

CEQ 11

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

September 20, 1979

Memorandum For Nicholas Yost

Subject: Status of Agency NEPA Procedures

A progress report on the NEPA procedures is being prepared for publication in the Federal Register next week. Attached is a working draft status report which we will use for the Federal Register report. It shows the following:

Executive Branch Agencies
With Significant NEPA Involvement

Only DOD and Agriculture (including APHIS, Forest Service and SCS) have departmental procedures in final. Energy, EPA, HUD (in part), Interior (and 2 of 9 component agencies), TVA, Army Corps, Air Force, Rural Electrification Administration, and DOT (and 3 of 7 components) have issued proposed procedures during the past two months and should have final procedures over the next 6 weeks. Commerce (including NOAA and EDA) is the only major agency without proposed procedures yet (expect proposed procedures imminently).

Executive Branch Agencies
With Minimal NEPA Involvement

CIA, NASA, Eximbank, International Communications Agency, Marine Mammal Commission, and OPIC have final NEPA procedures. GSA, Treasury, Justice (including BuPrisons, INS, and DEA), National Capitol Planning Comm., NSF, Pennsylvania Avenue Development Corp., Postal Service, SBA, Veterans Administration, and the Water Resources Council have issued proposed NEPA procedures during the past 2 months. Some 30 other small agencies have yet to publish proposed procedures.

Independent Regulatory Agencies

None of the IRAs have final NEPA procedures yet. The CAB, FERC, FCC, Federal Maritime Comm. and FTC have issued proposed NEPA procedures. Key IRAs that still haven't got proposed procedures to the F.R. include the NRC, and ICC (both have final drafts awaiting Commission action). The banking agencies, CPSC, and SEC have a way to go yet before issuing proposed procedures.

Summary

Of the estimated 86 federal agencies and individual component bureaus that are scheduled to have NEPA procedures, 11 have final procedures, 36 have proposed procedures and 39 have yet to issue proposed procedures. This does not include federal agencies which claim they aren't subject to NEPA (e.g. OMB, CWPS, River Basin Commissions and others adding up to some 20).

By separate memo to the legal staff I have identified problem agencies requiring our highest priority.



Foster Knight
Counsel

cc: Gus Speth
Jane Yarn
Ed Strohbehn
Malcolm Baldwin
Kitty Gillman
Michael Kane
Jim McKenzie
Bob Nicholas
Bob Smythe
Larry Williams

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

File
CEQ 12

October 12, 1979

Memorandum For Barbara Graham
John Shea
Charlotte Bell

Subject: Agency NEPA Procedures--Status Report

Please update the attached Status Report with pen and ink entries and return it to me by COB Tuesday, October 16th.

F
Foster Knight
Counsel

Attachment

cc: Nicholas Yost

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	<u>Published in Final</u>	<u>Published in Proposed</u>	<u>Date for Expected Compliance or Problem</u>
Marine Mammal Commission (G) (no issues)	44 F.R. 52837 (Sept. 11, 1979)	44 F.R. 44916 (July 31, 1979) Correction - 44 F.R. 45654 (Aug. 3, 1979)	
NETRO (B)			
National Research Council (B)			
National Academy of Sciences National Academy of Engineering			Maintain that it is not a Federal Agency
National Aeronautics & Space Administration (B)	44 F.R. 44485 (July 30, 1979)	44 F.R. 27161 (May 9, 1979) Correction - 44 F.R. 49650 (Aug. 24, 1979)	
National Capital Planning Commission (B)		44 F.R. 33185 (June 8, 1979)	Final Procedures expected to be published by Sept. 21, 1979
National Science Foundation (B)		44 F.R. 46901 (Aug. 9, 1979)	Expect final procedures in Nov. or Dec.
Nuclear Regulatory Commission (K) (Shea)			Proposed by 10/1/79 (draft awaiting action by Commission)
Oversas Private Investment Corporation (K)	44 F.R. 51385 (Sept. 31, 1979) Aug		* NEPA Procedures in E.O. 12114 Procedures
Pennsylvania Avenue Development Corporation (B)		44 F.R. 45925 (Aug. 6, 1979)	

[REDACTED]

NR

G. C. fine

October 30, 1979

CEQ 13

Federal Register
Room 3401
1101 L Street, N.W.
Washington, D.C. 20408

ATTN: Ilona Mays

Dear Ms. Mays:

I am enclosing the Fourth Progress Report on Agency
Implementing Procedures Under the National Environmental
Policy Act for publication in the Federal Register at
the earliest possible time.

Your cooperation in publication of the progress report
is greatly appreciated. If there are any questions,
please contact me at 395-5750.

Sincerely,

Foster Knight
Counsel

Enclosure

AGENCY: Council on Environmental Quality, Executive Office of the
President

ACTION: Information Only: Publication of Fourth Progress Report on
Agency Implementing Procedures Under the National Environ-
mental Policy Act

SUMMARY: In response to President Carter's Executive Order 11991, on
November 29, 1978, the Council on Environmental Quality issued regu-
lations implementing the procedural provisions of the National Envi-
ronmental Policy Act ("NEPA"). 43 F.R. 55978-56007; 40 C.F.R. 1500-08)
Section 1507.3 of the regulations provides that each agency of the
Federal Government shall have adopted procedures to supplement the
regulations by July 30, 1979. The Council has indicated to Federal
agencies its intention to publish progress reports on agency efforts to
develop implementing procedures under the NEPA regulations. The purpose
of these progress reports, the fourth of which appears below, is to
provide an update on where agencies stand in this process and to inform
interested persons of when to expect the publication of proposed pro-
cedures for their review and comment.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722
Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

FOURTH PROGRESS REPORT ON AGENCY IMPLEMENTING
PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures

must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, a number of Federal agencies did not meet this deadline.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second progress report on July 23, 1979 and its third progress report on September 26, 1979. (44 F.R. 26781-82; 44 F.R. 43037-38; 44 F.R. 55408-55410.) The fourth progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category # 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Central Intelligence Agency, 44 F.R. 45431 (Aug. 2, 1979).

Department of Agriculture, 44 F.R. 44802 (July 30, 1979)

Animal and Plant Health Inspection Service, 44 F.R. 50381

(Aug. 28, 1979) [correction: 44 F.R. 51272 (Aug. 31, 1979)]

Forest Service, 44 F.R. 44718 (July 30, 1979)

Soil Conservation Service, 44 F.R. 50576 (Aug. 29, 1979)

Department of Defense, 44 F.R. 46841 (Aug. 9, 1979)

Department of Transportation, 44 F.R. 56420 (Oct. 1, 1979)

Environmental Protection Agency, (at the Federal Register)

Export-Import Bank, 44 F.R. 50810 (Aug. 30, 1979)

International Communications Agency, 44 F.R. 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 F.R. 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 F.R. 44485 (July 30, 1979)

[correction: 44 F.R. 49650 (Aug. 24, 1979)]

Overseas Private Investment Corporation, 44 F.R. 51385 (Aug. 31, 1979)

[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114.]

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 F.R. 60110 (Oct. 18, 1979)

Advisory Council on Historic Preservation, 44 F.R. 40653 (July 12, 1979)*

Agency for International Development, 44 F.R. 56378 (Oct. 1, 1979)

Civil Aeronautics Board, 44 F.R. 45637 (Aug. 3, 1979)

Department of Agriculture

Agriculture Stabilization and Conservation Service, 44 F.R. 44167

(July 27, 1979) [correction: 44 F.R. 45631 (Aug. 3, 1979)]

Rural Electrification Administration, 44 F.R. 28383 (May 15, 1979)*

Department of Defense

Department of the Air Force, 44 F.R. 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 F.R. 38292 (June 29,
1979)*

Department of Commerce

National Oceanic and Atmospheric Administration, 44 F.R. 60779

(Oct. 22, 1979)

Department of Energy, 44 F.R. 42136 (July 18, 1979)

Federal Energy Regulatory Commission, 44 F.R. 50052 (Aug. 27, 1979)*

Department of Housing and Urban Development

Community Development Block Grant Program 44 F.R. 45568 (Aug. 2, 1979)*

Department of the Interior, 44 F.R. 40436 (July 10, 1979)*

Bureau of Reclamation, 44 F.R. 47627 (Aug. 14, 1979)

Heritage Conservation and Recreation Service, 44 F.R. 49523

(Aug. 23, 1979)

Department of Justice, 44 F.R. 43751 (July 26, 1979)*

Drug Enforcement Agency, 44 F.R. 43754 (July 26, 1979)*

Immigration and Naturalization Service, 44 F.R. 43754 (July 26, 1979)*

Bureau of Prisons, 44 F.R. 43753 (July 26, 1979)*

Department of State, (at the Federal Register)

Department of Transportation

Coast Guard, 44 F.R. 59306 (Oct. 15, 1979)

Federal Aviation Administration, 44 F.R. 32094 (June 4, 1979)*

Federal Highway Administration, 44 F.R. 59438 (Oct. 15, 1979)

Federal Railroad Administration, 44 F.R. 40174 (July 9, 1979)*

Urban Mass Transportation Administration, 44 F.R. 59438 (Oct. 15, 1979)

Department of the Treasury, 44 F.R. 39692 (July 6, 1979)*

Federal Communications Commission, 44 F.R. 38913 (July 3, 1979)**

Federal Maritime Commission, 44 F.R. 29122 (May 18, 1979)

Federal Trade Commission, 44 F.R. 42712 (July 20, 1979)

General Services Administration, 44 F.R. 33485 (June 11, 1979)*

Public Buildings Program, 44 F.R. 27473 (May 10, 1979)

International Boundary and Water Commission (U.S. Section). 44 F.R. 61665
(Oct. 26, 1979)

National Capitol Planning Commission, 44 F.R. 33185 (June 8, 1979)*

National Science Foundation, 44 F.R. 46901 (Aug. 9, 1979)**

Pennsylvania Avenue Development Corporation, 44 F.R. 45925 (Aug. 6, 1979)

Postal Service, 44 F.R. 36991 (June 25, 1979)

[Addition - 44 F.R. 52262 (Sept. 7, 1979)]*

Small Business Administration, 44 F.R. 45002 (July 31, 1979)*

Tennessee Valley Authority, 44 F.R. 39679 (July 6, 1979)*

Veterans Administration, 44 F.R. 48281 (Aug. 17, 1979)*

Water Resources Council, 44 F.R. 43749 (July 26, 1979)**

Category #3: Anticipate Publication of Proposed Procedures by Nov. 16, 1979

This category includes agencies that are expected to publish proposed procedures in the Federal Register by Nov. 16, 1979.

Department of Agriculture

Science and Education Administration

Department of Health, Education and Welfare

Food and Drug Administration

Department of Housing and Urban Development

Department of Labor

Federal Emergency Management Agency

Nuclear Regulatory Commission

Category #4: Publication of Proposed Procedures Delayed Beyond Nov. 16, 1979

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by Nov. 16, 1979.

Appalachian Regional Commission

Arms Control and Disarmament Agency

Community Services Administration

Consumer Product Safety Commission

Department of Agriculture

Farmers Home Administration

Department of Commerce

Economic Development Administration

Department of Defense

Department of the Army

Department of the Navy

Defense Logistics Agency

Department of the Interior

Bureau of Indian Affairs

Bureau of Land Management

Bureau of Mines

Fish and Wildlife Service

Geological Survey

National Park Service

Office of Surface Mining Reclamation and Control

Department of Justice

Law Enforcement Assistance Administration

Department of Transportation

National Highway Traffic Safety Administration

Saint Lawrence Seaway Corporation

Farm Credit Administration

Federal Deposit Insurance Corporation

Federal Home Loan Bank Board

Federal Reserve System

Federal Savings and Loan Insurance Corporation

Interstate Commerce Commission

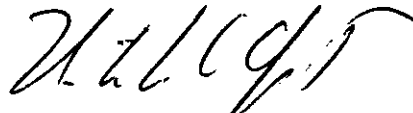
METRO

National Credit Union Administration

Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.



NICHOLAS C. YOST
General Counsel

October 30, 1979

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

CEQ 14

December 11, 1979

MEMORANDUM FOR ED STROHBEHN

SUBJECT: 5th Progress Report on Agency NEPA Procedures

Attached is the 5th Progress Report.

You asked earlier what response we've gotten. We have received a number of calls from the public on these progress reports. Industry as well as individuals and environmentalists have called. All like the way the Council is making it easy for the interested public to keep track of agency procedures and make comments. The environmental press and environmental groups have found it particularly useful.

Foster

Foster Knight
Counsel

Attachment

cc: Members
Nicholas Yost
Legal Staff
Senior Staff

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

December 10, 1979

Federal Register
Room 8401
1101 L Street, N.W.
Washington, D.C. 20408

ATTN: Iiona Mays

Dear Ms. Mays:

I am enclosing the Fifth Progress Report on Agency
Implementing Procedures Under the National Environmental
Policy Act for publication in the Federal Register at
the earliest possible time.

Your cooperation in publication of the progress report
is greatly appreciated. If there are any questions,
please contact me at 395-5750

Sincerely,


Foster Knight
Counsel

Enclosure

AGENCY: Council on Environmental Quality, Executive Office of the
President

ACTION: Information Only: Publication of Fifth Progress Report on
Agency Implementing Procedures Under the National Environ-
mental Policy Act

SUMMARY: In response to President Carter's Executive Order 11991, on
November 29, 1978, the Council on Environmental Quality issued regu-
lations implementing the procedural provisions of the National Envi-
ronmental Policy Act ("NEPA"). 43 F.R. 55978-56007; 40 C.F.R. 1500-08)
Section 1507.3 of the regulations provides that each agency of the
Federal Government shall have adopted procedures to supplement the
regulations by July 30, 1979. The Council has indicated to Federal
agencies its intention to publish progress reports on agency efforts to
develop implementing procedures under the NEPA regulations. The purpose
of these progress reports, the fifth of which appears below, is to
provide an update on where agencies stand in this process and to inform
interested persons of when to expect the publication of proposed pro-
cedures for their review and comment.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722
Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

FIFTH PROGRESS REPORT ON AGENCY IMPLEMENTING
PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures

must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, a number of Federal agencies did not meet this deadline.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, and its fourth progress report on November 2, 1979. (44 F.R. 26781-82; 44 F.R. 43037-38; 44 F.R. 55408-55410; 44 F.R. 63132-63133.) The fifth progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category # 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Central Intelligence Agency, 44 F.R. 45431 (Aug. 2, 1979).

Department of Agriculture, 44 F.R. 44802 (July 30, 1979)

Animal and Plant Health Inspection Service, 44 F.R. 50381

(Aug. 28, 1979) [correction: 44 F.R. 51272 (Aug. 31, 1979)]

Forest Service, 44 F.R. 44718 (July 30, 1979)

Soil Conservation Service, 44 F.R. 50576 (Aug. 29, 1979)

Department of Defense, 44 F.R. 46841 (Aug. 9, 1979)

Department of Transportation, 44 F.R. 56420 (Oct. 1, 1979)

Department of the Treasury (at the Federal Register)

Environmental Protection Agency, 44 F.R. 64174 (Nov. 6, 1979)

Export-Import Bank, 44 F.R. 50810 (Aug. 30, 1979)

General Services Administration

Public Buildings Service (see 44 F.R. 65675, Nov. 14, 1979)

International Communications Agency, 44 F.R. 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 F.R. 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 F.R. 44485 (July 30, 1979)

[correction: 44 F.R. 49650 (Aug. 24, 1979)]

National Capitol Planning Commission, 44 F.R. 64923 (Nov. 8, 1979)

Overseas Private Investment Corporation, 44 F.R. 51385 (Aug. 31, 1979)

[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114.]

Postal Service, 44 F.R. 63524 (Nov. 5, 1979)

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 F.R. 60110 (Oct. 18, 1979)

Advisory Council on Historic Preservation, 44 F.R. 40653 (July 12, 1979)*

Agency for International Development, 44 F.R. 56378 (Oct. 1, 1979)

Civil Aeronautics Board, 44 F.R. 45637 (Aug. 3, 1979)

Consumer Product Safety Commission, 44 F.R. 62526 (Oct. 31, 1979)

Department of Agriculture

Agriculture Stabilization and Conservation Service, 44 F.R. 44167

(July 27, 1979) [correction: 44 F.R. 45631 (Aug. 3, 1979)]

Rural Electrification Administration, 44 F.R. 28383 (May 15, 1979)*

Department of Defense

Department of the Air Force, 44 F.R. 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 F.R. 38292 (June 29,
1979)*

Department of Commerce

National Oceanic and Atmospheric Administration, 44 F.R. 60779

(Oct. 22, 1979)

Department of Energy, 44 F.R. 42136 (July 18, 1979)*

Federal Energy Regulatory Commission, 44 F.R. 50052 (Aug. 27, 1979)*

Department of Housing and Urban Development, 44 F.R. 67906 (Nov. 27, 1979)

Community Development Block Grant Program 44 F.R. 45568 (Aug. 2, 1979)*

Department of the Interior, 44 F.R. 40436 (July 10, 1979)*

Bureau of Reclamation, 44 F.R. 47627 (Aug. 14, 1979)

Heritage Conservation and Recreation Service, 44 F.R. 49523

(Aug. 23, 1979)

Fish and Wildlife Service, 44 F.R. 65822 (Nov. 15, 1979)

Department of Labor, 44 F.R. 69675 (Dec. 4, 1979)

Department of Justice, 44 F.R. 43751 (July 26, 1979)*

Drug Enforcement Agency, 44 F.R. 43754 (July 26, 1979)*

Immigration and Naturalization Service, 44 F.R. 43754 (July 26, 1979)*

Bureau of Prisons, 44 F.R. 43753 (July 26, 1979)*

Department of State, 44 F.R. 66838 (Nov. 21, 1979)

Department of Transportation

Coast Guard, 44 F.R. 59306 (Oct. 15, 1979)

Federal Aviation Administration, 44 F.R. 32094 (June 4, 1979)*

Federal Highway Administration, 44 F.R. 59438 (Oct. 15, 1979)

Federal Railroad Administration, 44 F.R. 40174 (July 9, 1979)*

Urban Mass Transportation Administration, 44 F.R. 59438 (Oct. 15, 1979)

Federal Communications Commission, 44 F.R. 38913 (July 3, 1979)**

Federal Maritime Commission, 44 F.R. 29122 (May 18, 1979)**

Federal Trade Commission, 44 F.R. 42712 (July 20, 1979)

International Boundary and Water Commission (U.S. Section). 44 F.R. 61665
(Oct. 26, 1979)

National Science Foundation, 44 F.R. 46901 (Aug. 9, 1979)*

Pennsylvania Avenue Development Corporation, 44 F.R. 45925 (Aug. 6, 1979)

Small Business Administration, 44 F.R. 45002 (July 31, 1979)*

Tennessee Valley Authority, 44 F.R. 39679 (July 6, 1979)*

Veterans Administration, 44 F.R. 48281 (Aug. 17, 1979)*

Water Resources Council, 44 F.R. 43749 (July 26, 1979)**

Category #3: Anticipate Publication of Proposed Procedures by Jan. 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by Jan. 1, 1980.

Arms Control and Disarmament Agency

Bureau of Land Management

Federal Emergency Management Agency

Law Enforcement Assistance Administration

National Credit Union Administration

Science and Education Administration (Department of Agriculture)

Category #4: Publication of Proposed Procedures Delayed Beyond Jan. 1, 1980

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by Jan. 1, 1980.

Appalachian Regional Commission

Bureau of Indian Affairs

Bureau of Mines

Community Services Administration

Department of the Army

Department of the Navy

Defense Logistics Agency

Department of Health, Education and Welfare

Economic Development Administration

Farm Credit Administration

Farmers Home Administration

Federal Deposit Insurance Corporation

Federal Home Loan Bank Board

Federal Reserve System

Federal Savings and Loan Insurance Corporation

Food and Drug Administration

Geological Survey

Interstate Commerce Commission

METRO

National Highway Traffic Safety Administration

National Park Service

Nuclear Regulatory Commission

Office of Surface Mining Reclamation and Control

Saint Lawrence Seaway Corporation

Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

(Signed)
C. Foster Knight, for

NICHOLAS C. YOST
General Counsel

December 10, 1979

of this Order records/evidence sufficient to establish that any carpeting in style "Oasis" (Foam Back) which may be in inventory or returned by distributors has been:

- (a) processed so as to bring it into conformance with the applicable Standard under the Flammable Fabrics Act, and subsequent disposition, or
- (b) destroyed in accordance with the provisions of this Order.

VIII.—IT IS FURTHER ORDERED, that for a period of 10 years from the date of issuance of this Order, the Corporation and Kitchens shall notify the Commission at least 30 days prior to any proposed change in Corporation such as dissolution, assignment, or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or any change in the Corporation which may affect compliance obligations arising out of this Order.

IX.—IT IS FURTHER ORDERED, that for a period of 10 years from the date of issuance of this Order by the Commission, Kitchens shall notify the Commission of discontinuance of his present business or employment and of this affiliation with a new business and shall submit to the Commission a statement as to the nature of the business or employment in which he is newly engaged as well as a description of his duties and responsibilities in the new business.

X.—IT IS FURTHER ORDERED that the Corporation shall distribute a copy of this Order to each and all of its operating divisions.

XI.—IT IS FURTHER ORDERED that the Corporation and Kitchens (1) shall permit the Commission to conduct inspections of the Corporation, to examine the Corporation's books, records, and accounts relating to the manufacture, sale and distribution of carpets, and to collect samples of carpet manufactured and distributed by the Corporation, and (2) shall, upon request of the Commission, submit written reports, verified copies of the Corporation's books, records and accounts, and samples of carpet manufactured and distributed by the Corporation, to enable the Commission to determine their compliance with this Order.

XII.—The requirements of this Order are in addition to and not to the exclusion of other remedies such as criminal penalties which may be pursued under Section 7 of the Flammable Fabric Act, the rules, regulations, and standards promulgated thereunder, or any other provision of Federal law.

Issued: November 21, 1979.

By the Commission.

Sadye E. Dunn,

Secretary.

[FR Doc. 79-36679 Filed 12-13-79; 8:45 am]

BILLING CODE 6355-01-02

COUNCIL ON ENVIRONMENTAL QUALITY

Information Only: Publication of Fifth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Fifth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act.

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). 43 FR 55978-56007; 40 CFR 1500-06) Section 1507.3 of the regulations provides that each agency of the Federal Government shall have adopted procedures to supplement the regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish progress reports on agency efforts to develop implementing procedures under the the NEPA regulations. The purpose of these progress reports, the fifth of which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

Procedures Under the National Environmental Policy Act

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1506. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency

"implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, a number of Federal agencies did not meet this deadline.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 28, 1979, and its fourth progress report on November 2, 1979. (44 FR 28781-82; 44 FR 43037-38; 44 FR 55408-55410; 44 FR 63132-63133.) The fifth progress report appears below. The council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category No. 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Central Intelligence Agency, 44 FR 45431 (Aug. 2, 1979).

Department of Agriculture, 44 FR 44802 (July 30, 1979)

Animal and Plant Health Inspection Service, 44 FR 50381 (Aug. 28, 1979) [correction: 44 FR 51272 (Aug. 31, 1979)]

Forest Service, 44 FR 44718 (July 30, 1979)

Soil Conservation Service, 44 FR 50676 (Aug. 28, 1979)

Department of Defense, 44 FR 48841 (Aug. 9, 1979)

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Department of Transportation, 44 FR 56420 (Oct. 1, 1979)

Department of the Treasury (at the Federal Register)

Environmental Protection Agency, 44 FR 64174 (Nov. 6, 1979)

Export-Import Bank, 44 FR 50610 (Aug. 30, 1979)

General Services Administration
Public Buildings Service (see 44 FR 65675, Nov. 14, 1979)

International Communications Agency, 44 FR 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 FR 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 FR 44485 (July 30, 1979) [correction: 44 FR 49650 (Aug. 24, 1979)]

National Capitol Planning Commission, 44 FR 64923 (Nov. 8, 1979)

Overseas Private Investment Corporation, 44 FR 51385 (Aug. 31, 1979)
[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114.]

Postal Service, 44 FR 63524 (Nov. 5, 1979)

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 FR 60110 (Oct. 18, 1979)

Advisory Council on Historic Preservation, 44 FR 40663 (July 12, 1979)*

Agency for International Development, 44 FR 56378 (Oct. 1, 1979)

Civil Aeronautics Board, 44 FR 45637 (Aug. 3, 1979)

Consumer Product Safety Commission, 44 FR 62526 (Oct. 31, 1979)

Department of Agriculture
Agriculture Stabilization and Conservation Services, 44 FR 44167 (July 27, 1979) [correction: 44 FR 45631 (Aug. 3, 1979)]

Rural Electrification Administration, 44 FR 26363 (May 15, 1979)*

Department of Defense
Department of the Air Force, 44 FR 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 FR 38262 (June 28, 1979)*

Department of Commerce
National Oceanic and Atmospheric Administration, 44 FR 60779 (Oct. 22, 1979)

Department of Energy, 44 FR 42136 (July 18, 1979)*

Federal Energy Regulatory Commission, 44 FR 50062 (Aug. 27, 1979)*

Department of Housing and Urban Development, 44 FR 67906 (Nov. 27, 1979)

Community Development Block Grant Program, 44 FR 45568 (Aug. 2, 1979)*

Department of the Interior, 44 FR 40436 (July 10, 1979)*

Bureau of Reclamation, 44 FR 47827 (Aug. 14, 1979)

Heritage Conservation and Recreation Service, 44 FR 46623 (Aug. 23, 1979)

Fish and Wildlife Service, 44 FR 65822 (Nov. 15, 1979)

Department of Labor, 44 FR 69675 (Dec. 4, 1979)

Department of Justice, 44 FR 43751 (July 26, 1979)*

Drug Enforcement Agency, 44 FR 43754 (July 26, 1979)*

Immigration and Naturalization Service, 44 FR 43754 (July 26, 1979)*

Bureau of Prisons, 44 FR 43753 (July 26, 1979)*

Department of State, 44 FR 66836 (Nov. 21, 1979)

Department of Transportation
Coast Guard, 44 FR 59306 (Oct. 15, 1979)

Federal Aviation Administration, 44 FR 32094 (June 4, 1979)*

Federal Highway Administration, 44 FR 59438 (Oct. 15, 1979)

Federal Railroad Administration, 44 FR 40174 (July 9, 1979)*

Urban Mass Transportation Administration, 44 FR 59438 (Oct. 15, 1979)

Federal Communications Commission, 44 FR 36913 (July 3, 1979)**

Federal Maritime Commission, 44 FR 29122 (May 18, 1979)**

Federal Trade Commission, 44 FR 42712 (July 20, 1979)

International Boundary and Water Commission (U.S. Section), 44 FR 61665 (Oct. 26, 1979)

National Science Foundation, 44 FR 46901 (Aug. 9, 1979)*

Pennsylvania Avenue Development Corporation, 44 FR 45925 (Aug. 6, 1979)

Small Business Administration, 44 FR 45002 (July 31, 1979)*

Tennessee Valley Authority, 44 FR 39679 (July 6, 1979)*

Veterans Administration, 44 FR 48261 (Aug. 17, 1979)*

Water Resources Council, 44 FR 43749 (July 26, 1979)**

Category #3: Anticipate Publication of Proposed Procedures by Jan. 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by Jan. 1, 1980.

Arms Control and Disarmament Agency
Bureau of Land Management
Federal Emergency Management Agency
Law Enforcement Assistance Administration
National Credit Union Administration
Science and Education Administration (Department of Agriculture)

Category #4: Publication of Proposed Procedures Delayed Beyond Jan. 1, 1980

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by Jan. 1, 1980.

Appalachian Regional Commission
Bureau of Indian Affairs
Bureau of Mines
Community Services Administration
Department of the Army
Department of the Navy
Defense Logistics Agency
Department of Health, Education and Welfare
Economic Development Administration
Farm Credit Administration
Farmers Home Administration

Federal Deposit Insurance Corporation
Federal Home Loan Bank Board
Federal Reserve System
Federal Savings and Loan Insurance Corporation
Food and Drug Administration
Geological Survey
Interstate Commerce Commission
METRO
National Highway Traffic Safety Administration
National Park Service
Nuclear Regulatory Commission
Office of Surface Mining Reclamation and Control
Saint Lawrence Seaway Corporation
Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

Nicholas C. Yost,
Acting General Counsel.

December 10, 1979.

[FR Doc. 79-38274 Filed 12-13-79; 9:45 am]
BILLING CODE 3125-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Discharge Review; Special Discharge Review Program

Pursuant to § 70.4, Department of Defense Directive 1332.28, Discharge Review Boards (DRBs) Procedures and Standards, published at 43 FR 13569, March 31, 1978, the Department of the Army has been requested to effect publication of selected extracts from Department of the Air Force Memorandum for Discharge Review Board Members and Examiners, Subject: Procedures for Completing the DoD Special Discharge Review Program Case Data Sheet, dated April 15, 1977, and an extract from the Secretary of the Army's letter to the Chairman, Senate Committee on Veterans' Affairs, dated June 22, 1977, concerning the Special Discharge Review Program. The extracts correspond to "the last two parts of Annex H" as referred to in "National Association of Concerned Veterans v.

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON D C 20006

January 24, 1980

NOTE FOR COUNCIL AND PROFESSIONAL STAFF

For your information attached are the Sixth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act and the Third Progress Report On Agency Procedures Implementing Executive Order 12114, as submitted to the Federal Register today for publication.

Foster

Foster Knight
Counsel

Attachments

AGENCY: Council on Environmental Quality, Executive Office of the
President

ACTION: Information Only: Publication of Sixth Progress Report on
Agency Implementing Procedures Under the National Environmental
Policy Act

SUMMARY: In response to President Carter's Executive Order 11991, on
November 29, 1978, the Council on Environmental Quality issued regulations
implementing the procedural provisions of the National Environmental Policy
Act ("NEPA"). 43 F.R. 55978-56007; 40 C.F.R. 1500-08) Section 1507.3 of
the regulations provides that each agency of the Federal Government shall
have adopted procedures to supplement the regulations by July 30, 1979.
The Council has indicated to Federal agencies its intention to publish
progress reports on agency efforts to develop implementing procedures under
the NEPA regulations. The purpose of these progress reports, the sixth of
which appears below, is to provide an update on where agencies stand in
this process and to inform interested persons of when to expect the publication
of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722
Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

SIXTH ANNUAL REPORT ON AGENCY IMPLEMENTING
PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed

of their procedures for 30 day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, 1979 a number of Federal agencies did not meet this deadline. We stress, however, that the CEQ regulations are in effect now and are binding on all agencies of the Federal government now, whether or not the agencies are on time or laggard with their own procedures.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, its fourth report on November 2, 1979 and its fifth progress report on December 14, 1979. (44 F.R. 26781-82; 44 F.R. 43037-38; 44 F.R. 55408-55410; 44 F.R. 63132-63133; 44 F.R. 72622-72623.)

The sixth progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category # 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Central Intelligence Agency, 44 F.R. 45431 (Aug. 2, 1979).

Department of Agriculture, 44 F.R. 4902 (July 3, 1979)

Animal and Plant Health Inspection Service, 44 F.R. 4901

(Aug. 26, 1979) [correction: 44 F.R. 51272 (Aug. 31, 1979)]

Forest Service, 44 F.R. 44718 (July 30, 1979)

Soil Conservation Service, 44 F.R. 50576 (Aug. 29, 1979)

Rural Electrification Administration (at the Federal Register)

Department of Defense, 44 F.R. 46841 (Aug. 9, 1979)

Department of Transportation, 44 F.R. 56420 (Oct. 1, 1979)

Federal Aviation Administration, 45 F.R. 2244 (Jan. 10, 1980)

Department of the Treasury, 45 F.R. 1828 (Jan. 8, 1980)

Environmental Protection Agency, 44 F.R. 64174 (Nov. 6, 1979)

Export-Import Bank, 44 F.R. 50810 (Aug. 30, 1979)

General Services Administration, 45 F.R. 83 (Jan. 2, 1980)

Public Buildings Service (see 44 F.R. 65675, Nov. 14, 1979)

International Communications Agency, 44 F.R. 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 F.R. 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 F.R. 44485 (July 30, 1979)

[corrections: 44 F.R. 49650 (Aug. 24, 1979); 44 F.R. 69920 (Dec. 5, 1979)]

National Capitol Planning Commission, 44 F.R. 64923 (Nov. 8, 1979)

National Science Foundation, 45 F.R. 39 (Jan. 1, 1980)

Overseas Private Investment Corporation, 44 F.R. 51385 (Aug. 31, 1979)

[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114 cited above.]

Postal Service, 44 F.R. 63524 (Nov. 5, 1979)

Water Resources Council, 44 F.R. 69921 (Dec. 5, 1979)

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 F.R. 60110 (Oct. 18, 1979)

Advisory Council on Historic Preservation, 44 F.R. 40653 (July 12, 1979)*

Agency for International Development, 44 F.R. 56378 (Oct. 1, 1979)

Civil Aeronautics Board, 44 F.R. 45637 (Aug. 3, 1979)*

Consumer Product Safety Commission, 44 F.R. 62526 (Oct. 31, 1979)

Department of Agriculture

Agriculture Stabilization and Conservation Service, 44 F.R. 44167

(July 27, 1979) [correction: 44 F.R. 45631 (Aug. 3, 1979)]*

Department of Defense

Department of the Air Force, 44 F.R. 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 F.R. 38292 (June 29,
1979)*

Department of the Army, 45 F.R. 1086 (Jan. 4, 1980)

Department of Commerce

National Oceanic and Atmospheric Administration, 44 F.R. 60779

(Oct. 22, 1979)*

Department of Energy, 44 F.R. 42136 (July 18, 1979)*

Federal Energy Regulatory Commission, 44 F.R. 50052 (Aug. 27, 1979)*

Department of Housing and Urban Development, 44 F.R. 67906 (Nov. 27, 1979)*

Community Development Block Grant Program 44 F.R. 45568 (Aug. 2, 1979)*

Department of the Interior, 44 F.R. 40436 (July 10, 1979)*

Water and Power Resources Service, 44 F.R. 47627 (Aug. 14, 1979)*

Heritage Conservation and Recreation Service, 44 F.R. 49523

(Aug. 23, 1979)*

Fish and Wildlife Service, 44 F.R. 65822 (Nov. 15, 1979)**

Department of Labor, 44 F.R. 69675 (Dec. 4, 1979)

Department of Justice, 44 F.R. 43751 (July 26, 1979)*

Drug Enforcement Agency, 44 F.R. 43754 (July 26, 1979)*

Immigration and Naturalization Service, 44 F.R. 43754 (July 26, 1979)*

Bureau of Prisons, 44 F.R. 43753 (July 26, 1979)*

Department of State, 44 F.R. 66838 (Nov. 21, 1979)*

Department of Transportation

Coast Guard, 44 F.R. 59306 (Oct. 15, 1979)*

Federal Highway Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Federal Railroad Administration, 44 F.R. 40174 (July 9, 1979)*

Urban Mass Transportation Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Federal Communications Commission, 44 F.R. 38913 (July 3, 1979)**

Federal Emergency Management Agency, 44 F.R. 70197 (Dec. 6, 1979)

Federal Maritime Commission, 44 F.R. 29122 (May 18, 1979)*

Federal Trade Commission, 44 F.R. 42712 (July 20, 1979)

International Boundary and Water Commission (U.S. Section). 44 F.R. 61665

(Oct. 26, 1979)*

Pennsylvania Avenue Development Corporation, 44 F.R. 45925 (Aug. 6, 1979)

all Business Administration, 44 F.R. 45002 (July 31, 1979)*

Tennessee Valley Authority, 44 F.R. 39679 (July 6, 1979)*

Veterans Administration, 44 F.R. 48281 (Aug. 17, 1979)*

Category #3: Anticipate Publication of Proposed Procedures by Mar. 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by Mar. 1, 1980.

Arms Control and Disarmament Agency

Bureau of Indian Affairs

Bureau of Land Management

Bureau of Mines

Department of Health, Education and Welfare

Federal Reserve System

Geological Survey

Law Enforcement Assistance Administration

National Credit Union Administration

National Park Service

Nuclear Regulatory Commission

Office of Surface Mining Reclamation and Control

Science and Education Administration (Department of Agriculture)

Category #4: Publication of Proposed Procedures Delayed Beyond Mar. 1, 1980

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by Mar. 1, 1980.

Appalachian Regional Commission

Community Services Administration

Department of the Navy

Defense Logistics Agency

Economic Development Administration

Farm Credit Administration

Farmers Home Administration

Federal Deposit Insurance Corporation

Federal Home Loan Bank Board

Federal Savings and Loan Insurance Corporation

Food and Drug Administration

Interstate Commerce Commission

METRO

National Highway Traffic Safety Administration

Saint Lawrence Seaway Corporation

Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register

in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

NICHOLAS C. YOST
General Counsel

January 24, 1980

COUNCIL ON ENVIRONMENTAL QUALITY

Third Progress Report On Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions" (January 4, 1979)

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Third Progress Report on Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions"

SUMMARY: On January 4, 1979, President Carter issued Executive Order 12114 entitled "Environmental Effects Abroad of Major Federal Actions." Executive Order 12114 requires all federal agencies taking major federal actions outside the U.S. which are encompassed by and not exempted from the Order, to have in effect procedures implementing the Order within 8 months after January 4, 1979 (i.e., by September 4, 1979). The Order requires agencies to consult with the Council on Environmental Quality and the Department of State before putting their implementing procedures in effect. The Council has previously published certain explanatory documents concerning implementation of E.O. 12114 (44 F.R. 18722, March 29, 1979). On September 26, 1979 the Council published its first progress report on agency procedures implementing the Executive Order (44 F.R. 55410), and on November 6, 1979 a second progress report (44 F.R. 64101). The purpose of this third progress report is to provide an update on where affected agencies stand in this process.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; (202) 395-5750.

THIRD PROGRESS REPORT ON AGENCY PROCEDURES IMPLEMENTING E.O. 12114

The progress report lists federal agencies in two categories. In Category 1 are agencies that have published proposed or final procedures implementing Executive Order 12114. Category 2 lists agencies that have prepared draft procedures or are in the process of developing such procedures, and contains an estimated time such procedures will be published in the Federal Register.

Category 1--Federal agencies that have published proposed or final procedures implementing E.O. 12114.

Department of Defense

Final Procedures issued April 12, 1979
(44 Fed. Reg. 21786)

Export-Import Bank of the
United States

Final* Procedures issued August 20, 1979
(44 Fed. Reg. 50813)

Overseas Private Investment
Corporation

Final* Procedures issued August 31, 1979
(44 Fed. Reg. 51385)

National Oceanic and
Atmospheric Administration

Proposed Revised NOAA Directive Implementing
NEPA and E.O. 12114, October 22, 1979 (44
Fed. Reg. 60779)

Department of Energy

Proposed Guidelines issued September 6,
1979 (44 Fed. Reg. 52146)

Department of State

(1) Foreign Affairs Manual Circular No.
807A, Procedures Implementing E.O. 12114,*
(except nuclear actions) November 21,
1979 (44 Fed. Reg. 67004).

(2) "Unified Procedures Applicable To
Major Federal Actions Relating To Nuclear
Activities Subject To Executive Order
12114,"* November 13, 1979 (44 Fed. Reg.
65560)

Agency for International
Development

Proposed Environmental Regulations, October 1,
1979 (44 Fed. Reg. 56378)

Department of Transportation

Contained in NEPA procedures (DOT Order
5610.1C) issued October 1, 1979 (44 Fed.
Reg. 56420), Paragraph 16

National Aeronautics and
Space Administration

Contained in NEPA procedures, Section
1216.321 issued July 30, 1979 (44 Fed.
Reg. 44490-44491)

Department of Agriculture

Proposed amendments (containing procedures
implementing E.O. 12114) to departmental
NEPA procedures, November 15, 1979 (44
Fed. Reg. 65768)

Department of Protection
Agency

Proposed procedures implementing E.O.
12114, November 29, 1979 (44 Fed. Reg.
68776)

- * Although not published in proposed form for public review and comment,
the preamble provides an opportunity for public comment on final procedures.

Category 2--Federal agencies scheduled to publish procedures implementing
E.O. 12114 in the near future.

Department of Commerce

Proposed procedures implementing E.O. 12114
are awaiting final approval. (Publication
anticipated by February 15, 1980).

Department of Treasury

Proposed procedures implementing E.O. 12114
are awaiting final approval. (Publication
anticipated by February 15, 1980).

Department of Interior

Draft procedures implementing E.O. 12114
are under preparation. These procedures
are expected to be published in the near
future.

NICHOLAS C. YOST
General Counsel

DATE: January 24, 1980

COUNCIL ON ENVIRONMENTAL QUALITY**Third Progress Report on Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions"**

January 4, 1979.

AGENCY: Council on Environmental Quality, Executive Office of the President.**ACTION:** Information Only: Publication of Third Progress Report on Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions"

SUMMARY: On January 4, 1979, President Carter issued Executive Order 12114 entitled "Environmental Effects Abroad of Major Federal Actions." Executive Order 12114 requires all federal agencies taking major federal actions outside the U.S. which are encompassed by and not exempted from the Order, to have in effect procedures implementing the Order within 8 months after January 4, 1979 (i.e., by September 4, 1979). The Order requires agencies to consult with the Council on Environmental Quality and the Department of State before putting their implementing procedures in effect. The Council has previously published certain explanatory documents concerning implementation of E.O. 12114 (44 FR 18722, March 29, 1979). On September 26, 1979 the Council published its first progress report on agency procedures implementing the Executive Order (44 FR 55410), and on November 6, 1979 a second progress report (44 FR 64101). The purpose of this third progress report is to provide an update on where affected agencies stand in this process.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; (202) 395-5750.

Third Progress Report on Agency Procedures Implementing E.O. 12114

The progress report lists federal agencies in two categories. In Category 1 are agencies that have published proposed or final procedures implementing Executive Order 12114. Category 2 lists agencies that have prepared draft procedures or are in the process of developing such procedures, and contains an estimated time such procedures will be published in the Federal Register.

Category 1—Federal Agencies That Have Published Proposed or Final Procedures Implementing E.O. 12114

Department of Defense, Final Procedures issued April 12, 1979 (44 FR 21786)
Export-Import Bank of the United States, Final Procedures issued August 20, 1979 (44 FR 50813)

Overseas Private Investment Corporation, Final Procedures issued August 31, 1979 (44 FR 51385)

National Oceanic and Atmospheric Administration, Proposed Revised NOAA Directive Implementing NEPA and E.O. 12114, October 22, 1979 (44 FR 60779)

Department of Energy, Proposed Guidelines issued September 8, 1979 (44 FR 52146)

Department of State, (1) Foreign Affairs Manual Circular No. 807A, Procedures Implementing E.O. 12114 (except nuclear actions) November 21, 1979 (44 FR 67004). (2) "Unified Procedures Applicable To Major Federal Actions Relating To Nuclear Activities Subject To Executive Order 12114," November 13, 1979 (44 FR 65560)

Agency for International Development, Proposed Environmental Regulations, October 1, 1979 (44 FR 56378)

Department of Transportation, Contained in NEPA procedures (DOT Order 5610.1C) issued October 1, 1979 (44 FR 56420), Paragraph 16

National Aeronautics and Space Administration, Contained in NEPA procedures, Section 1216.321 issued July 30, 1979 (44 FR 44490-44491)

Department of Agriculture, Proposed amendments (containing procedures implementing E.O. 12114) to departmental NEPA procedures, November 15, 1979 (44 FR 65768)

Environmental Protection Agency, Proposed procedures implementing E.O. 12114, November 29, 1979 (44 FR 68776)

Category 2—Federal Agencies Scheduled To Publish Procedures Implementing E.O. 12114 in the Near Future

Department of Commerce, Proposed procedures implementing E.O. 12114 are awaiting final approval. (Publication anticipated by February 15, 1980).

Department of Treasury, Proposed procedures implementing E.O. 12114 are awaiting final approval. (Publication anticipated by February 15, 1980).

Department of Interior, Draft procedures implementing E.O. 12114 are under preparation. These procedures are expected to be published in the near future.

Dated: January 24, 1980.

Nicholas C. Yost,
General Counsel.

(FR Doc. 80-2619 Filed 1-28-80; 9:45 am)
MAILING CODE 3125-01-0

¹ Although not published in proposed form for public review and comment, the preamble provides an opportunity for public comment on final procedures.

Sixth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act**AGENCY:** Council on Environmental Quality, Executive Office of the President.**ACTION:** Information Only: Publication of Sixth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act.

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). 43 FR 55978-56007; 40 CFR 1500-08) § 1507.3 of the regulations provides that each agency of the Federal Government shall have adopted procedures to supplement the regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish progress reports on agency efforts to develop implementing procedures under the NEPA regulations. The purpose of these progress reports, the sixth of which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

Sixth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations

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into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30-day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, 1979 a number of Federal agencies did not meet this deadline. We stress, however, that the CEQ regulations are in effect now and are binding on all agencies of the Federal government now, whether or not the agencies are on time or laggard with their own procedures.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, its fourth report on November 2, 1979 and its fifth progress report on December 14, 1979. (44 FR 26781-82; 44 FR 43037-38; 44 FR 55406-55410; 44 FR 63132-63133; 44 FR 72622-72623.) The sixth progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category No. 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Central Intelligence Agency, 44 FR 45431 (Aug. 2, 1979)
 Department of Agriculture, 44 FR 44802 (July 30, 1979)
 Animal and Plant Health Inspection Service, 44 FR 50361 (Aug. 28, 1979) [correction: 44 FR 51272 (Aug. 31, 1979)]

Forest Service, 44 FR 44718 (July 30, 1979)
 Soil Conservation Service, 44 FR 50576 (Aug. 29, 1979)
 Rural Electrification Administration (at the Federal Register)
 Department of Defense, 44 FR 46841 (Aug. 9, 1979)
 Department of Transportation, 44 FR 56420 (Oct. 1, 1979)
 Federal Aviation Administration, 45 FR 2244 (Jan. 10, 1980)
 Department of the Treasury, 45 FR 1828 (Jan. 8, 1980)
 Environmental Protection Agency, 44 FR 64174 (Nov. 6, 1979)
 Export-Import Bank, 44 FR 50610 (Aug. 30, 1979)
 General Services Administration, 45 FR 83 (Jan. 2, 1980)
 Public Buildings Service (see 44 FR 65675, Nov. 14, 1979)
 International Communications Agency, 44 FR 45469 (Aug. 2, 1979)
 Marine Mammal Commission, 44 FR 52837 (Sept. 11, 1979)
 National Aeronautics and Space Administration, 44 FR 44485 (July 30, 1979) [corrections: 44 FR 49650 (Aug. 24, 1979); 44 FR 69920 (Dec. 5, 1979)]
 National Capitol Planning Commission, 44 FR 64923 (Nov. 8, 1979)
 National Science Foundation, 45 FR 39 (Jan. 2, 1980)
 Overseas Private Investment Corporation, 44 FR 51365 (Aug. 31, 1979) [NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114 cited above.]
 Postal Service, 44 FR 63524 (Nov. 5, 1979)
 Water Resources Council, 44 FR 69921 (Dec. 5, 1979)

Category No. 2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 FR 60110 (Oct. 18, 1979)
 Advisory Council on Historic Preservation, 44 FR 40653 (July 12, 1979)*
 Agency for International Development, 44 FR 56378 (Oct. 1, 1979)
 Civil Aeronautics Board, 44 FR 45637 (Aug. 3, 1979)*
 Consumer Product Safety Commission, 44 FR 62526 (Oct. 31, 1979)
 Department of Agriculture:
 Agriculture Stabilization and Conservation Service, 44 FR 44167 (July 27, 1979) [correction: 44 FR 45631 (Aug. 3, 1979)]*
 Department of Defense:
 Department of the Air Force, 44 FR 44118 (July 26, 1979)*
 Department of the Army, Corps of Engineers, 44 FR 38292 (June 29, 1979)*
 Department of the Army, 45 FR 1066 (Jan. 4, 1980)
 Department of Commerce:
 National Oceanic and Atmospheric Administration, 44 FR 60779 (Oct. 22, 1979)*

Department of Energy, 44 FR 42136 (July 16, 1979)*
 Federal Energy Regulatory Commission, 44 FR 50052 (Aug. 27, 1979)*
 Department of Housing and Urban Development, 44 FR 67806 (Nov. 27, 1979)*
 Community Development Block Grant Program, 44 FR 45568 (Aug. 2, 1979)*
 Department of the Interior, 44 FR 40436 (July 10, 1979)*
 Water and Power Resources Service, 44 FR 47627 (Aug. 14, 1979)*
 Heritage Conservation and Recreation Service, 44 FR 49523 (Aug. 23, 1979)*
 Fish and Wildlife Service, 44 FR 65822 (Nov. 15, 1979)**
 Department of Labor, 44 FR 69675 (Dec. 4, 1979)
 Department of Justice, 44 FR 43751 (July 26, 1979)*
 Drug Enforcement Agency, 44 FR 43754 (July 26, 1979)*
 Immigration and Naturalization Service, 44 FR 43754 (July 26, 1979)*
 Bureau of Prisons, 44 FR 43753 (July 26, 1979)*
 Department of State, 44 FR 66838 (Nov. 21, 1979)*
 Department of Transportation:
 Coast Guard, 44 FR 59306 (Oct. 15, 1979)*
 Federal Highway Administration, 44 FR 59436 (Oct. 15, 1979)*
 Federal Railroad Administration, 44 FR 40174 (July 9, 1979)*
 Urban Mass Transportation Administration, 44 FR 59436 (Oct. 15, 1979)*
 Federal Communications Commission, 44 FR 38913 (July 3, 1979)**
 Federal Emergency Management Agency, 44 FR 70197 (Dec. 5, 1979)
 Federal Maritime Commission, 44 FR 29122 (May 18, 1979)*
 Federal Trade Commission, 44 FR 42712 (July 20, 1979)
 International Boundary and Water Commission (U.S. Section), 44 FR 61665 (Oct. 26, 1979)*
 Pennsylvania Avenue Development Corporation, 44 FR 45925 (Aug. 6, 1979)
 Small Business Administration, 44 FR 45002 (July 31, 1979)*
 Tennessee Valley Authority, 44 FR 39679 (July 6, 1979)*
 Veterans Administration, 44 FR 48281 (Aug. 17, 1979)*

Category No. 3: Anticipate Publication of Proposed Procedures by Mar. 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by Mar. 1, 1980.

Arms Control and Disarmament Agency
 Bureau of Indian Affairs
 Bureau of Land Management
 Bureau of Mines
 Department of Health, Education and Welfare
 Federal Reserve System
 Geological Survey
 Law Enforcement Assistance Administration
 National Credit Union Administration
 National Park Service
 Nuclear Regulatory Commission

Office of Surface Mining Reclamation and Control
Science and Education Administration
(Department of Agriculture)

Category #4: Publication of Proposed Procedures Delayed Beyond March 1, 1980

This category includes agencies that are *not* expected to publish proposed procedures in the Federal Register by Mar. 1, 1980.

Appalachian Regional Commission
Community Services Administration
Department of the Navy
Defense Logistics Agency
Economic Development Administration
Farm Credit Administration
Farmers Home Administration
Federal Deposit Insurance Corporation
Federal Home Loan Bank Board
Federal Savings and Loan Insurance Corporation
Food and Drug Administration
Interstate Commerce Commission

Metro

National Highway Traffic Safety Administration
Saint Lawrence Seaway Corporation
Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

Nicholas C. Yost,
General Counsel.

January 24, 1980.

(FR Doc. 80-2820 Filed 1-28-80; 8:46 am)

BILLING CODE 3125-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Mission Realignment at Fort Indiantown Gap, Annville, Pa; Intent To Prepare an Environmental Impact Statement

Notice is hereby given of intent to prepare an Environmental Impact Statement (EIS) concerning the possible realignment of the ongoing mission of

Fort Indiantown Gap, Annville, Pennsylvania.

The EIS will place special emphasis on socio-economic factors in the Fort Indiantown Gap area. The current mission of Fort Indiantown Gap is to provide garrison, administrative, training, and logistical support to Army units and activities at Fort Indiantown Gap and in its assigned geographic area. The proposed realignment of the US Army mission at Fort Indiantown Gap would reduce Army occupancy at Fort Indiantown Gap in an effort to improve Army combat capabilities through improved management of Army resources. Three alternatives will be considered; (1) terminating Army occupancy at Fort Indiantown Gap, with the Department of Military Affairs, Commonwealth of Pennsylvania supporting Army tenants and Reserve Components training at Fort Indiantown Gap, and Fort Meade assuming the area support mission; (2) retaining Fort Indiantown Gap as a subinstallation of Fort Meade with Fort Meade assuming the area support mission; and (3) retaining the status quo. The Army's preferred alternative, at present, is Alternative 1.

A meeting will be held at Fort Indiantown Gap, Building 1186 at 7:30 pm on 20 Feb 79 to consider the scope of issues to be addressed in the EIS and to identify the significant issues. Federal, state, and local agencies, private organizations, and interested persons are encouraged to attend and participate in the meeting. Comments as to the scope of issues and impact analysis to be included in the EIS also may be mailed to Headquarters, Department of the Army, ATTN: DAEN-ZCI, Washington, DC 20310. Further information concerning the proposed realignment and the EIS process may be obtained from MAJ Nataluk, (703) 684-3986.

Daniel R. Voss,

Acting Deputy for Environmental, Safety and Occupational Health OASA(IL&FM)

(FR Doc. 80-2735 Filed 1-28-80; 8:46 am)

BILLING CODE 3710-06-M

Office of the Secretary

Organization of the Joint Chiefs of Staff; Joint Strategic Target Planning Staff Scientific Advisory Group; Closed Meeting

Pursuant to the provisions of Section 10 of Pub. L. 92-463, effective January 5, 1973 as amended by Pub. L. 94-409, notice is hereby given that a meeting of the Joint Strategic Target Planning Staff Scientific Advisory Group will be held at Offutt Air Force Base, Nebraska,

during the period: Tuesday, April 1, 1980 through Thursday, April 3, 1980.

The entire meeting is devoted to the discussion of classified information within the meaning of section 552b(c)(1), Title 5 of the U.S. Code, and therefore will be closed to the public.

H. E. Lofdahl,

Director, Correspondence and Directives, Washington Headquarters Services, Department of Defense.

January 23, 1980.

(FR Doc. 80-2741 Filed 1-28-80; 8:45 am)

BILLING CODE 2810-70-M

Task Force on Evaluation of Audit, Inspection, and Investigative Components of the Department of Defense; Advisory Committee Meeting

Pursuant to the Federal Advisory Committee Act, as amended, section 10, 5 U.S.C. app. section 10 (1976), notice is hereby given that a meeting of the Task Force on Evaluation of Audit, Inspection and Investigative Components of the Department of Defense will be held on February 11 and 12, 1980 from 1000 to 1200 and 1330 to 1630 each day in Room 3D973, The Pentagon, Washington, D.C.

The mission of the Task Force is to advise Congress and the Secretary of Defense with respect to the effectiveness of the audit, inspection and investigative components of the Department of Defense.

The meeting will be open to the public.

H. E. Lofdahl,

Correspondence and Directives, Washington Headquarters Services, Department of Defense.

January 23, 1980.

(FR Doc. 80-2742 Filed 1-28-80; 8:46 am)

BILLING CODE 2810-70-M

DEPARTMENT OF ENERGY

National Petroleum Council; Oil Supply, Demand and Logistics Task Group and the Coordinating Subcommittee of the Committee on Refinery Flexibility; Meetings

Notice is hereby given that the Oil Supply, Demand and Logistics Task Group and the Coordinating Subcommittee of the National Petroleum Council's Committee on Refinery Flexibility will meet on Friday, February 15, 1980 and Tuesday, February 19, 1980, respectively in the Standard Oil Company of California Building, 225 Bush Street, San Francisco, California, beginning at 10:00 a.m.

The National Petroleum Council provides technical advice and information to the Secretary of Energy

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EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

March 20, 1980

Federal Register
Room 8401
1101 L Street, N.W.
Washington, D.C. 20408

ATTN: Ilona Mays

Dear Ms. Mays:

I am enclosing the Seventh Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act and the Fourth Progress Report on Agency Procedures Implementing E.O. 12114 for publication in the Federal Register at the earliest possible time.

Your cooperation in publication of the progress report is greatly appreciated. If there are any questions, please contact me at 395-5750.

Sincerely,



Foster Knight
Deputy General Counsel

Enclosures

AGENCY: Council on Environmental Quality, Executive Office of the
President

ACTION: Information Only: Publication of Seventh Progress Report on
Agency Implementing Procedures Under the National Environmental
Policy Act

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). 43 F.R. 55978-56007; 40 C.F.R. 1500-08) Section 1507.3 of the regulations provides that each agency of the Federal Government shall have adopted procedures to supplement the regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish progress reports on agency efforts to develop implementing procedures under the NEPA regulations. The purpose of these progress reports, the seventh of which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722
Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

SEVENTH PROGRESS REPORT ON AGENCY IMPLEMENTING
PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 day review by the Council for conformity with the

Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, 1979 a number of Federal agencies did not meet this deadline. We stress, however, that the CEQ regulations are in effect now and are binding on all agencies of the Federal government now, whether or not the agencies are on time or laggard with their own procedures.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, its fourth report on November 2, 1979, its fifth report on December 14, 1979 and its sixth progress report on January 29, 1980. (44 F.R. 26781-82; 44 F.R. 43037-38; 44 F.R. 55408-55410; 44 F.R. 63132-63133; 44 F.R. 72622-72623; 45 F.R. 6638-6640.) The seventh progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category # 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Advisory Council on Historic Preservation, 45 F.R. 4353 (Jan. 22, 1980).

Central Intelligence Agency, 44 F.R. 45431 (Aug. 2, 1979).

Department of Agriculture, 44 F.R. 44802 (July 30, 1979)

Animal and Plant Health Inspection Service, 44 F.R. 50381

(Aug. 28, 1979) [correction: 44 F.R. 51272 (Aug. 31, 1979)]

Forest Service, 44 F.R. 44718 (July 30, 1979)

Soil Conservation Service, 44 F.R. 50576 (Aug. 29, 1979)

Rural Electrification Administration, 45 F.R. 6592 (Jan. 29, 1980)

Department of Defense, 44 F.R. 46841 (Aug. 9, 1979)

Department of Transportation, 44 F.R. 56420 (Oct. 1, 1979)

Federal Aviation Administration, 45 F.R. 2244 (Jan. 10, 1980)

Department of the Treasury, 45 F.R. 1828 (Jan. 8, 1980)

Environmental Protection Agency, 44 F.R. 64174 (Nov. 6, 1979)

Export-Import Bank, 44 F.R. 50810 (Aug. 30, 1979)

General Services Administration, 45 F.R. 83 (Jan. 2, 1980)

Public Buildings Service (see 44 F.R. 65675, Nov. 14, 1979)

International Communications Agency, 44 F.R. 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 F.R. 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 F.R. 44485 (July 30, 1979)

[corrections: 44 F.R. 49650 (Aug. 24, 1979); 44 F.R. 69920 (Dec. 5, 1979)]

National Capitol Planning Commission, 44 F.R. 64923 (Nov. 8, 1979)

National Science Foundation, 45 F.R. 39 (Jan. 2, 1980)

Overseas Private Investment Corporation, 44 F.R. 51385 (Aug. 31, 1979)

[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114 cited above.]

Postal Service, 44 F.R. 63524 (Nov. 5, 1979)

Small Business Administration, 45 F.R. 7358 (Feb. 1, 1980).

Water Resources Council, 44 F.R. 69921 (Dec. 5, 1979)

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 F.R. 60110 (Oct. 18, 1979)

Agency for International Development, 44 F.R. 56378 (Oct. 1, 1979)*

Civil Aeronautics Board, 44 F.R. 45637 (Aug. 3, 1979)*

[reissuance of part: 45 F.R. 16132 (Mar. 12, 1980)]

Consumer Product Safety Commission, 44 F.R. 62526 (Oct. 31, 1979)

Department of Agriculture

Agriculture Stabilization and Conservation Service, 44 F.R. 44167

(July 27, 1979) [correction: 44 F.R. 45631 (Aug. 3, 1979)]*

Science and Education Administration, 45 F.R. 11147 (Feb. 20, 1980)

Department of Defense

Department of the Air Force, 44 F.R. 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 F.R. 38292 (June 29,
1979)*

Department of the Army, 45 F.R. 1086 (Jan. 4, 1980)

Department of Commerce

National Oceanic and Atmospheric Administration, 44 F.R. 60779

(Oct. 22, 1979)*

Department of Energy, 44 F.R. 42136 (July 18, 1979)*

Federal Energy Regulatory Commission, 44 F.R. 50052 (Aug. 27, 1979)*

Department of Health, Education and Welfare, 45 F.R. 14651 (Mar. 6, 1980)

Food and Drug Administration, 44 F.R. 71742 (Dec. 11, 1979)

Department of Housing and Urban Development, 44 F.R. 67906 (Nov. 27, 1979)*

Community Development Block Grant Program 44 F.R. 45568 (Aug. 2, 1979)*

Department of the Interior, 44 F.R. 40436 (July 10, 1979)*

Water and Power Resources Service, 44 F.R. 47627 (Aug. 14, 1979)*

Heritage Conservation and Recreation Service, 44 F.R. 49523

(Aug. 23, 1979)*

Fish and Wildlife Service, 44 F.R. 65822 (Nov. 15, 1979)**

Bureau of Mines, 45 F.R. 10043 (Feb. 14, 1980)

Office of Surface Mining Reclamation and Control, 45 F.R. 10043 (Feb. 14, 1980)

Department of Labor, 44 F.R. 69675 (Dec. 4, 1979)

Department of Justice, 44 F.R. 43751 (July 26, 1979)*

Drug Enforcement Agency, 44 F.R. 43754 (July 26, 1979)*

Immigration and Naturalization Service, 44 F.R. 43754 (July 26, 1979)*

Bureau of Prisons, 44 F.R. 43753 (July 26, 1979)*

Department of State, 44 F.R. 66838 (Nov. 21, 1979)*

Department of Transportation

Coast Guard, 44 F.R. 59306 (Oct. 15, 1979)*

Federal Highway Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Federal Railroad Administration, 44 F.R. 40174 (July 9, 1979)*

Urban Mass Transportation Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Federal Communications Commission, 44 F.R. 38913 (July 3, 1979)**

Federal Emergency Management Agency, 44 F.R. 70197 (Dec. 6, 1979)

Federal Maritime Commission, 44 F.R. 29122 (May 18, 1979)*

Federal Trade Commission, 44 F.R. 42712 (July 20, 1979)

International Boundary and Water Commission (U.S. Section). 44 F.R. 61665
(Oct. 26, 1979)*

Interstate Commerce Commission, 45 F.R. 15236 (Mar. 10, 1980)

National Credit Union Administration, 45 F.R. 12211 (Feb. 25, 1980)

Nuclear Regulatory Commission, 45 F.R. 13739 (Mar. 3, 1980)

Pennsylvania Avenue Development Corporation, 44 F.R. 45925 (Aug. 6, 1979)

Tennessee Valley Authority, 44 F.R. 39679 (July 6, 1979)*

Veterans Administration, 44 F.R. 48281 (Aug. 17, 1979)*

Category #3: Anticipate Publication of Proposed Procedures by May 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by May 1, 1980.

Arms Control and Disarmament Agency

Bureau of Indian Affairs

Bureau of Land Management

Department of Health, Education and Welfare

Economic Development Administration

Federal Reserve System

Geological Survey

Law Enforcement Assistance Administration

National Park Service

Category #4: Publication of Proposed Procedures Delayed Beyond May 1, 1980

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by May 1, 1980.

Appalachian Regional Commission

Community Services Administration

Department of the Navy

Defense Logistics Agency

Farm Credit Administration

Farmers Home Administration

Federal Deposit Insurance Corporation

Federal Home Loan Bank Board

Federal Savings and Loan Insurance Corporation

METRO

National Highway Traffic Safety Administration

Saint Lawrence Seaway Corporation

Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

NICHOLAS C. YOST

General Counsel

March 20, 1980

COUNCIL ON ENVIRONMENTAL QUALITY

Fourth Progress Report On Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions" (January 4, 1979)

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Fourth Progress Report on Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions"

SUMMARY: On January 4, 1979, President Carter issued Executive Order 12114 entitled "Environmental Effects Abroad of Major Federal Actions." Executive Order 12114 requires all federal agencies taking major federal actions outside the U.S. which are encompassed by and not exempted from the Order, to have in effect procedures implementing the Order within 8 months after January 4, 1979 (i.e., by September 4, 1979). The Order requires agencies to consult with the Council on Environmental Quality and the Department of State before putting their implementing procedures in effect. The Council has previously published certain explanatory documents concerning implementation of E.O. 12114 (44 F.R. 18722, March 29, 1979). On September 26, 1979 the Council published its first progress report on agency procedures implementing the Executive Order (44 F.R. 55410), on November 6, 1979 a second progress report (44 F.R. 64101) and on January 29, 1980 a third progress report (45 F.R. 6638). The purpose of this fourth progress report is to provide an update on where affected agencies stand in this process.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; (202) 395-5750.

FOURTH PROGRESS REPORT ON AGENCY PROCEDURES IMPLEMENTING E.O. 12114

The progress report lists federal agencies in two categories. In Category 1 are agencies that have published proposed or final procedures implementing Executive Order 12114. Category 2 lists agencies that have prepared draft procedures or are in the process of developing such procedures, and contains an estimated time such procedures will be published in the Federal Register.

Category 1--Federal agencies that have published proposed or final procedures implementing E.O. 12114.

Department of Defense	Final Procedures issued April 12, 1979 (44 Fed. Reg. 21786)
Export-Import Bank of the United States	Final* Procedures issued August 20, 1979 (44 Fed. Reg. 50813)
Overseas Private Investment Corporation	Final* Procedures issued August 31, 1979 (44 Fed. Reg. 51385)
National Oceanic and Atmospheric Administration	Proposed Revised NOAA Directive Implementing NEPA and E.O. 12114, October 22, 1979 (44 Fed. Reg. 60779)

Department of Commerce

Proposed Procedures issued February 12, 1980
(45 F.R. 9307)

Department of Energy

Proposed Guidelines issued September 6,
1979 (44 Fed. Reg. 52146)

Department of State

(1) Foreign Affairs Manual Circular No.
807A, Procedures Implementing E.O. 12114,*
(except nuclear actions) November 21,
1979 (44 Fed. Reg. 67004).

(2) "Unified Procedures Applicable To
Major Federal Actions Relating To Nuclear
Activities Subject To Executive Order
12114,"* November 13, 1979 (44 Fed. Reg.
65560)

Agency for International
Development

Proposed Environmental Regulations, October 1,
1979 (44 Fed. Reg. 56378)

Department of Transportation

Contained in NEPA procedures (DOT Order
5610.1C) issued October 1, 1979 (44 Fed.
Reg. 56420), Paragraph 16

National Aeronautics and
Space Administration

Contained in NEPA procedures, Section
1216.321 issued July 30, 1979 (44 Fed.
Reg. 44490-44491)

Department of Agriculture

Proposed amendments (containing procedures implementing E.O. 12114) to departmental NEPA procedures, November 15, 1979 (44 Fed. Reg. 65768)

Environmental Protection
Agency

Proposed procedures implementing E.O. 12114, November 29, 1979 (44 Fed. Reg. 68776)

* Although not published in proposed form for public review and comment, the preamble provides an opportunity for public comment on final procedures.

Category 2--Federal agencies scheduled to publish procedures implementing E.O. 12114 in the near future.

Department of Treasury

Proposed procedures implementing E.O. 12114 are awaiting final approval. (Publication anticipated by February 15, 1980).

Department of Interior

Draft procedures implementing E.O. 12114 are under preparation. These procedures are expected to be published in the near future.

NICHOLAS C. YOST

General Counsel

DATE: March 20, 1980

Dated: March 20, 1980.
Edward L. Strohbehn, Jr.,
Executive Director.

(FR Doc. 80-9057 Filed 3-24-80; 8:45 am)
BILLING CODE 3125-01-M

Publication of Seventh Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Seventh Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act.

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA") (43 FR 55978-56007; 40 CFR 1500-08) Section 1507.3 of the regulations provides that each agency of the Federal Government shall have adopted procedures to supplement the regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish progress reports on agency efforts to develop implementing procedures under the NEPA regulations. The purpose of these progress reports, the seventh of which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, NW., Washington, D.C. 20006; 202-395-5750.

Seventh Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version of their procedures for 30 day review by the council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, 1979 a number of Federal agencies did not meet this deadline. We stress, however, that the CEQ regulations are in effect now and are binding on all agencies of the Federal government now, whether or not the agencies are on time or laggard with their own procedures.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, its fourth report on November 2, 1979, its fifth report on December 14, 1979 and its sixth progress report on January 29, 1980. (44 FR 28781-82; 44 FR 43037-38; 44 FR 55408-55410; 44 FR 63132-63133; 44 FR 72622-72623; 45 FR 6638-6640.) The seventh progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register:

- Advisory Council on Historic Preservation, 45 FR 4353 (Jan. 22, 1980).
- Central Intelligence Agency, 44 FR 45431 (Aug. 2, 1979).
- Department of Agriculture, 44 FR 44802 (July 30, 1979).
- Animal and Plant Health Inspection Service, 44 FR 50381 (Aug. 28, 1979) [correction: 44 FR 51272 (Aug. 31, 1979)].
- Forest Service, 44 FR 44718 (July 30, 1979).
- Soil Conservation Service, 44 FR 50576 (Aug. 29, 1979).
- Rural Electrification Administration, 45 FR 6592 (Jan. 29, 1980).
- Department of Defense, 44 FR 46841 (Aug. 9, 1979).
- Department of Transportation, 44 FR 56420 (Oct. 1, 1979).
- Federal Aviation Administration, 45 FR 2244 (Jan. 10, 1980).
- Department of the Treasury, 45 FR 1828 (Jan. 8, 1980).
- Environmental Protection Agency, 44 FR 64174 (Nov. 6, 1979).
- Export-Import Bank, 44 FR 50810 (Aug. 30, 1979).
- General Services Administration, 45 FR 83 (Jan. 2, 1980).
- Public Buildings Service (see 44 FR 65875, Nov. 14, 1979).
- International Communications Agency, 44 FR 45489 (Aug. 2, 1979).
- Marine Mammal Commission, 44 FR 52837 (Sept. 11, 1979).
- National Aeronautics and Space Administration, 44 FR 44485 (July 30, 1979) [corrections: 44 FR 49650 (Aug. 24, 1979); 44 FR 69920 (Dec. 5, 1979)].
- National Capitol Planning Commission 44 FR 64923 (Nov. 8, 1979).
- National Science Foundation, 45 FR 39 (Jan. 2, 1980).
- Overseas Private Investment Corporation, 44 FR 51385 (Aug. 31, 1979) [NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114 cited above].
- Postal Service, 44 FR 63524 (Nov. 5, 1979).
- Small Business Administration, 45 FR 7358 (Feb. 1, 1980).
- Water Resources Council, 44 FR 69921 (Dec. 5, 1979).

Category 2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**):

- ACTION, 44 FR 60110 (Oct. 18, 1979).
- Agency for International Development, 44 FR 56378 (Oct. 1, 1979).
- Civil Aeronautics Board, 44 FR 45637 (Aug. 3, 1979). [reissuance of part: 45 FR 16132 (Mar. 12, 1980)].

CEQ 19

Consumer Product Safety Commission, 44 FR 62528 (Oct. 31, 1979).

Department of Agriculture—
Agriculture Stabilization and Conservation Service, 44 FR 44167 (July 27, 1979) [correction: 44 FR 45631 (Aug. 3, 1979)].*
Science and Education Administration, 45 FR 11147 (Feb. 20, 1980).

Department of Defense—
Department of the Air Force, 44 FR 44118 (July 26, 1979).*
Department of the Army, Corps of Engineers, 44 FR 38292 (June 29, 1979)*.
Department of the Army, 45 FR 1086 (Jan. 4, 1980).

Department of Commerce—
National Oceanic and Atmospheric Administration, 44 FR 60779 (Oct. 22, 1979).*

Department of Energy, 44 FR 42136 (July 18, 1979).*
Federal Energy Regulatory Commission, 44 FR 50052 (Aug. 27, 1979).*

Department of Health, Education, and Welfare, 45 FR 14651 (Mar. 6, 1980).
Food and Drug Administration, 44 FR 71742 (Dec. 11, 1979).

Department of Housing and Urban Development, 44 FR 67906 (Nov. 27, 1979).*

Community Development Block Grant Program 44 FR 45568 (Aug. 2, 1979).*

Department of the Interior, 44 FR 40436 (July 10, 1979).*
Water and Power Resources Service, 44 FR 47627 (Aug. 14, 1979).*
Heritage Conservation and Recreation Service, 44 FR 49523 (Aug. 23, 1979).*
Fish and Wildlife Service, 44 FR 65822 (Nov. 15, 1979).**
Bureau of Mines, 45 FR 10043 (Feb. 14, 1980).
Office of Surface Mining Reclamation and Control, 45 FR 10043 (Feb. 14, 1980).

Department of Labor, 44 FR 69675 (Dec. 4, 1979).

Department of Justice, 44 FR 43751 (July 26, 1979).*
Drug Enforcement Agency, 44 FR 43754 (July 26, 1979).*
Immigration and Naturalization Service, 44 FR 43754 (July 26, 1979).*
Bureau of Prisons, 44 FR 43753 (July 26, 1979).*

Department of State, 44 FR 66638 (Nov. 21, 1979).*

Department of Transportation—
Coast Guard, 44 FR 59306 (Oct. 15, 1979).*
Federal Highway Administration, 44 FR 59438 (Oct. 15, 1979).*
Federal Railroad Administration, 44 FR 40174 (July 9, 1979).*
Urban Mass Transportation Administration, 44 FR 59438 (Oct. 15, 1979).*

Federal Communications Commission, 44 FR 38913 (July 3, 1979).**
Federal Emergency Management Agency, 44 FR 70197 (Dec. 6, 1979).

Federal Maritime Commission, 44 FR 29122 (May 18, 1979).*

Federal Trade Commission, 44 FR 42712 (July 20, 1979).

International Boundary and Water Commission (U.S. Section), 44 FR 61665 (Oct. 26, 1979).*

Interstate Commerce Commission, 45 FR 15236 (Mar. 10, 1980).

National Credit Union Administration, 45 FR 12211 (Feb. 25, 1980).
Nuclear Regulatory Commission, 45 FR 13739 (Mar. 3, 1980).
Pennsylvania Avenue Development Corporation, 44 FR 45925 (Aug. 6, 1979).
Tennessee Valley Authority, 44 FR 39679 (July 6, 1979).*
Veterans Administration, 44 FR 46261 (Aug. 17, 1979).*

Category 3: Anticipate Publication of Proposed Procedures by May 1, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by May 1, 1980.

Arms Control and Disarmament Agency.
Bureau of Indian Affairs.
Bureau of Land Management.

Economic Development Administration.
Federal Reserve System.
Geological Survey.
Law Enforcement Assistance Administration.
National Park Service.

Category 4: Publication of Proposed Procedures Delayed Beyond May 1, 1980

This category includes agencies that are *not* expected to publish proposed procedures in the Federal Register by May 1, 1980.

Appalachian Regional Commission.
Community Services Administration.
Department of the Navy.
Defense Logistics Agency.
Farm Credit Administration.
Farmers Home Administration.
Federal Deposit Insurance Corporation.
Federal Home Loan Bank Board.
Federal Savings and Loan Insurance Corporation.
METRO.
National Highway Traffic Safety Administration.
Saint Lawrence Seaway Corporation.
Securities and Exchange Commission.

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations

are widely implemented in the day-to-day activities of government.

Nicholas C. Yost,
General Counsel.
March 20, 1980.

[FR Doc. 80-6044 Filed 3-24-80; 8:45 am]
BILLING CODE 3125-01-M

DEPARTMENT OF DEFENSE

Defense Advisory Committee on Women in the Services (DACOWITS); Meeting

Pursuant to Pub. L. 92-463 notice is hereby given that a meeting of the Defense Advisory Committee on Women in the Services (DACOWITS) will be held 21-25 April 1980 at the Hotel Washington, and the Pentagon, Washington, DC.

The purpose of the DACOWITS Committee is to assist and advise the Secretary of Defense on matters relating to women in the Services. The Committee meets semi-annually.

Sessions will be conducted daily as indicated and will be open to the public. The agenda will include the following meetings and discussions:

Monday, 21 April 1980—Hotel Washington
4:00 p.m. to 10:00 p.m.—Registration.
To be determined—Executive Committee Meeting.
6:00 p.m. to 7:00 p.m.—Orientation Briefing for New Members.
7:00 p.m. to 8:30 p.m.—“No-Host” Cocktail Buffet.

Tuesday, 22 April 1980—Capitol Hill
9:00 a.m. to 5:00 p.m.—Seminar on “Women in the Military,” co-sponsored by the DACOWITS and the Congresswomen's Caucus.

Wednesday, 23 April 1980—OSD Conference Room, 1E801, the Pentagon and Hotel Washington

9:00 a.m. to 9:45 a.m.—Official Opening.
10:00 a.m. to 12:00 a.m.—OSD/Service Briefings.
12:00 noon to 1:30 p.m.—Luncheon (By invitation only).
1:30 p.m. to 5:00 p.m.—Subcommittee Meetings.
7:00 p.m.—Executive Committee and Military Representatives to DACOWITS Meeting.

Friday, 25 April 1980—Hotel Washington
9:00 a.m. to 10:45 a.m.—General Business Session. Presentations by members of the Public.
10:45 a.m.—Adjourn.

Members of the public will not be permitted to go on the field trip or attend the social functions.

The following rules and regulations will govern the participation by members of the public at the meeting:

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
722 JACKSON PLACE, N. W.
WASHINGTON, D. C. 20006

CEQ 20

June 20, 1980

Federal Register
Room 8401
1101 L Street, N.W.
Washington, D.C. 20408

ATTN: Ilona Mays

Dear Ms. Mays:

I am enclosing the Eighth Progress Report on Agency Implementing Procedures Under the National Environmental Policy Act and the Fifth Progress Report on Agency Procedures Implementing E.O. 12114 for publication in the Federal Register at the earliest possible time.

Your cooperation in publication of the progress report is greatly appreciated. If there are any questions, please contact me at 395-5750.

Sincerely,



C. Foster Knight
Deputy General Counsel

Enclosures

COUNCIL ON ENVIRONMENTAL QUALITY

Fifth Progress Report On Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions" (January 4, 1979)

AGENCY: Council on Environmental Quality, Executive Office of the President.

ACTION: Information Only: Publication of Fifth Progress Report on Agency Procedures Implementing Executive Order 12114, "Environmental Effects Abroad of Major Federal Actions"

SUMMARY: On January 4, 1979, President Carter issued Executive Order 12114 entitled "Environmental Effects Abroad of Major Federal Actions." Executive Order 12114 requires all federal agencies taking major federal actions outside the U.S. which are encompassed by and not exempted from the Order, to have in effect procedures implementing the Order within 8 months after January 4, 1979 (i.e., by September 4, 1979). The Order requires agencies to consult with the Council on Environmental Quality and the Department of State before putting their implementing procedures in effect. The Council has previously published certain explanatory documents concerning implementation of E.O. 12114 (44 F.R. 18722, March 29, 1979). On September 26, 1979 the Council published its first progress report on agency procedures implementing the Executive Order (44 F.R. 55410), on November 6, 1979 a second progress report (44 F.R. 64101), on January 29, 1980 a third progress report (45 F.R. 6638), and on March 25, 1980 a fourth progress report (45 F.R. 19293). The purpose of this fifth progress report is to provide an update on where affected agencies stand in this process.

FOR FURTHER INFORMATION CONTACT: Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722 Jackson Place, N.W., Washington, D.C. 20006; (202) 395-5750.

FIFTH PROGRESS REPORT ON AGENCY PROCEDURES IMPLEMENTING E.O. 12114

The progress report lists federal agencies in two categories. In Category 1 are agencies that have published proposed or final procedures implementing Executive Order 12114. Category 2 lists agencies that have prepared draft procedures or are in the process of developing such procedures, and contains an estimated time such procedures will be published in the Federal Register.

Category 1--Federal agencies that have published proposed or final procedures implementing E.O. 12114.

Department of Defense	Final Procedures issued April 12, 1979 (44 Fed. Reg. 21786)
Export-Import Bank of the United States	Final* Procedures issued August 20, 1979 (44 Fed. Reg. 50813)
Overseas Private Investment Corporation	Final* Procedures issued August 31, 1979 (44 Fed. Reg. 51385)
National Oceanic and Atmospheric Administration	Proposed Revised NOAA Directive Implementing NEPA and E.O. 12114, October 22, 1979 (44 Fed. Reg. 60779)

Department of Commerce

Proposed Procedures issued February 12, 1980

(45 F.R. 9307)

Department of Energy

Proposed Guidelines issued September 6,

1979 (44 Fed. Reg. 52146)

Department of State

(1) Foreign Affairs Manual Circular No.

807A, Procedures Implementing E.O. 12114,*

(except nuclear actions) November 21,

1979 (44 Fed. Reg. 67004).

(2) "Unified Procedures Applicable To

Major Federal Actions Relating To Nuclear

Activities Subject To Executive Order

12114,"* November 13, 1979 (44 Fed. Reg.

65560)

Agency for International

Development

Proposed Environmental Regulations, October 1,

1979 (44 Fed. Reg. 56378)

Department of Transportation

Contained in NEPA procedures (DOT Order

5610.1C) issued October 1, 1979 (44 Fed.

Reg. 56420), Paragraph 16

National Aeronautics and

Space Administration

Contained in NEPA procedures, Section

1216.321 issued July 30, 1979 (44 Fed.

Reg. 44490-44491)

Department of Agriculture

Proposed amendments (containing procedures implementing E.O. 12114) to departmental NEPA procedures, November 15, 1979 (44 Fed. Reg. 65768)

Environmental Protection
Agency

Proposed procedures implementing E.O. 12114, November 29, 1979 (44 Fed. Reg. 68776)

* Although not published in proposed form for public review and comment, the preamble provides an opportunity for public comment on final procedures.

Category 2--Federal agencies scheduled to publish procedures implementing E.O. 12114 in the near future.

Department of Treasury

Proposed procedures implementing E.O. 12114 are awaiting final approval. (Publication anticipated by July 15, 1980).

Department of Interior

Draft procedures implementing E.O. 12114 are under preparation. These procedures are expected to be published in the near future.

NICHOLAS C. YOST
General Counsel

DATE: June 20, 1980

AGENCY: Council on Environmental Quality, Executive Office of the
President

ACTION: Information Only: Publication of Eighth Progress Report on
Agency Implementing Procedures Under the National Environmental
Policy Act

SUMMARY: In response to President Carter's Executive Order 11991, on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). 43 F.R. 55978-56007; 40 C.F.R. 1500-08) Section 1507.3 of the regulations provides that each agency of the Federal Government shall have adopted procedures to supplement the regulations by July 30, 1979. The Council has indicated to Federal agencies its intention to publish progress reports on agency efforts to develop implementing procedures under the NEPA regulations. The purpose of these progress reports, the eighth of which appears below, is to provide an update on where agencies stand in this process and to inform interested persons of when to expect the publication of proposed procedures for their review and comment.

FOR FURTHER INFORMATION CONTACT:

Nicholas C. Yost, General Counsel, Council on Environmental Quality, 722
Jackson Place, N.W., Washington, D.C. 20006; 202-395-5750.

EIGHTH PROGRESS REPORT ON AGENCY IMPLEMENTING
PROCEDURES UNDER THE NATIONAL ENVIRONMENTAL POLICY ACT

At the direction of President Carter (Executive Order 11991), on November 29, 1978, the Council on Environmental Quality issued regulations implementing the procedural provisions of the National Environmental Policy Act ("NEPA"). These regulations appear at Volume 43 of the Federal Register, pages 55978-56007 and in forthcoming revisions to Volume 40 of the Code of Federal Regulations, Sections 1500-1508. Their purpose is to reduce paperwork and delay associated with the environmental review process and to foster environmental quality through better decisions under NEPA.

Section 1507.3 of the NEPA regulations provides that each agency of the Federal government shall adopt procedures to supplement the regulations. The purpose of agency "implementing procedures," as they are called, is to translate the broad standards of the Council's regulations into practical action in Federal planning and decisionmaking. Agency procedures will provide government personnel with additional, more specific direction for implementing the procedural provisions of NEPA, and will inform the public and State and local officials of how the NEPA regulations will be applied to individual Federal programs and activities.

In the course of developing implementing procedures, agencies are required to consult with the Council and to publish proposed procedures in the Federal Register for public review and comment. Proposed procedures must be revised as necessary to respond to the ideas and suggestions made during the comment period. Thereafter, agencies are required to submit the proposed final version

of their procedures for 30 day review by the Council for conformity with the Act and the NEPA regulations. After making such changes as are indicated by the Council's review, agencies are required to promulgate their final procedures. Although CEQ's regulations required agencies to publish their procedures by July 30, 1979 a number of Federal agencies did not meet this deadline. We stress, however, that the CEQ regulations are in effect now and are binding on all agencies of the Federal government now, whether or not the agencies are on time or laggard with their own procedures.

The Council published its first progress report on agency implementation procedures on May 7, 1979, its second report on July 23, 1979, its third report on September 26, 1979, its fourth report on November 2, 1979, its fifth report on December 14, 1979, its sixth report on January 29, 1980 and its seventh progress report on March 25, 1980. (44 F.R. 26781-82; 44 F.R. 43037-38; 44 F.R. 55408-55410; 44 F.R. 63132-63133; 44 F.R. 72622-72623; 45 F.R. 6638-6640; 45 F.R. 19294.) The eighth progress report appears below. The Council hopes that concerned members of the public will review and comment upon agency procedures to insure that the reforms required by President Carter and by the Council's regulations are implemented. Agencies preparing implementing procedures are listed under one of the following four categories:

Category # 1: Final Procedures Have Been Published

This category includes agencies whose final procedures have appeared in the Federal Register.

Advisory Council on Historic Preservation, 45 F.R. 4353 (Jan. 22, 1980).

Central Intelligence Agency, 44 F.R. 45431 (Aug. 2, 1979).

Department of Agriculture, 44 F.R. 44802 (July 30, 1979)

Animal and Plant Health Inspection Service, 44 F.R. 50381

(Aug. 28, 1979) [correction: 44 F.R. 51272 (Aug. 31, 1979)]

Forest Service, 44 F.R. 44718 (July 30, 1979)

Soil Conservation Service, 44 F.R. 50576 (Aug. 29, 1979)

Rural Electrification Administratio, 45 F.R. 6592 (Jan. 29, 1980)

Department of Commerce, at the Federal Register

Department of Defense, 44 F.R. 46841 (Aug. 9, 1979)

Department of Energy, 45 F.R. 20694 (Mar. 28, 1980)

Department of Health and Human Services (formerly HEW), notice of adoption

of final procedures, 45 F.R. 30138 (May 7, 1980), ^{revised} published as part of the
and Administration Manual effective May 1, 1980

Department of the Interior (revised), 45 F.R. 27541 (April 23, 1980)

Department of Transportation, 44 F.R. 56420 (Oct. 1, 1979)

Coast Guard, 45 F.R. 32816 (May 19, 1980)

Federal Aviation Administration, 45 F.R. 2244 (Jan. 10, 1980)

Federal Railroad Administration, 45 F.R. 40854 (June 16, 1980)

Department of the Treasury, 45 F.R. 1828 (Jan. 8, 1980)

Environmental Protection Agency, 44 F.R. 64174 (Nov. 6, 1979)

Export-Import Bank, 44 F.R. 50810 (Aug. 30, 1979)

Federal Emergency Management Agency, at the Federal Register

Federal Maritime Commission, 45 F.R. 33996 (May 21, 1980)

General Services Administration, 45 F.R. 83 (Jan. 2, 1980)

Public Buildings Service (see 44 F.R. 65675, Nov. 14, 1979)

International Communications Agency, 44 F.R. 45489 (Aug. 2, 1979)

Marine Mammal Commission, 44 F.R. 52837 (Sept. 11, 1979)

National Aeronautics and Space Administration, 44 F.R. 44485 (July 30, 1979)

[corrections: 44 F.R. 49650 (Aug. 24, 1979); 44 F.R. 69920 (Dec. 5, 1979)]

National Capitol Planning Commission, 44 F.R. 64923 (Nov. 8, 1979)

National Science Foundation, 45 F.R. 39 (Jan. 2, 1980)

Overseas Private Investment Corporation, 44 F.R. 51385 (Aug. 31, 1979)

[NEPA Procedures are contained in this agency's procedures implementing Executive Order 12114 cited above.]

Postal Service, 44 F.R. 63524 (Nov. 5, 1979)

Small Business Administration, 45 F.R. 7358 (Feb. 1, 1980).

Water Resources Council, 44 F.R. 69921 (Dec. 5, 1979)

Category #2: Proposed Procedures Have Been Published

This category includes agencies whose proposed procedures have appeared in the Federal Register. Those agencies whose final procedures are expected within 30 days are marked with a single asterisk (*); those expected within 60 days by a double asterisk (**).

ACTION, 44 F.R. 60110 (Oct. 18, 1979)

Agency for International Development, 44 F.R. 56378 (Oct. 1, 1979)*

Arms Control and Disarmament Agency, 45 F.R. 39320 (June 10, 1980)

Civil Aeronautics Board, 44 F.R. 45637 (Aug. 3, 1979)*

[reissuance of part: 45 F.R. 16132 (Mar. 12, 1980)]

Consumer Product Safety Commission, 44 F.R. 62526 (Oct. 31, 1979)

Department of Agriculture agencies

Agriculture Stabilization and Conservation Service, 44 F.R. 44167

(July 27, 1979) [correction: 44 F.R. 45631 (Aug. 3, 1979)]*

Science and Education Administration, 45 F.R. 11147 (Feb. 20, 1980)

Notice of proposed categorical exclusion of certain Department of
Agriculture agency programs, 45 F.R. 38092 (June 6, 1980)

Department of Defense agencies

Department of the Air Force, 44 F.R. 44118 (July 26, 1979)*

Department of the Army, Corps of Engineers, 44 F.R. 38292 (June 29, 1979)*

Department of the Army, 45 F.R. 1086 (Jan. 4, 1980)

Department of Commerce agencies

National Oceanic and Atmospheric Administration, 44 F.R. 60779
(Oct. 22, 1979)*

Economic Development Administration, 45 F.R. 41028 (June 17, 1980)

Federal Energy Regulatory Commission, 44 F.R. 50052 (Aug. 27, 1979)*

Food and Drug Administration, 44 F.R. 71742 (Dec. 11, 1979)

Department of Housing and Urban Development, 44 F.R. 67906 (Nov. 27, 1979)*

Community Development Block Grant Program 44 F.R. 45568 (Aug. 2, 1979)*

Department of the Interior agencies

Water and Power Resources Service, 44 F.R. 47627 (Aug. 14, 1979)**

Heritage Conservation and Recreation Service, 44 F.R. 49523
(Aug. 23, 1979)*

Fish and Wildlife Service, 44 F.R. 65822 (Nov. 15, 1979)*

Bureau of Mines, 45 F.R. 10043 (Feb. 14, 1980)

Office of Surface Mining Reclamation and Control, 45 F.R. 10043 (Feb. 14, 1980)

National Park Service, 45 F.R. 32126 (May 15, 1980)

Department of Labor, 44 F.R. 69675 (Dec. 4, 1979)

Department of Justice, 44 F.R. 43751 (July 26, 1979)**

Drug Enforcement Agency, 44 F.R. 43754 (July 26, 1979)**

Immigration and Naturalization Service, 44 F.R. 43754 (July 26, 1979)**

Bureau of Prisons, 44 F.R. 43753 (July 26, 1979)**

Office of Justice, Assistance, Research and Statistics (formerly LEAA),

at the Federal Register

Department of State, 44 F.R. 66838 (Nov. 21, 1979)*

Department of Transportation agencies

Federal Highway Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Urban Mass Transportation Administration, 44 F.R. 59438 (Oct. 15, 1979)*

Federal Communications Commission, 44 F.R. 38913 (July 3, 1979)**

Federal Trade Commission, 44 F.R. 42712 (July 20, 1979)

International Boundary and Water Commission (U.S. Section). 44 F.R. 61665
(Oct. 26, 1979)*

Interstate Commerce Commission, 45 F.R. 15236 (Mar. 10, 1980)**

National Credit Union Administration, 45 F.R. 12211 (Feb. 25, 1980)

Nuclear Regulatory Commission, 45 F.R. 13739 (Mar. 3, 1980)

Pennsylvania Avenue Development Corporation, 44 F.R. 45925 (Aug. 6, 1979)

Tennessee Valley Authority, 44 F.R. 39679 (July 6, 1979)*

Veterans Administration, 44 F.R. 48281 (Aug. 17, 1979)*

Category #3: Anticipate Publication of Proposed Procedures by July 30, 1980

This category includes agencies that are expected to publish proposed procedures in the Federal Register by July 30, 1980.

Bureau of Indian Affairs

Department of the Navy

Farmers Home Administration

Federal Reserve System

Geological Survey

Category #4: Publication of Proposed Procedures Delayed Beyond July 30, 1980

This category includes agencies that are not expected to publish proposed procedures in the Federal Register by July 30, 1980.

Appalachian Regional Commission

Bureau of Land Management

Community Services Administration

Defense Logistics Agency

Farm Credit Administration

Federal Deposit Insurance Corporation

Federal Home Loan Bank Board

Federal Savings and Loan Insurance Corporation

METRO

National Highway Traffic Safety Administration

Saint Lawrence Seaway Corporation

Securities and Exchange Commission

The development of agency implementing procedures is a critical stage in Federal efforts to reform the NEPA process. These procedures must, of course, be consistent with the Council's regulations and provide the means for reducing paperwork and delay and producing better decisions in agency planning and decisionmaking.

Interested persons will have the opportunity to make their suggestions for improving agency procedures when they are published in the Federal Register in

proposed form. Broad public participation at this crucial juncture could go a long way toward ensuring that the goals of the NEPA regulations are widely implemented in the day-to-day activities of government.

NICHOLAS C. YOST

General Counsel

June 20, 1980