

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 255

[Docket No. R-83-953]

Coinurance for Private Mortgage Lenders; Technical Amendment

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Technical amendment.

SUMMARY: This document amends 24 CFR Part 255 of HUD regulations to include OMB control numbers at the place where current information collection requirements are described.

EFFECTIVE DATE: June 28, 1983.

FOR FURTHER INFORMATION CONTACT: Benjamin McKeever, Regulations Division, Office of the General Counsel, (202) 755-7084. This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The information collection requirements contained in the regulatory sections listed below have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and assigned the control numbers listed.

Text of the Amendment

PART 255—[AMENDED]

§ 255.102 [Amended]

Accordingly, 24 CFR Part 255 is amended as follows:

1. After the text of § 255.102, add the following statement:

(Approved by the Office of Management and Budget under OMB Control Numbers 2502-0272 and 2502-0273.)

§ 255.201 [Amended]

2. After the text of § 255.201, add the following statement:

(Approved by the Office of Management and Budget under OMB Control Numbers 2502-0272 and 2502-0273.)

Dated: June 23, 1983.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 83-17356 Filed 6-27-83; 8:45 am]

BILLING CODE 4210-27-M

24 CFR Part 255

[Docket No. R-83-953]

Coinurance for the Purchase or Refinancing of Existing Multifamily Housing Projects—Announcement of Effective Date

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of announcement of effective date for interim rule.

SUMMARY: This notice announces the effective date for the interim rule published in the *Federal Register* on May 25, 1983 (48 FR 23386). The rule amends 24 CFR Part 255. Part 255 sets forth a program of coinurance for the purchase or refinancing of existing multifamily housing projects. The effective date provision of the rule states that the rule would become effective upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, subject to waiver, and announced that future notice of the effectiveness of the rule would be published in the *Federal Register*.

The Chairman and Ranking Minority Members of the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance, and Urban Affairs have, upon the Secretary's request, granted waivers of the requirements of section 7(o)(3) of the Department of HUD Act (42 U.S.C. 3535(o)(3)) which provides for a delay in effectiveness of rules for a period of 30 calendar days of continuous session of Congress after publication, unless so waived. Accordingly, this interim rule will become effective on June 28, 1983. However, public comments have been invited and will be considered in the adoption of a final rule. The public comment period closes on July 25, 1983.

The granting of waivers, as described above, does not indicate approval of the regulations by Congress or the Committees or by the individual members granting them. Under Section 7(o)(5) of the Department of HUD Act, "Congressional inaction on any rule or regulation shall not be deemed and expression of approval of the rule or regulation involved." The foregoing provision refers to inaction on a joint resolution of disapproval or other legislation which is intended to modify or invalidate the rule or regulation or any portion thereof, and the principal that such inaction does not imply Congressional approval applies, *a fortiori*, to a waiver of the nature requested and granted in this instance.

DATE: The effective date for the rule is June 28, 1983.

FOR FURTHER INFORMATION CONTACT: James Hamernick, Office of Multifamily Housing Development, Department of Housing and Urban Development, 451 7th Street, S.W., Washington, D.C. 20410, telephone No. (202) 755-5720. (This is not a toll-free number.)

Dated: June 23, 1983.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 83-17355 Filed 6-27-83; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF JUSTICE

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

[Attorney General Order No. 992-83]

28 CFR Part 42

29 CFR Part 1691

Procedures for Complaints of Employment Discrimination Filed Against Recipients of Federal Financial Assistance; Limitations on Participation of the Department of Education

AGENCY: Department of Justice and Equal Employment Opportunity Commission.

ACTION: Rule related—notice.

SUMMARY: This notice limits the participation of the Department of Education (ED) in some of the procedures issued by the Department of Justice and the Equal Employment Opportunity Commission for complaints of employment discrimination filed against recipients of Federal financial assistance, until court approval is obtained in *Adams, et al. v. Bell, et al.*, C.A. No. 3095-70 and *Women's Equity Action League, et al. v. Bell, et al.*, C.A. 74-1720 (D.D.C., Order of December 29, 1977, as modified by D.D.C., Order of March 11, 1983) to allow ED to comply fully with those procedures.

FOR FURTHER INFORMATION CONTACT:

Stuart Frisch, Acting Assistant Legal Counsel for Coordination, Office of Legal Counsel, Equal Employment Opportunity Commission, 2401 "E" Street, NW., Washington, D.C. 20607; (202) 634-7581; or

David L. Rose, Chief, Federal Enforcement Section, Civil Rights Division, Department of Justice, Washington, D.C. 20530; (202) 633-3831.

SUPPLEMENTARY INFORMATION: On January 25, 1983, the Department of Justice (DOJ) and the Equal Employment Opportunity Commission (EEOC) jointly published a rule entitled, "Procedures for Complaints of Employment Discrimination Filed Against Recipients of Federal Funds." The rule requires Federal agencies that grant financial assistance to refer to EEOC certain complaints of employment discrimination against individuals, filed on or after March 28, 1983, for investigation and conciliation, unless special circumstances warrant the agency's processing of particular complaints.

By virtue of an order of the United States District Court in *Adams, et al. v. Bell, et al.*, C.A. No. 3095-70 and *Women's Equity Action League, et al. v. Bell, et al.*, C.A. No. 74-1720 (D.D.C., Order of December 29, 1977, as modified by D.D.C., Order of March 11, 1983) ("*Adams*"), the Department of Education (ED) is obliged to process complaints of discrimination within time limits specified by the Court. These time limits do not have general applicability to EEOC or to other agencies that grant financial assistance, nor are they required by the procedures of the new rule. Defendants in *Adams* filed an appeal on May 10, 1983. Until the court allows ED to comply fully with the rule, ED's participation in the rule is limited as follows:

Section 5 (28 CFR 42.605, 29 CFR 1691.5):

1. ED shall refer to EEOC all "joint complaints solely alleging employment discrimination against an individual," in order to preserve the complainants' rights under Title VII of the Civil Rights Act of 1964, as amended. Section 5(e) (28 CFR 42.605(e), 29 CFR 1691.5(e)). ED shall determine that "special circumstances" exist in all such complaints. In accordance with the rule, ED shall therefore, investigate all of those complaints. EEOC will ordinarily defer its investigation pending investigation by ED of charges that it has received independently of ED's referral. EEOC shall defer its investigation pending investigation by ED of charges it has not received independently.

2. ED shall not determine that "special circumstances" warrant referral to EEOC of any complaint alleging a pattern or practice of employment discrimination. Section 5(f) (28 CFR 42.605(f), 29 CFR 1691.5(f)).

3. ED shall not determine that "special circumstances" warrant referral to EEOC of the employment discrimination portion of any complaint alleging discrimination in employment and in

other practices of a recipient. Section 5(g) (28 CFR 42.605(g), 29 CFR 1691.5(g)).

These limitations shall remain in effect until the court modifies the order in *Adams* in a way that would allow ED to refer joint complaints to EEOC for investigation.

For the Department of Justice.

For the Commission.

Dated: June 18, 1983.

Wm. Bradford Reynolds,
Assistant Attorney General.

Dated: June 18, 1983.

Clarence Thomas,
Chairman.

[FR Doc. 83-17280 Filed 6-27-83; 8:45 am]
BILLING CODE 4410-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1910

Occupational Noise Exposure; Hearing Conservation Amendment; Corrections

AGENCY: Occupational Safety and Health Administration, Labor.

ACTION: Corrections to revised hearing conservation amendment.

SUMMARY: This notice announces corrections to the revised Hearing Conservation Amendment to the occupational noise exposure standard which was published as a final rule in the *Federal Register* on March 8, 1983 (48 FR 9738).

EFFECTIVE DATE: June 28, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. James F. Foster, OSHA, Office of Public Affairs, U.S. Department of Labor, Room N-3637, 200 Constitution Avenue, N.W., Washington, D.C. 20210; telephone (202) 523-8148.

SUPPLEMENTARY INFORMATION: On March 8, 1983 OSHA published as a final rule (48 FR 9738) a revised hearing conservation amendment to the occupational noise exposure standard. The hearing conservation amendment had been originally promulgated on January 16, 1981 (46 FR 4078). The amendment was subsequently stayed for administrative reconsideration and clarification; parts of the amendment went into effect in August 1981 and the administrative stays were continued and comments requested on other portions of the amendment (46 FR 42622). The final rule published on March 8, 1983 revised the hearing

conservation amendment, revoking certain provisions of the original amendment, amending other provisions and making some changes of a clarifying nature.

As a result of the revision, and the revocation of certain provisions, the amendment was renumbered and relettered to reflect these changes. The amendatory language in the March 8, 1983 *Federal Register* document is corrected to reflect the Agency's intention to delete paragraphs (q)-(s) which were redesignated as paragraphs (n)-(p). In addition, it is necessary to make a correction to one of the provisions of Appendix E, to make the Appendix consistent with the terms of paragraph (h)(5)(ii) of the hearing conservation amendment, and to make a technical correction in Appendix F.

Accordingly, 48 FR 9738-9785 are corrected as follows:

1. On page 9776, middle column, the amendatory language which presently reads "Paragraphs (c) through (p) and Appendices A through I of 29 CFR 1910.95 are revised to read as follows:" is corrected to read "Paragraphs (q)-(s) of 29 CFR 1910.95 are removed and paragraphs (c)-(p) and Appendices A through I of 29 CFR 1910.95 are revised to read as follows:".

2. On page 9781, middle column, the second sentence in paragraph (3) of Appendix E is amended by removing the term "10 dB" and inserting "15 dB or greater" in its place.

3. On page 9781, third column, paragraph (ii) of Appendix F is corrected by removing "(i)(A) from the value found in step (i)(B)." and inserting "(i)(B) from the value found in step (i)(A)." in its place.

(Secs. 6 and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655, 657); Secretary of Labor's Order No. 8-76 (41 FR 25059); 29 CFR Part 1911)

Signed at Washington, D.C., this 24th day of June, 1983.

Thorne G. Auchter,
Assistant Secretary of Labor.

[FR Doc. 83-17535 Filed 6-27-83; 8:45 am]
BILLING CODE 4510-26-M

DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 984

Air Force Aero Club; Correction

AGENCY: Department of the Air Force, DOD.

ACTION: Final rule; correction.

SUMMARY: At 48 FR 20408, May 6, 1983, Part 984 was removed. Subchapter S—Recreation should have been removed also. This action is necessary because the parts concerning recreation under this subchapter have been removed. This is an administrative action to assure that the regulations in the Air Force portion of the Code of Federal Regulations are properly maintained.

EFFECTIVE DATE: June 28, 1983.

FOR FURTHER INFORMATION CONTACT: Mrs. Winnibel F. Holmes, Air Force Federal Register Liaison, AF/DASJR, Washington, D.C. 20330, phone (202) 697-1861.

SUPPLEMENTARY INFORMATION: In FR Doc. 83-12181, appearing on page 20408, in the issue of May 6, 1983, the amendatory language now reading "Accordingly, 32 CFR is amended by removing Part 984," is corrected to read "Accordingly, 32 CFR is amended by removing and reserving Subchapter S and by removing Part 984."

SUBCHAPTER S—[RESERVED]

PART 984—[REMOVED]

(10 U.S.C. 8012.)

Winnibel F. Holmes,

Air Force Federal Register Liaison Officer.

[FR Doc. 83-17374 Filed 6-27-83; 8:45 am]

BILLING CODE 3910-01-M

32 CFR Part 988

Weather Modification; Correction

AGENCY: Department of the Air Force, DOD.

ACTION: Final rule; correction.

SUMMARY: In 44 FR 54479, September 20, 1979, Part 988 was published as a new part under an added Subchapter T—Environmental Protection. The new subchapter was inadvertently omitted from title 32, the Code of Federal Regulations Parts 800-999. This action is taken to correct that error.

EFFECTIVE DATE: June 28, 1983.

FOR FURTHER INFORMATION CONTACT: Mrs. Winnibel F. Holmes, Air Force Federal Register Liaison, AF/DASJR, Washington, D.C. 20330, phone (202) 697-1861.

SUPPLEMENTARY INFORMATION: In FR Doc. 79-29235, beginning on page 54479, in the issue of September 20, 1979, make a correction by adding the following subchapter designation before this part heading:

SUBCHAPTER T—ENVIRONMENTAL PROTECTION

(10 U.S.C. 8012.)

Winnibel F. Holmes,

Air Force Federal Register Liaison Officer.

[FR Doc. 83-17375 Filed 6-27-83; 8:45 am]

BILLING CODE 3910-01-M

Department of the Army

32 CFR Part 518

(Army Reg 340-17)

Release of Information and Records From Army Files

AGENCY: Department of the Army, DOD.

ACTION: Final rule.

SUMMARY: The Department of the Army is amending its rule for administering the Freedom of Information Act by incorporating as Army policy, Department of Defense Privacy Board Decision Memorandum 83-1 guidance concerning the release of servicemembers' names and addresses.

EFFECTIVE DATE: June 28, 1983.

FOR FURTHER INFORMATION CONTACT: Mr. William A. Walker, Administrative Management Directorate, Office of the Adjutant General, Headquarters, Department of the Army, ATTN: DAAG-AMR-S, 2461 Eisenhower Avenue, Alexandria, VA 22331; telephone (703) 325-6163.

SUPPLEMENTARY INFORMATION: The Department of the Army has determined that the release of servicemembers' names and unit or home addresses for the primary purpose of commercial solicitation is normally not in the public interest. Requesters who seek lists or compilations of unit or home addresses of military personnel for this purpose normally will be refused such lists pursuant to Exemption 6 of the Freedom of Information Act. Coordination of requests for organizational rosters of active duty personnel with the Department of the Army's Military Personnel Center is required as part of the Army's Operations Security (OPSEC) program.

List of Subjects in 32 CFR Part 518

Information, Archives and records, Privacy, Freedom of information.

Dated: June 20, 1983.

John O. Roach,

Department of the Army Liaison Officer With the Federal Register.

PART 518—[AMENDED]

32 CFR Part 518 is amended to read as follows:

Subpart C—Exemptions

1. Section 518.8 is amended by adding paragraph (f)(2)(iii) to read as follows:

§ 518.8 Exemptions.

(f) * * *

(2) * * *

(iii) A requester whose primary purpose for requesting servicemembers' names and addresses in commercial solicitation normally should not be viewed as acting in the public interest. Names and addresses (unit or home) of active duty, reserve or retired servicemembers generally are exempt from disclosure where the requester's primary purpose in seeking the information is to use it for commercial solicitation of those servicemembers. In the rare case where a requester does establish some public interest involving his or her intention to engage in commercial solicitation, that interest must be weighed against the invasion of privacy which will result from disclosure of the requested information.

Subpart E—Release and Processing Procedures

2. Section 518.14 is amended by adding paragraph (a)(3)(v) to read as follows:

§ 518.14 General provisions.

(a) * * *

(2) * * *

(v) Requests for organizational rosters of active duty personnel will not be released to members of the general public prior to coordination with the USA Military Personnel Center. This coordination is required to evaluate what damage may occur to the national security if significant quantities of information, i.e., unit addresses, troop lists, manpower lists, are disclosed to the public. Telephone numbers are Autovon 221-9310/9311.

[FR Doc. 83-17279 Filed 6-27-83; 8:45 am]

BILLING CODE 3710-08-M