

Presidential Documents

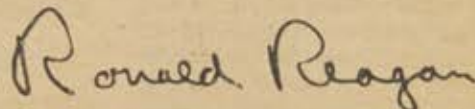
Title 3—

Executive Order 12425 of June 16, 1983

The President

International Criminal Police Organizations

By virtue of the authority vested in me as President by the Constitution and statutes of the United States, including Section 1 of the International Organizations Immunities Act (59 Stat. 669, 22 U.S.C. 288), it is hereby ordered that the International Criminal Police Organization (INTERPOL), in which the United States participates pursuant to 22 U.S.C. 263a, is hereby designated as a public international organization entitled to enjoy the privileges, exemptions and immunities conferred by the International Organizations Immunities Act; except those provided by Section 2(c), the portions of Section 2(d) and Section 3 relating to customs duties and federal internal-revenue importation taxes, Section 4, Section 5, and Section 6 of that Act. This designation is not intended to abridge in any respect the privileges, exemptions or immunities which such organization may have acquired or may acquire by international agreement or by Congressional action.



THE WHITE HOUSE,
June 16, 1983.

The purpose of this index is to provide a comprehensive list of the names and titles of the persons mentioned in the manuscript.

The following is a list of the names and titles of the persons mentioned in the manuscript, arranged in alphabetical order.

Robert A. [unclear]

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Rules and Regulations

Federal Register

Vol. 48, No. 119

Monday, June 20, 1983

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF ENERGY

Office of Conservation and Renewable Energy

10 CFR Part 455

[Docket No. CAS-RM-80-509]

Grant Programs for Schools and Hospitals and for Buildings Owned by Units of Local Government and Public Care Institutions; Matching Grants

AGENCY: Department of Energy.

ACTION: Final rule and public notice.

SUMMARY: The Department of Energy (DOE) today issues a final rulemaking amending existing regulations for the administration of the grant programs providing schools, hospitals, units of local government and public care institutions with financial assistance for the purpose of reducing energy consumption. This revision establishes a \$30,000 minimum to be available as a matching grant to each participating State for the purpose of administering these conservation grant programs. DOE also today publishes dates relating to the fifth grant program cycle and allocations of funds for that cycle.

DATES: This amendment is effective July 20, 1983. State recommended applications are due to DOE Operations/Support Offices on July 1, 1983, and the fifth grant program cycle will end on September 30, 1983.

FOR FURTHER INFORMATION CONTACT: Frank M. Stewart, Office of Institutional Conservation Programs, Office of Conservation and Renewable Energy, Department of Energy, Mail Stop 5B-148, 1000 Independence Avenue SW., Washington, D.C. 20585, (202) 252-2198.

Edward H. Pulliam, Office of General Counsel, Department of Energy, Mail Stop 6F-094, 1000 Independence Ave.,

SW., Washington, D.C. 20585, (202) 252-9507.

SUPPLEMENTARY INFORMATION:

- I. Introduction
- II. Discussion of Major Comments and Revisions
- III. State Allocations of Funds and Dates for the Fifth Grant Cycle
- IV. Regulatory Impact, Environmental, Small Entity Impact and Paperwork Reduction Act Reviews

I. Introduction

Parts 1 and 2 of Title III of the National Energy Conservation Policy Act (NECPA), Pub. L. 95-619, 92 Stat. 3238 (42 U.S.C. 6371) established cost sharing energy conservation grant programs to fund technical assistance (TA) programs for public and private nonprofit schools, hospitals, buildings owned by units of local government and public care institutions, and energy conservation measure (ECM) programs for schools and hospitals. The regulations for these programs can be found in 10 CFR Part 455.

On February 15, 1983, DOE published a proposed rulemaking (48 FR 6888) which presented a revision to §§ 455.62 and 455.83 of 10 CFR 455, and which solicited comments from interested parties. The proposal retained the limit of 5 percent of the total amount of all the grants awarded as a maximum amount of a grant for administrative expenses which a State may receive but added a minimum grant for \$30,000 for administrative expenses.

DOE received and considered written comments from ten sources. No testimony was given at the public hearing held on February 24, 1983, in Washington, D.C. Major comments received and revisions as a result of those comments are discussed below.

II. Discussion of Major Comments and Revisions

Overall reaction to the proposed revision was favorable, supporting establishment of a minimum administrative support level to States with relatively small allocations during a funding cycle.

Of the ten comments received, all from State governments, just one expressed disapproval of the proposed amendment. That comment indicated that the present percentage was adequate, even for the smaller States and that it would be necessary to reduce allocations to the larger States to

provide the extra amount to some of the smaller States. Applications for exceptions from the 5 percent limit submitted over the past year, however, have documented instances where States have not been able to adequately administer the program with the present limitation. Because of this documentation, and the additional instances mentioned in the comments referred to below, DOE believes this change is necessary. The amount that the larger States allocations are reduced should not significantly affect the programs in those States.

Another comment, while supporting the amendment, suggested that, in addition to establishing a \$30,000 floor for State administrative grants, the existing rate for administrative grants be changed from 5 percent of the institutional grants awarded to 8 percent. DOE's position is that the \$30,000 floor for administrative grants, when matched by a State, should allow continued participation in those States with relatively small allocations. For a State with a larger allocation, 5 percent of the institutional grants, when matched by the State, should provide sufficient administrative support to allow its continued participation in the program, and would not further reduce the funds available for actual program projects.

One comment, in addition to supporting the amendment, requested that domiciliary care institutions be included in the definition of "hospital" for eligibility in this program. However, since the definition in the regulation is the same as that in the program statute, Congress would have to amend the statute before DOE could change the regulation.

A suggestion was received concerning making the administrative funds available for use for TA/ECM grants within a State in the event that the State, for whatever reason, finds that it does not need, or cannot use, all or any part of that sum for program administration. DOE agrees with this suggestion and adopts it in the final rule.

III. State Allocation of Funds and Dates for the Fifth Grant Cycle

DOE today announces the allocation of funds for the grant program Cycle V for technical assistance and energy conservation measures for schools and hospitals.

Table I provides the amounts allocated to each State. These total amounts include funds appropriated for grant program Cycle V under both the original fiscal year appropriation act and the Emergency Supplemental Appropriations Act, 1983, Pub. L. 98-8 (Jobs Bill). The totals also include funds not obligated in grant program Cycle IV. Up to 15 percent of the funds allocated to each State for schools and hospitals may be used for technical assistance.

The dates when the State recommended applications are due to DOE and the grant cycle ends are indicated in the "Dates" section of this rule.

TABLE I—CYCLE V ALLOCATIONS

| State | Jobs bill | Total |
|----------------------|-----------|-----------|
| Alabama | 716,760 | 1,493,490 |
| Alaska | 266,833 | 601,832 |
| American Samoa | 188,609 | 351,326 |
| Arizona | 577,297 | 1,202,696 |
| Arkansas | 504,998 | 1,052,250 |
| California | 2,635,176 | 5,490,835 |
| Colorado | 801,014 | 1,688,048 |
| Connecticut | 808,702 | 1,685,067 |
| Delaware | 256,453 | 534,363 |
| District of Columbia | 263,996 | 550,080 |
| Florida | 1,370,325 | 2,855,304 |
| Georgia | 912,949 | 1,902,284 |
| Guam | 181,104 | 377,361 |
| Hawaii | 268,586 | 558,645 |
| Idaho | 353,925 | 737,483 |
| Illinois | 2,622,785 | 5,465,018 |
| Indiana | 1,277,241 | 2,681,348 |
| Iowa | 844,449 | 1,759,553 |
| Kansas | 618,360 | 1,288,457 |
| Kentucky | 795,367 | 1,657,324 |
| Louisiana | 706,558 | 1,472,232 |
| Maine | 460,900 | 959,113 |
| Maryland | 901,413 | 1,878,248 |
| Massachusetts | 1,364,559 | 2,943,289 |
| Michigan | 2,250,704 | 4,689,722 |
| Minnesota | 1,304,977 | 2,725,392 |
| Mississippi | 515,627 | 1,074,396 |
| Missouri | 1,119,231 | 2,332,106 |
| Montana | 350,270 | 729,847 |
| Nebraska | 508,493 | 1,059,531 |
| Nevada | 308,870 | 643,584 |
| New Hampshire | 396,570 | 826,320 |
| New Jersey | 1,571,752 | 3,275,012 |
| New Mexico | 369,398 | 769,704 |
| New York | 3,730,548 | 7,773,229 |
| North Carolina | 1,026,431 | 2,138,742 |
| North Dakota | 345,196 | 719,274 |
| Ohio | 2,346,908 | 4,890,179 |
| Oklahoma | 657,252 | 1,369,704 |
| Oregon | 578,840 | 1,206,111 |
| Pennsylvania | 2,519,364 | 5,249,522 |
| Puerto Rico | 648,031 | 1,350,281 |
| Rhode Island | 359,446 | 748,967 |
| South Carolina | 587,556 | 1,224,273 |
| South Dakota | 325,844 | 678,951 |
| Tennessee | 896,956 | 1,868,960 |
| Texas | 2,202,999 | 4,590,322 |
| Utah | 469,787 | 978,882 |
| Vermont | 303,130 | 631,623 |
| Virgin Islands | 181,349 | 377,872 |
| Virginia | 1,037,298 | 2,161,386 |
| Washington | 809,487 | 1,855,439 |
| West Virginia | 505,731 | 1,053,778 |
| Wisconsin | 1,323,939 | 2,758,652 |
| Wyoming | 264,157 | 550,416 |

IV. Regulatory Impact, Environmental, Small Entity Impact and Paperwork Reduction Act Reviews

A. Executive Order 12291

The Department of Energy has determined that this rule is not a major

rule under Executive Order 12291 because it will not (1) have an annual effect on the economy of \$100 million or more; (2) result in a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have significant adverse effects on competition, employment investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The rule was submitted to the Director of the Office of Management and Budget pursuant to Executive Order 12291. The Director has concluded his review under that Executive Order.

B. Regulatory Flexibility

This amendment, by providing a somewhat larger administrative grant to States with small allocations, will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, Pub. L. 96-354, 94 Stat. 1164 (5 U.S.C. 601). Consequently, DOE certifies that this final rule would not have a significant economic impact on a substantial number of small entities.

C. Environmental Review

Pursuant to the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190, 83 Stat. 852 (42 U.S.C. 4321 et seq.), DOE published a Notice of Availability of an Environmental Assessment (EA) of the entire Title III of NECPA on March 12, 1979, in the Federal Register (44 FR 13554). Based on this EA, DOE determined that the NECPA Title III program did not constitute a major federal action significantly affecting the quality of the human environment within the meaning of NEPA and that an environmental impact statement (EIS) was not needed to support the action.

DOE has reviewed the environmental impacts of the proposed amendments. It is DOE's determination that the environmental impacts of the amendments have been adequately analyzed in the March 1979 EA and that these impacts are not significant. Thus, no additional EA or EIS is required.

D. Paperwork Reduction Act

This amendment does not change the information collection requirements of the program as such requirements are defined in the Paperwork Reduction Act, Pub. L. 95-511, 94 Stat. 2812 (44 U.S.C. 3501).

E. Catalog of Federal Domestic Assistance Program Number

The Catalog of Federal Domestic Assistance Program number and title is "81.052, Energy Conservation Programs for Schools and Hospitals and Buildings Owned by Units of Local Government and Public Care Institutions."

List of Subjects in 10 CFR Part 455

Buildings, Community facilities, Energy audits, Energy conservation, Grant programs—energy, Health facilities, Hospitals, Reporting requirements, Schools, Solar energy, Technical assistance.

In consideration of the foregoing, Chapter II, Title 10, Part 455 of the Code of Federal Regulations is amended as set forth below:

Issued in Washington, D.C., May 26, 1983.

Joseph J. Tribble,
Assistant Secretary, Conservation and Renewable Energy.

PART 455—GRANT PROGRAMS FOR SCHOOLS AND HOSPITALS AND BUILDINGS OWNED BY UNITS OF LOCAL GOVERNMENT AND PUBLIC CARE INSTITUTIONS

10 CFR Part 455 is amended as follows:

1. The Authority citation for Part 455 reads as follows:

Authority: Title III, National Energy Conservation Policy Act, Pub. L. 95-619, 92 Stat. 3238 (42 U.S.C. 6371) and Department of Energy Organization Act, Pub. L. 95-91, 91 Stat. 556 (42 U.S.C. 7101).

2. In § 455.62, paragraph (a) is revised to read as follows:

§ 455.62 Grant applications for State administrative expenses.

(a) Each State desiring to receive grants to help defray State administrative expenses shall file an application in accordance with the provisions of this section. At any time after notice by DOE of the amounts allocated to each State for a grant program cycle, each State may apply to the Secretary for an amount for administrative expenses not exceeding \$30,000 or 2 percent of its total allocation for technical assistance and energy conservation measures, whichever is higher. In addition, each State, after it makes the submittal to DOE required under § 455.72, may apply for a further grant not exceeding 5 percent of the total of all grant awards for technical assistance and energy conservation measures within that State in that grant program cycle, less any amounts previously awarded the State for administrative expenses in the same

grant program cycle. In the event that a State cannot or decides not to use the amount available to it for an administrative grant under this section for administrative purposes, these funds may, at the discretion of the State, be used for technical assistance and energy conservation grants to eligible institutions within that State, in accordance with this Part.

3. In § 455.83, the introductory text of paragraph (a) and paragraph (a)(1) are revised to read as follows:

§ 455.83 Grant awards for State administrative expenses.

(a) For the purpose of defraying State expenses in the administration of technical assistance programs in accordance with Subpart C and energy conservation measures in accordance with Subpart D, the Secretary may make grant awards to a State—

(1) Immediately following public notice of the amounts allocated to a State for the grant program cycle, and upon approval of the application for administrative costs, in an amount not exceeding \$30,000 or 2 percent of the State's total allocation for a given grant cycle for technical assistance and energy conservation measures, whichever is higher. Grants for such purposes may be made for up to 50 percent of a State administrative expenses, as approved by the Secretary; and

4. In § 455.83, the present paragraph (b) is redesignated as paragraph (c) and a new paragraph (b) is added to read as follows:

§ 455.83 Grant award for State administrative expenses.

(b) In the event that a State cannot or decides not to use the amount available to it for an administrative grant under this section for administrative purposes, these funds may, at the discretion of the State, be used for technical assistance and energy conservation grants to eligible institutions within that State in accordance with this Part.

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Parts 303, 304, and 347

Applications, Requests, Submittals, Delegations of Authority, and Notices of Acquisition of Control Forms, Instructions, and Reports, Foreign Activities of Insured State Nonmember Banks

AGENCY: Federal Deposit Insurance Corporation

ACTION: Final rule.

SUMMARY: After publishing a proposed rule and evaluating the public comments on that proposed rule, the Board of Directors of the Federal Deposit Insurance Corporation (FDIC) is amending its application procedures. Changes from the original proposal are being adopted, particularly in response to comments made concerning notice to the public and public participation in the application process. The amendments to existing regulations which are being adopted pertain in the main to applications by insured State nonmember banks to establish branches and effect relocations and to applications by insured State nonmember banks and by foreign banks with insured State branches to establish remote service facilities. The procedures applicable to establishment and relocation of foreign branches will also be amended by virtue of these amendments. In most cases, only a letter application will be filed by the applicant. In addition, for most applications other than merger applications and relocations (notably, deposit insurance and branch applications), the applicant will be required to file one publication of notice of its intent. Correspondingly, any comment or request for hearing or oral presentation by a third party, in regard to most applications other than merger and relocation applications, should be filed before the FDIC has completed its processing, which will be at least 15 days after the applicant's publication of notice or 15 days after the FDIC's receipt of the application, whichever is later. Merger publication requirements will remain the same. Relocation publication requirements will remain the same with two publications of notice one week apart, but comments should be made within 21 days after FDIC's receipt of the application or within 21 days of the applicant's last publication, whichever

is later. The FDIC anticipates that processing time for applications will be shortened and that the burden on applicants will be reduced, while there will continue to exist an opportunity to third parties interested in the application to make their views known. The criteria for delegation of authority to act on branch applications and on applications in general, except merger applications, by the Board to the Director of the Division of Bank Supervision (and for subdelegations concerning branches and relocations to the regional directors) are also being amended.

EFFECTIVE DATE: July 20, 1983.

FOR FURTHER INFORMATION CONTACT: Robert F. Mialovich, Assistant Director, Division of Bank Supervision, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, D.C. 20429 (202) 389-4677.

SUPPLEMENTARY INFORMATION: On July 7, 1982, the FDIC published for public comment proposed rules to streamline its application procedures (47 FR 29554). That proposal specified that in most cases applicants for branches and relocations need only file a letter of application instead of a detailed form. The proposal also eliminated the requirement, except in the case of merger applications, that an applicant publish notice of its intent. (The Board specifically solicited comment on whether publication of notice should be required, and if so, in what types of applications, and also noted that it was considering a one-time publication of notice.) Where publication was required under the proposal, only a copy of the actual publication or a publisher's tear sheet was to be furnished to the FDIC.

Proposals were also made in regard to internal delegations of authority. The criteria underlying the delegation of authority to the Director of the Division of Bank Supervision and from him or her to the regional director were proposed to be amended. In addition, no authority to act on applications was, in general, to be delegated where conditions other than certain standard enumerated conditions were to be imposed. The prior approval of the state banking authority, except in the case of merger applications, was no longer to be required for delegated authority to exist.

The FDIC has undertaken to effect changes in its regulations in order to reduce the burden on banks, both in the time required to develop an application