

Presidential Documents

Title 3—

Proclamation 5217 of July 5, 1984

The President

Veterans' Preference Month, 1984

By the President of the United States of America

A Proclamation

Forty years ago—on June 27, 1944—President Franklin D. Roosevelt signed into law the Veterans' Preference Act. This statute brought together, for the first time, laws, Executive orders, and regulations extending back to the Civil War which granted preference in Federal employment to veterans.

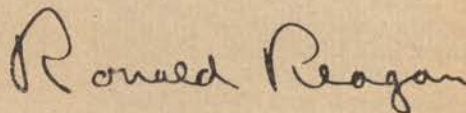
The primary purpose and philosophy of the Veterans' Preference Acts are to assist veterans in obtaining and retaining Federal jobs for which they qualify. They constitute not only a means of rewarding veterans for their service in the Armed Forces, but also a means of preventing them from being penalized, in the search for employment, by the fact that the months or years they spent in the service of their country isolated them from the civilian world. In recognition of the economic disadvantage suffered by this service, these Acts seek to give these veterans a favorable position in competing for Federal employment. At the same time, the veterans' preference laws have been drafted so that they are compatible with the merit principle of public employment.

Veterans' preference is but a partial recognition of the great debt of gratitude that the country owes to those who have served in the Armed Forces. Its success is evidenced by the fact that 40 years after World War II, 30 years after Korea and 10 years after Vietnam, veterans comprise 39 percent of the non-Postal Federal work force and 52 percent of the Postal work force.

In recognition of the fortieth anniversary of the Veterans' Preference Act, and to honor the men and women who have served their country in the Armed Forces, the Congress of the United States, by Senate Joint Resolution 297, has designated June 1984 as "Veterans' Preference Month," and has authorized and requested the President to issue a proclamation in observance of that month.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim June 1984 as Veterans' Preference Month.

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



Rules and Regulations

Federal Register

Vol. 49, No. 132

Monday, July 9, 1984

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 week.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 792

Federal Employee Health and Counseling Programs; Regulatory Requirements for Alcoholism and Drug Abuse Programs and Services for Federal Civilian Employees

AGENCY: Office of Personnel Management.

ACTION: Interim rulemaking.

SUMMARY: OPM is issuing interim regulations to implement the requirements for Federal civilian employee alcoholism and drug abuse programs contained in the "Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970" and the "Drug Abuse Office and Treatment Act of 1972." These regulations establish OPM and agency responsibilities in providing prevention, treatment, and rehabilitative services to Federal civilian employees with alcohol or drug problems.

DATES: Effective date: August 8, 1984. Comments must be received on or before September 9, 1984.

ADDRESS: Send or deliver written comments to Mrs. Ruby Giddings, Alcoholism/Drug Abuse Program, Employee Health Services Branch, WED/OPeM, Room 7H31, U.S. Office of Personnel Management, P.O. Box 14080, Washington, D.C. 20044.

FOR FURTHER INFORMATION CONTACT: Mrs. Ruby Giddings, (202) 632-5558.

SUPPLEMENTARY INFORMATION: Public Laws 91-618 of December 30, 1970, and 92-255 of March 21, 1972, as amended by Public Laws 93-282, 96-180 and 96-181, provide that the Office of Personnel

Management shall be responsible for developing and maintaining, in cooperation with the Secretary of Health and Human Services and with other Federal departments and agencies, appropriate prevention, treatment and rehabilitation programs and services for Federal civilian employees with alcohol or drug problems. Such agencies and departments are encouraged to extend, to the extent feasible, these programs and services to the families of alcohol and drug abusing employees and to employees who have family members who are alcoholics or drug abusers. Such policies and services shall make optimal use of existing governmental facilities, services and skills.

OPM has not previously proposed regulations implementing these two laws, but has issued policy and guidance in the Federal Personnel Manual (FPM). The intent of the interim regulation is to make clear those elements of the alcoholism and drug abuse program that are mandatory and binding upon Federal agencies.

Pursuant to section 553(b)(3)(B) of title 5 of the United States Code, the Director finds that good cause exists for waiving the general notice of proposed rulemaking. The notice is being waived because a clear definition of agency responsibilities is needed as soon as possible.

E.O. 12291, Federal Regulation

OPM has determined that this is not a major rule as defined under Section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it only affects Federal employees and their families.

List of Subjects in 5 CFR Part 792

Alcoholism, Drug abuse, Federal employees.

U.S. Office of Personnel Management.

Donald J. Devine,

Director.

Accordingly, OPM is amending 5 CFR by adding Part 792, to read as follows:

PART 792—FEDERAL EMPLOYEES' HEALTH AND COUNSELING PROGRAMS

Subpart A—Regulatory Requirements for Alcoholism and Drug Abuse Programs and Services for Federal Civilian Employees

- Sec.
- 792.101 Statutory requirements.
 - 792.102 General.
 - 792.103 Coverage.
 - 792.104 Responsibilities of the Office of Personnel Management.
 - 792.105 Agency responsibilities.

Subpart B—[Reserved]

Authority: Pub. L. 91-616, 84 Stat. 1848, as amended, and 92-255, 86 Stat. 65, as amended; 42 U.S.C. 4541 *et seq.* and 21 U.S.C. 1180 *et seq.*

Subpart A—Regulatory Requirements for Alcoholism and Drug Abuse Programs and Services for Federal Civilian Employees

§ 792.101 Statutory requirements.

Section 201(a) of Pub. L. 91-616, 84 Stat. 1849, as amended, and section 413(a) of Pub. L. 92-255, 86 Stat. 84, as amended, provide that the Office of Personnel Management shall be responsible for developing and maintaining, in cooperation with the Secretary of the Department of Health and Human Services, and with other Federal departments and agencies, appropriate prevention, treatment, and rehabilitation programs and services for Federal civilian employees with alcohol or drug problems.

§ 792.102 General.

It is the policy of the Federal Government to offer appropriate prevention, treatment, and rehabilitation programs and services for Federal civilian employees with alcohol or drug problems. Short-term counseling and/or referral, or offers thereof, shall constitute the appropriate prevention, treatment, and rehabilitation programs and services for alcohol abuse, alcoholism, and drug abuse required under 21 U.S.C. 1180(a) and 42 U.S.C. 4561(a). This part requires Federal departments and agencies to establish programs to assist employees with these problems in accordance with the legislation cited in § 792.101.

§ 792.103 Coverage.

This part applies to all positions in Executive agencies as defined in section 105 of Title 5 of the United States Code, and to those positions in the legislative and judicial branch of the Federal Government which are in the competitive service.

§ 792.104 Responsibilities of the Office of Personnel Management.

OPM shall provide overall leadership for the Government-wide alcoholism and drug abuse program in cooperation with the Secretary of Health and Human Services. To accomplish this, OPM shall develop and issue policy and program guidance, provide technical assistance to agencies, and determine the overall effectiveness of the Government-wide program, as well as those programs at individual agencies, based on program information required of agencies.

§ 792.105 Agency responsibilities.

(a) Agencies shall establish and administer programs through which officials knowledgeable in counseling and referral services can offer and provide employees with alcohol and drug abuse problems short-term counseling and/or referral for long-term counseling or treatment.

(b) Agencies shall issue internal instructions implementing the requirements of Pub. L. 91-616 (section 201) and 92-255 (section 413) and this regulation.

(c) Whenever a manager/supervisor becomes aware that a Federal employee's use of alcohol or other drugs may be contributing to a performance or conduct deficiency, the manager/supervisor shall recommend and refer the employee to the agency counseling program (should an employee fail to participate in a rehabilitative program or, having participated, the employee fails to improve performance or conduct to a satisfactory level, the agency should rate the employee accordingly and initiate and appropriate performance-based or adverse action at that time).

(d) As requested, agencies shall annually submit a report to OPM on their counseling activities for the past fiscal year at a time, and in a manner, set by OPM.

Subpart B—[Reserved]

[FR Doc. 84-18118 Filed 7-8-84; 8:45 am]

BILLING CODE 6325-01-M

DEPARTMENT OF AGRICULTURE**Animal and Plant Health Inspection Service****9 CFR Part 3**

[Docket No. 83-122]

Animal Welfare, Marine Mammals**Correction**

In FR Doc. 84-17061 beginning on page 26674 in the issue of Thursday, June 28,

$$\text{Volume} = \frac{(\text{Average Adult Length})^2}{2} \times 3.14 \times \text{depth}.$$

BILLING CODE 1505-01-M

9 CFR Part 92

[Docket No. 84-052]

Ports Designated for the Importation of Animals

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: This document affirms the interim rule which amended the regulations concerning ports designated for the importation of animals (1) by adding Los Angeles, California, to the list of air and ocean ports having Veterinary Services (VS) inspection and quarantine facilities necessary for a quarantine station for the importation of animals and (2) by providing that quarantine space at the VS facility at Los Angeles will be allotted on a priority basis for horses that are to participate in the 1984 Olympics in Los Angeles. The facility began receiving animals on April 15, 1984. It is necessary to add Los Angeles to this list of air and ocean ports to reflect the existence of the VS facility at Los Angeles so that importers can make arrangements for the importation of animals. It is necessary to allot quarantine space on a priority basis for horses that are to participate in the 1984 Olympics in Los Angeles in order to efficiently handle their entry into the United States.

EFFECTIVE DATE: July 9, 1984.

FOR FURTHER INFORMATION CONTACT: Dr. M.P. Dulin, VS, APHIS, USDA, Room 843, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8170.

SUPPLEMENTARY INFORMATION: Background

The regulations in 9 CFR Part 92 (referred to below as the regulations),

1984, make the following correction on page 26684. In § 3.104(b)(3)(i), the second formula should have read:

among other things, list ports which are designated for the importation of animals and birds into the United States. Prior to the interim rule, § 92.3(a) of the regulations listed Newburgh, New York, Miami, Florida, and Honolulu, Hawaii, as air and ocean ports having Veterinary Services (VS) inspection and quarantine facilities necessary for quarantine stations for the importation of animals. On March 28, 1984, an interim rule was published in the **Federal Register** (49 FR 11823-11824) which amended the regulations in § 92.3(a) by adding Los Angeles, California, as an air and ocean port having VS inspection and quarantine facilities necessary for a quarantine station for the importation of animals, and by providing that quarantine space at the VS facility at Los Angeles will be allotted on a priority basis for horses that are to participate in the 1984 Olympics in Los Angeles.

The interim rule was made effective on March 28, 1984. Comments were solicited for 60 days following publication. No comments were received. The factual situation which was set forth in the interim rule still provides a basis for the amendment.

Executive Order 12291 and Regulatory Flexibility Act

This action has been reviewed in conformance with Executive Order 12291 and has been determined to be not a "major rule." The Department has determined that this action will not have an annual effect on the economy of \$100 million or more; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will

not cause significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this rulemaking action, the Office of Management and Budget has waived its review process required by Executive Order 12291.

In addition to air and ocean ports, the regulations list Canadian border ports, Mexican border ports, and a number of other ports where Veterinary Services maintains facilities for the importation of certain animals. The regulations also provide a mechanism for allowing the importation of horses or birds at ports with privately operated facilities.

It appears that the addition of the port of Los Angeles to the list of air and ocean ports will not have a significant impact on the importation of animals into the United States. It provides another alternative facility for importation of animals and will reduce costs of importation for certain importers. Prior to the interim rule, almost all of the animals imported into the United States at Los Angeles were horses imported at one privately operated facility. This addition of a VS facility at the port of Los Angeles impacts on this privately operated facility.

Under these circumstances, Mr. Bert W. Hawkins, Administrator of the Animal and Plant Health Inspection Service, has determined that this action will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 9 CFR Part 92

Animal diseases, Canada, Imports, Livestock and livestock products, Mexico, Poultry and poultry products, Quarantine, Transportation, Wildlife.

Accordingly, the interim rule which was published at 49 FR 11823-11824 on March 28, 1984, is adopted as a final rule.

Authority: Sec. 2, 32 Stat. 792, as amended; secs. 2, 4, and 11, 76 Stat. 129, 130, 132, (21 U.S.C. 111, 134a, 134c, and 134f); 7 CFR 2.17, 2.51, and 371.2(d).

Done at Washington, D.C., this 2nd day of July 1984.

K.R. Hook,
Acting Deputy Administrator, Veterinary Services.

[FR Doc. 84-18078 Filed 7-6-84; 8:45 am]

BILLING CODE 3410-34-M

NUCLEAR REGULATORY COMMISSION

10 CFR Parts 30, 33, 34, 35, and 40

Application Consolidation to NRC Form 313; Application for Material License

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The NRC is amending its regulations concerning the domestic licensing of source and byproduct material to provide for consolidation of five application forms into one simplified form for applications for material licenses. The consolidation simplifies the regional review process and provides an improved format for automatic data entry of information submitted.

EFFECTIVE DATE: July 9, 1984.

FOR FURTHER INFORMATION CONTACT:

Bernard Singer, Chief, Material Certification and Procedures Branch, Division of Fuel Cycle and Material Safety, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-427-4236.

SUPPLEMENTARY INFORMATION: On May 27, 1982 (47 CFR 23138), the Nuclear Regulatory Commission (NRC) amended its rules on the domestic licensing of nuclear materials to begin

decentralization of its licensing program to the Regional Offices. As a part of this program, currently used NRC Forms 2 and 313 I, M, R, and T are being combined into a new NRC Form 313, "Application for Material License." This standardization of forms will foster the uniformity of the review process. Additionally, the applicant will not have to determine which of five forms is the correct one to use for its application.

There is no change in the information collection required for the submission of an application or issuance of an NRC license. There are, however, four added voluntary questions at the end of the form that request certain economic data. This change is for the convenience of the NRC. The new format will simplify the work of the reviewers by having information of the same type, i.e., "Radiation Protection" appear in the same location for all types of applications thereby saving the reviewer orientation time in reviewing different types of license applications. The continuing move toward automatic data entry of information from license applications dictated that a uniform format be developed to assist in this important function. The revised

provisions in §§ 30.32, 33.12, 34.3, 35.4 and 40.31 specify that applications for use of byproduct and source material may be submitted in duplicate on NRC Form 313, "Application for Material License." These amendments do not apply to Agreement States, but do apply to all licensees and applicants in non-Agreement States and the District of Columbia.

Because this is an amendment dealing with agency practice and procedure, the notice provisions of the Administrative Procedure Act do not apply pursuant to 5 U.S.C. 553(b)(A). The amendment is effective upon publication in the *Federal Register*, because good cause exists to dispense the usual 30 day delay in the effective date. The amendment is of a minor and technical administrative nature dealing solely with agency procedure. The rule simplifies the license application process and establishes uniformity in the NRC license review.

Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget under control number 3150-0120.

List of Subjects

10 CFR Part 30

Byproduct material, Government contracts, Intergovernmental relations, Isotopes, Nuclear materials, Penalty, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 33

Byproduct material, Nuclear materials, Penalty, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 34

Packaging and containers, Penalty, Radiation protection, Radiography, Reporting and recordkeeping requirements, Scientific equipment, Security measures.

10 CFR Part 35

Byproduct material, Drugs, Health facilities, Health professions, Incorporation by reference, Medical devices, Nuclear materials, Occupational safety and health, Penalty, Radiation protection, Reporting and recordkeeping requirements.

10 CFR Part 40

Government contracts, Hazardous materials—transportation, Nuclear