means any legal business organization (regardless of form or activity and including profit and non-profit organizations) that is 100 percent owned, or controlled, by Indian(s)/Alaska Native(s). Said enterprise shall have been established and conducting business prior to bid (proposal) opening and during the term of the Buy Indian Act Acquisition.

"Indian/Alaska Native Owned or Controlled" means: Profit and non-profit making enterprises which are 100 percent owned by Indian(s)/Alaska Native(s). Such enterprises may be controlled by the owner(s) or by a chief executive officer, administrative agent, or management official responsible for the supervision and direction of the economic enterprise and who serves as an agent under the policies established and promulgated by the Board of Directors or other such appointed or elected policy-making entity. The majority membership of such Boards or entities shall be comprised of Indian/Alaska Native person(s).

"Indian Tribe" means any Indian Tribe, Band, Nation, or other organized group or community, including any Alaska Native village, which is recognized by the Secretary of the Interior as having special rights and responsibilities and is recognized as eligible for the services provided by the United States to Indians because of their status as Indians.

"Products of Indian/Alaska Native Industry" means any products goods or services (excepting construction, alteration and repair services, work, or activity) that can be provided by an Indian/Alaska Native economic enterprise that either produces the products, goods or services through physical labor or intellectual effort, or is a regular dealer (not a broker) in such goods or services.

"Reservation" means any bounded geographical area established or created by treaty/statute, Executive Order, or as interpreted by court decision and over which a Federally recognized/Indian tribal entity may exercise certain jurisdictioin.

"Tribal Governing Body"means the recognized entity empowered to exercise the governmental authority of a tribe, as defined herein.

Subpart 14H-71.2—Policy

§ 14H-71.201 General.

(a) Products of Indian/Alaska Native industry shall be used to the maximum extent practical to meet Bureau of Indian Affairs acquisition needs and requirements. When the proposed acquisition (over $10 thousand) involves services to be performed under a Bureau contract on an Indian reservation or in an Alaska Native village using the authority of the Act, written notification shall be provided to the governing body of that entity by the Contracting Officer no later than thirty (30) calendar days prior to the issuance of the solicitation.

(b) The Contracting Officer shall ensure that Act contracts and purchase orders are awarded at reasonable prices.

§ 14H-71.202 Assistant Secretary—Indian Affairs Waiver.

(a) *General.* The Assistant Secretary or designee may, on a case-by-case or class basis, grant exceptions to the general requirement that the products of Indian/Alaska Native industry be used to the maximum extent practical to meet acquisition needs and requirements. Exceptions to the use of the Act's authority may include, but is not limited to, the following conditions:

(1) Reasonable quantity, delivery, or other performance schedules cannot be met; or

(2) The technical quality of the specific goods or services required to meet the end-use of the Bureau activity is not available from a certified Indian/Alaska Native economic enterprise; or

(3) Competition is not available between or among Indian/Alaska Native offerors and the contract acquisition cost is considered unreasonable compared to a non-Indian/Alaska Native offeror; or

(4) Where trade-in considerations make costs unreasonable from an

Indian/Alaska Native economic enterprise.

(b) *Provisions.* Solicitations may be issued to non-Indian offerors when the Contracting Officer determines in writing that:

(1) There are no interested Indian/Alaska Native economic enterprises; or

(2) There are no certified Indian/Alaska Native economic enterprises who are interested in the acquisition requirements; or

(3) An acceptable contract/purchase order cannot be negotiated under the Act authority; and

(4) The Assistant Secretary or designee has waived the use of the Act procedures for conditions under § 14H–71.202(a).

A copy of the approved Determination of Findings shall be included in the contract file.

(c) *Appeal.* An offeror adversely affected by an administrative action under this Subpart may appeal the decision of a Bureau official under the provisions of 25 CFR Part 2, Appeals from Administrative Actions.

Subpart 14H–71.3—Procedures

§ 14H–71.301 Application.

(a) The Bureau shall give preference to Indian/Alaska Native economic enterprises who have submitted proof of qualification as such and who have been certified by the Bureau Contracting Officer for the acquisition of materials, supplies, or services. Qualification Questionnaires for Certification are available from Bureau Contracting Officers at Central and Area Offices. Copies are also provided to offerors as part of the solicitation package.

(b) Before taking any acquisition action, Contracting Officers shall determine if there are qualified Indian/Alaska Native economic enterprises which are certified or which are interested in being certified to meet the Bureau's acquisition requirement.

(c) Indian/Alaska Native economic enterprises are encouraged to submit completed Qualification Questionnaires for Certification to the cognizant Contracting Officer at any time. The Contracting Officer shall determine whether the offeror is eligible to be certified to contract under the Act. This determination shall be supported by the completed Qualification Questionnaire for Certification which shall be on file prior to or submitted with the offeror's response to any solicitation.

(d) An applicant for Certification under the Act who is adversely affected by a decision of the cognizant Contracting Officer may exercise the right of administrative appeal. The appeals procedure is set forth in 25 CFR Part 2, Appeals from Administrative Actions, and shall be made known in writing to the applicant by the Contracting Officer.

(e) Contracting Officers shall also determine, before award, whether the Indian/Alaska Native econimic enterprises are responsible, in accordance with Subpart 1–1.12 of this title and that the price, profits (Subparts 1–2.407–2 and 1–3.807–2), and fees offered are reasonable.

§ 14H–71.302 Bidder's mailing list.

Each Contracting Officer shall compile and maintain a file of current Bidder's Mailing List Applications (SF–129) of all Indian/Alaska Native economic enterprises that have been identified by the Contracting Officer. The submission of an SF–129 by an Indian/Alaska Native economic enterprise does not eliminate the requirement for it to submit the completed Qualification Questionaire for Certification required by § 14H–71.301

§ 14H–71.303 Synopsis publication.

All proposed acquisition actions under this Part in excess of $5 thousand shall be publicized by the Contracting Officer in the U.S. Department of Commerce publication, The Commerce Business Daily, in accordance with Subparts 1–10.10 and 14–1.10 of this title. In addition to the other requirements of a Synopsis, it shall contain the following notice:

(Bids) (Proposals) for this acquisition will be accepted from certified Indian/Alaska Native economic enterprises only. To be eligible for award of any contract resulting from this acquisition action, the offeror must be certified as an Indian/Alaska Native economic enterprise as defined in 41 CFR 14H–71.101. (Bids) (Proposals) received from non-Indian/Alaska Native offerors shall be considered non-responsive and shall be rejected.

§ 14H–71.304 Invitation for bids.

When the nature of the acquisition is such that, if it were not restricted to Indian/Alaska Native economic enterprises it would have been formally advertised in accordance with Subpart 1–2.1 of this title and there is more than one certified Indian/Alaska Native economic enterprise interested in the acquistion action, the Contracting Officer shall use the Act's restricted advertising which is a special method of negotiated acquisition conducted in the same manner as for formal advertising, except that competition and awards are restricted to certified Indian/Alaska Native economic enterprise. The contract shall then be awarded to the responsible Indian/Alaska Native contractor submitting the lowest, responsive bid, unless it is detemined in accordance with §§ 1–2.407–2 and 1–3.214 of this title that such bid is not reasonable as to price. In such circumstances, the Contracting Officer will notify each responsible Indian/Alaska Native economic enterprise (which submitted a responsive bid) of the Bureau's intent to negotiate, following the procedures outlined in § 1–3.214 of this title.

§ 14H–71.305 Request for proposals.

When the nature of the acquisition is such that if it were not restricted to certified Indian/Alaska Native economic enterprise it would have been negotiated as provided in Part 1–3 of this title; and, there is more than one certified Indian/Alaska Native economic enterprise, the Contracting Officer shall issue a Request for Proposals, evaluate all proposals received, and negotiate and award the contract in the same way as if the acquisition had not been restricted to Indian/Alaska Native economic enterprises. However, when the proposals received are not technically acceptable and have no reasonable change of being made so or, if negotiations with those offerors in the competitive range fail to produce a proposal that is technically acceptable and reasonable as to price, the Contracting Officer may terminate negotiations, and reissue the Request for Propsals on an unrestricted basis.

§ 14H–71.306 Subsequent involvement of Indian/Alaska Native contractor.

When bids, quotations, or proposals have been solicted from non-Indian/Alaska Native economic offerors after the Assistant Secretary has approved the determination required by § 14–71.202 of this part and an interested Indian/Alaska Native economic enterprise is subsequently indentified and certified, the Contracting Officer shall furnish the Indian/Alaska Native economic enterprise with a copy of the solicitation. The Indian/Alaska Native economic enterprise shall compete with non-Indian/Alaska Native offerors on a non-preferential basis for the particular acquisition requirement. The Contracting Officer shall determine whether the date for receipt of bids or proposals shall be extended.

§ 14H–71.307 Controlling Date.

The date of award is the controlling calendar date for determining whether an offeror who submits a bid or proposal is a certified Indian/Alaska Native

economic enterprise; execpt that no bidder or offeror shall be eligible for award as an Indian/Alaska Native economic enterprise unless it has presented proof prior to or with the bid or proposal as stated in § 14H–71.101 and in § 14H–71.301.

§ 14H–71.308 Architect-Engineer Services.

When the requirement for Architect-Engineering services is restricted to certified Indian/Alaska Native economic enterprises, the provisions of Subpart 1–4.10 of this title are applicable.

§ 14H–71.309 Breach of Contract.

Failure on the part of the Indian/Alaska Native economic enterprise to perform the percentage of the dollar amount of the contract work agreed to with its own forces shall be considered as a breach of the contract and grounds for termination of the contract for default.

Subpart 14H–71.4—Limitations

§ 14H–71.401 Construction.

The Act authority shall not be used to contract for construction, alteration and repair services, work, or activity affected by the U.S. Supreme Court decision in *Andrus v. Glover Construction Co.* (Supreme Court No. 79–48, May 27, 1980).

§ 14H–71.402 Subcontracting.

(a) All solicitations and contracts for services entered into under this Part shall contain a provision that limite the percentage of the dollar amount of the contract work that can be subcontracted. No contract shall be entered into that will result in 100% of the dollar amount being subcontracted. The percentage of the dollar amount of the work that an Indian/Alaska Native contractor shall be required to perform with its own employees is as follows:

(1) Architect-Engineering and Other Professional Services————30%;

(2) Other Services————as determined by Contracting Officer prior to award of the contract.

The cost of materials and supplies are not to be included in determining the percentage of the dollar amount of the work the prime contractor shall perform with its own employees.

(b) When such action is warranted in the judgment of the Contracting Officer, solicitations for other than services may include a provision requiring the contractor to perform a percentage of the dollar amount of the work under the contract with its own employees. However, in establishing this percentage, consideration shall be given to the kind of personal property or supplies to be furnished under the contract.

(c) To the greatest extent feasible, preference shall be given to Indian/Alaska Native economic enterprises in the award of subcontracts entered into under this part.

Subpart 14H–71.5—Exceptions

§ 14H–71.501 Indian Self-Determination Programs.

The Act shall not be used to operate, administer or manage those Bureau programs (or parts thereof) that are within the scope of the regulations contained in 25 CFR Parts 271, 272, and 274, and Part 14H–70 of this title which govern the implementation of the Indian Self–Determination and Education Assistance Act (Pub. L. 93–638; 25 U.S.C. 450 et seq.).

Subpart 14h–71.6—Clauses and Notices

§ 14H–71.601 Notification to tribal government.

(a) Whenever the Bureau determines that an Act contract in excess of $10 thousand is required to accomplish an activity or service on a reservation or in an Alaska Native village, the Contracting Officer will provide written notification to the cognizant governing body no later than thirty (30) calendar days prior to issuance of the solicitation. The written notification shall provide the governing body with the following information:

(1) The project or activity description in general terms, including the approximate dates it should start and be completed.

(2) The Bureau intention to contract under the authority of the Act if there are interested and certififed Indian/Alaska Native economic enterprises.

(3) That is there are no interested and certified Indian/Alaska Native economic enterprises, the activity or services will be obtained by contract through an unrestricted solictation.

(b) No cost estimate shall be stated for the proposed acquistion as the Contracting Officer uses cost data to evaluate bids or proposals received from offerors.

§ 14H–71.602 Notice of restriction.

Each solicitation issued under this Part shall contain a notice which clearly states that the acquisition is restricted to certified Indan/Alaska Native economic enterprises and that bids or proposals received from other than Indian/Alaska Native economic enterprises shall be considered non-responsive and shall be rejected. The following clause shall be inserted in all solicitiation to comply with this Section:

This (Invitation for Bid) (Request for Proposal) is issued under the authority of the Buy Indian Act (25 U.S.C. 47). Accordingly, to be considered responsive to this solicitation, you must present written evidence in your (bid) (proposal) of the qualifications that your economic enterprise is 100% owned, or controlled, by Indian(s)/Alaska Native(s). Said enterprise shall have been established and conducting business prior to (bid) (proposal) opening for this contract. A Qualification Questionnaire for Certification under the Buy Indian Act is enclosed. If you believe you are eligible for preference under the authority of this Act, complete the Questionnaire and submit it prior to or with your (bid) (proposal) to the Contracting Officer.

§ 14H–71.603 Contract Clause for Subcontracting.

The following clause shall be inserted in Act contracts, when required by § 14H–71.402 of this title:

Subcontracting

The contractor shall perform work with its own forces amounting to not less than *—— percent of the original dollar amount of the contract, exclusive of the cost of materials and supplies. Failure on the part of the contractor to perform the designated percentage of the dollar amount of the work shall cause this contact to be terminated for default.

John W. Fritz,

Acting Assistant Secretary—Indian Affairs.

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* Insert the appropriate percentage from § 14H–71.402(a), or as determined by the Contracting Officer prior to award of the contract.