

panels should send a written summary of their proposed contributions to Robert Olexsey (address above). These descriptions should be received before April 14, 1981. The Agency may limit the participation in the work shop sessions to allow for meaningful interchange in small groups.

Dated: March 17, 1981.
Alfred W. Lindsey,

Acting Director, Hazardous and Industrial Waste Division.

[FR Doc. 81-4762 Filed 3-23-81; 8:45 am]
BILLING CODE 6560-30-M

40 CFR Parts 408
(WH-FRL 1784-3)

Canned and Preserved Seafood Processing Point; Source Category

AGENCY: Environmental Protection Agency (EPA).

ACTION: Extension of comment period and notice of availability of additional supporting information.

SUMMARY: On January 9, 1981, EPA published in the **Federal Register** a proposed response to a petition for modification and amendment of regulations governing wastewater discharges from certain seafood processors located in Alaska (46 FR 2544). The comment period was scheduled to expire March 10, 1981. The purpose of this notice is to extend until May 11, 1981, the period for comment on all aspects of the proposed response to petition for modification and amendment of regulations.

DATE: Comments on the proposed response to petition and amendments to BPT regulations for the "non-remote" Alaskan subcategories of the seafood processing industry must be submitted to EPA by May 11, 1981.

ADDRESS: Send comments in triplicate to: Mr. Daniel S. Lent, Effluent Guidelines Division, (WH-552), Environmental Protection Agency, 401 M St., S.W., Washington, D.C. 20460, Attention: EGD Docket Clerk--Seafood Processing Industry.

The supporting information and all public comments submitted in response to this proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (rear) PM-213 (EPA Library), 401 M St. S.W., Washington, D.C. 20460; EPA Region X, 1200 6th Avenue, Seattle, Washington 98101; and the EPA Alaska Operations Office, 701 "E" Street, Anchorage, Alaska. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. Daniel S. Lent at (202) 426-2707.

SUPPLEMENTARY INFORMATION: On January 9, 1981, EPA proposed a response to a petition for modification and amendment of regulations for portions of the Canned and Preserved Seafood Processing Industry (46 FR 2544). More specifically, the proposed regulation amended effluent limitations based on the best practicable control technology currently available (BPT) for the "non-remote" Alaskan subcategories of the seafood industry. Comments on the proposal were to be submitted on or before March 10, 1981. Attorneys for the industry have requested a 60 day extension of the comment period, until May 11, 1981. EPA has decided to extend the period for comment on all technical and economic aspects of the proposed response to petition and amendment of BPT regulations until May 11, 1981. Interested persons should be aware that subsequent to January 9, 1981, the Agency placed additional supporting information in the EPA Public Information Reference Unit, Washington, D.C., EPA Region X, and the EPA Alaska Operations Office. This information and the dates made available are listed below:

(1) *Market Feasibility Study of Seafood Waste Reduction in Alaska*, July 1980—3/2/81

(2) *Market Feasibility Study of Seafood Waste Reduction in Alaska*, November 1980—3/2/81

(3) Telephone Memo on Fish Hatchery Program dated 2/25/81—3/2/81

(4) Memo on Current Seafood Waste Recovery Systems Planned or Under Review in Alaska dated 12/11/80—3/2/81

(5) Telephone Memo on Waste Trucking Costs dated 5/14/80—3/13/81

In view of industry's familiarity with the pertinent issues from prior contacts with EPA, we believe that these actions will provide the petitioning seafood processors and other interested parties with sufficient opportunity to comment on the proposed response to petition and amendment of regulations.

Dated: March 17, 1981.

James N. Smith,

Acting Assistant Administrator for Water and Waste Management.

[FR Doc. 81-4764 Filed 3-23-81; 8:45 am]
BILLING CODE 6560-30-M

LEGAL SERVICES CORPORATION

45 CFR Part 1624

Comprehensive Civil Rights Regulations

AGENCY: Legal Services Corporation.

ACTION: Proposed rules.

SUMMARY: This regulation is intended to be a comprehensive statement of all grant and contract related civil rights obligations of Corporation recipients in both the delivery of services and in their employment practices. The present Part 1624 would be incorporated into the proposed civil rights regulation. This regulation would now include the Corporation's 504 regulations, present part 1624, as well as all of the other civil rights obligations of Corporation fund recipients.

DATE: Comments due April 22, 1981.

ADDRESS: Legal Services Corporation, 733 Fifteenth Street NW., Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Linda Hanten, 202-272-4010.

SUPPLEMENTARY INFORMATION: While the proposed regulation seeks to guarantee the civil rights of a number of groups distinctions are made among the protected groups in the treatment required. For example, recipients are required to take affirmative action as to the employment of women and minorities and not as to the employment of members of other groups protected by the regulation. The regulation requires affirmative action to be taken only as to women and minorities because they are the groups traditionally given such protection. These groups have been afforded such protection because they, unlike the other groups protected by this part, historically have been unable to remedy discrimination against them through the political process.

An additional distinction made among the protected groups by the regulation is the provision of "special" services to persons with communication problems, e.g., language minorities, the hearing impaired and the blind. These services are provided because without them legal services would not be available to members of these groups. Additionally, Section 1006(b)(6) of the Act requires the Corporation to provide that the language of non-English speakers be used in the provision of services where they constitute a significant number of the client population.

As used in this part, minority language groups are defined as Asians, Native Americans, Alaskan Natives and persons of Spanish origin. This is the definition used in the Voting Rights Act, 42 U.S.C. 1973aa, which requires elections to be conducted in the appropriate minority language(s) as well as in English in political jurisdictions where members of a minority language group make up five or more percent of the population. This definition is used here, as it was in the Voting Rights Act,

because these groups and their number can be determined from census data.

There is presently no nation or regional data base which can be used to identify persons who do not speak English or persons from other linguistic groups not listed in this definition. The use of this definition is not intended to preclude programs from offering services in other minority languages when the program has the desire to do so or the ability to make a reasonable determination that more than five percent of the residents of its service area belong to another linguistic group.

The Civil Rights Regulation, in particular the provisions governing anti-discrimination, is not intended to prevent the adoption of priorities which by their nature would have the effect of foreclosing services to one or more of the protected classes. The statute, 42 U.S.C. 2996f, clearly requires that there be priority-setting at the local level. The Civil Rights Regulation merely defines what purpose (discrimination against one of the protected classes) may not serve as a basis for establishing priorities.

For example, if a program picks Supplemental Security Income but not Aid to Families with Dependent Children practice as a priority, the fact that a particular age group, young adults, is not represented in connection with AFDC claims or that the program serves primarily seniors does not itself create a prima facie case of discrimination. It merely reflects that the program has established priorities which, when complied with, result in the program serving clients in a particular age group. However, a program may not use the priority-setting process as a justification for failing to serve a particular protected group. The Corporation will monitor those programs having the greatest disparity in the delivery of legal services on any prohibited basis.

It is proposed to revise Part 1624 to read as follows:

PART 1624—COMPREHENSIVE CIVIL RIGHTS REGULATIONS

Subpart A—General

Sec.

- 1624.1 Purpose.
1624.2 Applicability.
1624.3 Definitions.

Subpart B—Discrimination

- 1624.4 General.
1624.5 Discrimination prohibited—in the provision of legal services.
1624.6 Discrimination prohibited—employment practices.

Subpart C—Required Recipient Civil Rights Program

- 1624.7 Assurance.
1624.8 Data and information requirements.
1624.9 Required recipient civil rights program—delivery of services.

1624.10 Required recipient civil rights program—employment.

Subpart D—Conduct of Investigation and Review

- 1624.11 Monitoring.
1624.12 Complaint process.

Subpart E—Procedure for Effecting Compliance

1624.12 Remedies.

Authority: Secs. 1005(b)(2), 1006(a), (b)(1)(A) and (b)(6) of the Legal Services Corporation Act, (42 U.S.C. 2996d(b)(2), 2996e(a), (b)(1)(A) and (b)(6)).

The proposed Regulation is as follows:

Subpart A—General

§ 1624.1 Purpose.

The purpose of this part is to prevent discrimination by legal services programs supported in whole or in part by Legal Services Corporation funds in the delivery of services or in employment on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation. Further, it is the purpose of this part to assist such programs in establishing policies and procedures to ensure equal opportunity in the delivery of services and employment and affirmative action in employment to end the underutilization of certain protected groups in their work forces. This part is adopted in accordance with Secs. 1005(b)(2), 1006(a), 1006(b)(1)(A), 1006(b)(6) of the Legal Services Corporation Act; 42 U.S.C. 2996d(b)(2), 2996e(a), 2996e(b)(1)(A), 2996e(b)(6).

§ 1624.2 Applicability.

This part applies to all recipients of Legal Services Corporation funds.

§ 1624.3 Definitions.

As used in this part, the term:

(a) "Protected Groups" means those groups which have been historically subjected to discrimination on the basis of race, color, national origin, sex, religion, or sexual orientation;

(b) "Affirmative Action" means specific steps, in recruiting, hiring, promotion and other areas, which are taken for the specific purpose of eliminating the present effects of past discrimination;

(c) "Goals" means projected levels of achievement arrived at through analysis of employment utilization patterns and consideration of what may reasonably be done to remedy any apparent underutilization given labor force participation and unemployment rates of minorities and women in the labor market area and the expected rate of turnover and the projected number of

new positions in the employer's work force;

(d) "Underutilization" means having fewer minorities and/or women in the particular job category than would reasonably be expected given their availability in the relevant labor market area, or employing persons in jobs that do not adequately use their skills, training or capabilities;

(e) "Relevant labor market area" means the area from which an employer can reasonably expect to recruit or draw applicants for positions in a given job category;

(f) "Delivery of services" means providing or making legal services available to eligible clients of a recipient's service area;

(g) "Facility" means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real property or interest in such property;

(h)(1) "Handicapped person" means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment;

(2) As used in subparagraph (1) the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; digestive; genitourinary, hemic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The phrase includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism;

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working;

(iii) "Has record of such impairment" means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities;

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not substantially limit major life activities but is treated by a legal services

program as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairments; or (C) has none of the impairments defined in paragraph (c)(2)(i) of this section but is treated by a recipient as having such an impairment;

(i) "Qualified handicapped person" means: (1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question; (2) with respect to other services, a handicapped person who meets the eligibility requirements for the receipt of such services from the recipient;

(j) "Employment test or criteria" means any performance measure used as a basis for an employment decision including all formal, scored, quantified or standardized techniques used to assess the suitability of an applicant for a particular job;

(k) "Minority language group" means persons who are American Indian, Asian American, Alaskan Native or of Spanish heritage;

(l) "Labor force characteristics" means the demographic, racial, ethnic, sex and educational characteristics of the population of an employer's relevant labor market area or areas; and

(m) "Terms, conditions and privileges of employment" means all aspects of the employment relationship including compensation, fringe benefits, physical environment, work-related rules, work assignments, training and education and opportunities to serve on committees and decision making bodies.

Subpart B—Discrimination

§ 1624.1 General.

No person shall be subjected by a recipient to discrimination in the provision of services, treatment, or employment practices on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

§ 1624.5 Discrimination prohibited—in the provision of legal services.

(a) No recipient to which this part applies shall directly or through contractual or other arrangements discriminate against an individual in the provision of services on the grounds of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b)(1) A recipient, in determining the type of services, aid or benefits which will be provided, or the manner in which such services, aid or benefits shall be

offered, may not directly or through contractual or other arrangements, utilize criteria or methods of administration with the purpose of subjecting individuals to discrimination on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation or which have the effect of substantially impairing accomplishment of the objectives of the program with respect to individuals on one of the bases outlined above.

(2)(i) An individual shall not be deemed subjected to discrimination if refused services by a recipient because his/her legal problem does not come within the recipient's priorities established pursuant to § 1620. Further, an individual shall not be deemed subject to discrimination by reasons of his/her exclusion from the benefits of a program limited by Federal law to individuals with a handicap or race, color, sex, national origin, or age group, not his/her own or from the benefits of a program specifically designed to address legal issues concerning a particular status not shared by the individual.

(ii) A recipient shall not be deemed to have discriminated in determining the site or location of facilities, unless selection was made with the purpose of excluding individuals from, denying them the benefits of, or subjecting them to discrimination under any program on the grounds of race, color, sex, religion, national origin, political affiliation, sexual orientation, age or handicap or with the purpose of substantially impairing the accomplishment of the objectives of this part.

(c) A recipient shall conduct its programs and activities so that, when viewed in their entirety, they are readily accessible to and usable by handicapped persons. This paragraph does not necessarily require a recipient to make each of its existing facilities or every part of an existing facility accessible to and usable by handicapped persons, or require a recipient to make structural changes in existing facilities when other methods are effective in achieving compliance. In choosing among available methods for meeting the requirements of this paragraph, a recipient shall give priority to those methods that offer legal services to handicapped persons in the most integrated setting appropriate.

(d) A recipient shall, to the maximum extent feasible, insure that new facilities it rents or purchases are accessible to handicapped persons. Prior to entering into any lease or contract for the purchase of a building, a recipient shall submit a statement to the regional office

or other appropriate Corporation official certifying that the facilities covered by the lease or contract will be accessible to handicapped persons, or if the facilities will not be accessible, a detailed description of the efforts the program made to obtain accessible space, the reasons why the inaccessible facility was nevertheless selected, and the specific steps that will be taken by the recipient to insure that its services are accessible to handicapped persons who would otherwise use that facility. After a statement certifying facility accessibility has been submitted, additional statements need not be resubmitted with respect to the same facility, unless substantial changes have been made in the facility that affect its accessibility.

(e) A recipient shall ensure that new facilities designed or constructed for it are readily accessible to and usable by handicapped persons. Alterations to existing facilities shall, to the maximum extent feasible, be designed and constructed to make the altered facilities readily accessible to and usable by handicapped persons.

§ 1624.6 Discrimination prohibited—employment practices.

(a) No recipient to which this part applies shall directly or through contractual or other arrangements subject any person to discrimination in employment on the grounds of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b) A recipient shall make all decisions concerning employment in a manner insuring that discrimination on the basis of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation does not occur in the terms, conditions or privileges of employment.

(c) A recipient may not participate in any contractual or other relationship with persons, agencies, organizations or other entities, such as, but not limited to, employment and referral agencies, labor unions, organizations providing or administering fringe benefits to employees of the recipient, and organizations providing training and apprenticeship programs, if the practices of such person, agency, organization or other entity have the effect of subjecting qualified applicants or employees to discrimination on any of the bases enumerated in this subpart.

(d) A recipient program shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the

accommodation would impose an undue hardship on the operation of the program.

(1) For purposes of this paragraph (d), reasonable accommodation may include (i) making facilities used by employees readily accessible to and usable by handicapped persons, and (ii) job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions.

(2) In determining whether an accommodation would impose an undue hardship on the operation of a recipient, factors to be considered include, but are not limited to, the overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget, and the nature and costs of the accommodation needed.

(3) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is a need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

(e) A recipient may not use employment tests or criteria that discriminate against handicapped persons, and shall insure that

employment tests are adapted for use by persons who have handicaps that impair sensory, manual or speaking skills.

(f) A recipient may not conduct a pre-employment medical examination or make a pre-employment inquiry as to whether an applicant is a handicapped person or as to the nature or severity of a handicap except where the examination or inquiry is related to an essential job function.

(g) A recipient shall post a notice in a prominent place in each of its offices stating that it does not discriminate on any of the bases enumerated in this subpart.

(h) Any recruitment materials published or used by a recipient shall include a statement that the recipient does not discriminate.

Subpart C—Required Recipient Civil Rights Program

§ 1624.7 Assurance.

(a) Every application for financial assistance submitted under the Legal Services Corporation Act shall contain the assurance that the program will comply with this part.

§ 1624.8 Data and information requirements.

Each recipient shall collect, maintain and, upon request of the

Corporation, submit the information set forth in this subpart. All information set forth in this subpart shall be collected unless the Director of the Corporation's Office of Equal Opportunity or his/her designee grants a written exemption to any information requirement for good cause shown by the recipient.

(b) Each recipient shall collect and maintain the following information:

(1) All information required by the Corporation in its instructions to recipients titled Application for Refunding;

(2) Data regarding employment including: (i) the number, race, sex and national origin of applicants for employment; (ii) relevant work force availability data by race, sex and national origin; (iii) staff composition by race, sex and national origin; (iv) the use or planned use of bilingual staff to provide equal access to legal services for members of minority language groups and (v) documentation of all recruitment efforts made in filling program vacancies; and

(3) A log of complaints under this part identifying the nature of the complaint, the date the complaint was filed, the date the recipient's investigation was completed and the disposition and date of the disposition.

(c) Each recipient shall permit access by the Corporation during normal business hours to its books, records, accounts, and other sources of information as may be pertinent to ascertain compliance with this part, except where such information would violate client confidentiality.

§ 1624.9 Required recipient civil rights program—delivery of services.

(a) Recipients shall provide equal access to legal services to eligible clients regardless of race, religion, color, sex, age, national origin, handicap, political affiliation or sexual orientation and shall adopt:

(1) a written policy of equal access to services and equal employment opportunity and

(2) a written procedure for the uniform handling of complaints of discrimination approved by the Regional Office or Research Institute.

(b) A recipient shall designate a person to be responsible for monitoring each aspect of its civil rights program and an employee to assist persons alleging discrimination who shall be someone not responsible for the recipient's personnel decisions.

(1) This employee shall (i) be available to provide aggrieved persons with assistance in processing claims of discrimination, (ii) have the authority to review the underlying facts of such

complaints and (iii) when requested by the complainant, shall seek to conciliate the complaint. This employee shall not be deemed to represent the complainant.

(2) In cases of claims of discrimination in the delivery of services where conciliation is not possible, the complainant shall be afforded all rights under the recipient's client grievance procedure adopted pursuant to § 1621.

(c) To insure that language minority persons have equal access to legal services, in any area where five percent of the eligible population are members of a minority language group, a recipient shall take the following steps:

(1) Employ persons who are bilingual in English and in the appropriate minority language in public contact positions in numbers sufficient to accommodate the needs of the client community;

(2) Place bilingual employees in job categories where necessary to promote equal access to legal services including but not limited to clerical positions where it is necessary to translate materials into a minority language, attorney positions, paralegal positions, investigator positions and other positions which involve client contact and the direct provision of services;

(3) Provide informational literature, forms, notices, letters and other materials available to English-speaking clients in appropriate minority language(s).

(4) Conspicuously post signs in the appropriate minority language(s) stating that clients may request and receive services in those languages.

(d) Where a recipient serves an area where members of minority language groups comprise less than five percent of the eligible population, the recipient shall take all steps necessary to develop an appropriate capability for communicating with minority language clients or potential clients and shall make reasonable effort to comply with (c)(1)–(4) of this subpart.

(e)(1) A recipient that employs a total of 15 or more persons, regardless of whether such persons are employed at one or more locations, shall provide, when necessary, appropriate auxiliary aids to persons with impaired sensory, manual or speaking skills, in order to afford such persons an equal opportunity to benefit from the recipient's services. A recipient is not required to maintain such aids at all times, provided they can be obtained on reasonable notice.

(2) The Corporation may require a recipient with fewer than 15 employees to provide auxiliary aids where the provision of such aids would not

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significantly impair the ability of the recipient to provide its services.

(3) Auxiliary aids include, but are not limited to, brailled and taped material, interpreters, telecommunications equipment for the deaf, and other aids for persons with impaired hearing, speech or vision.

(f) A recipient shall take reasonable steps to insure that communications with its applicants, employees, and beneficiaries are available to persons with impaired vision and hearing.

§ 1624.10 Required recipient civil rights program—employment.

(a) Recipients shall use the structure set out in § 1624.9(a) (1) and (2) and (b)(1) to ensure equal opportunity in employment regardless of race, religion, color, sex, age, marital status, national origin, handicap, political affiliation or sexual orientation.

(b) Recipients with 50 or more employees must implement an affirmative action plan approved by the Corporation's Director of Office of Equal Opportunity or his/her designee. All other recipients must develop an Equal Opportunity program in accordance with § 1624.9(a) (1) and (2) and (b)(1).

(c) Before developing an affirmative action plan or equal opportunity policy statement, a recipient shall determine if underutilization on the basis of race, national origin or sex occurs in any job category or unit of its work force by using an underutilization formula approved by the Corporation's Director of Office of Equal Opportunity or his/her designee.

(d) Written affirmative action plans required by this subpart must include at least the following elements:

(1) An Equal Opportunity policy statement.

(2) Specific data by race, national origin and sex concerning the recipient's current work force, applicant flow, hirings, promotions, training attendance, terminations and disciplinary actions;

(3) Appropriate labor force characteristics, including a breakdown by race, national origin and sex;

(4) A program of remedial or preventive action to correct employment disparities based on race, sex, or national origin;

(5) Goals and timetables to correct underutilization of women and minorities;

(6) A procedure for publicizing and disseminating the plan to all employees, applicants and the general public;

(7) A procedure for prompt and uniform handling of complaints of employment discrimination.

(e) The enumeration of specific requirements for an affirmative action

plan does not limit the authority of the Corporation to require other elements in Recipient's Affirmative Action Plans in the presence of a past history of noncompliance with this part.

Subpart D—Conduct of Investigation and Review

§ 1624.11 Monitoring.

(a) The Corporation shall monitor those recipients having the greatest disparity in the delivery of legal services on any basis prohibited by this part or appearing to have the most serious systematic employment problems.

(b) If the monitoring process finds noncompliance with this Part, the Corporation shall notify the recipient in writing of:

(1) Preliminary findings;

(2) Recommendations for achieving voluntary compliance, where appropriate; and

(3) The opportunity to engage in voluntary compliance negotiations, where appropriate.

(c) If voluntary compliance has not been secured within 30 days of the Corporation's recommendations, the Corporation shall make a formal written determination of noncompliance and the Corporation shall undertake the imposition of such sanctions as may be appropriate.

(d) All agreements to come into voluntary compliance shall be in writing, shall set forth the specific steps the recipient has agreed to take, and shall be signed by the Corporation's Director of Office of Equal Opportunity and an official of the recipient with authority to legally bind the recipient.

§ 1624.12 Complaint process.

(a) In addition to or in lieu of using the recipient's complaint process, a complainant may file a complaint directly with the Corporation's Office of Equal Opportunity alleging a pattern and practice of discrimination by the recipient in the delivery of services or employment.

(b) If a complainant files an allegation of a pattern and practice of discrimination with the Corporation prior to availing itself of the recipient's grievance procedure, the recipient shall immediately be advised of the complaint and given 30 days in which to investigate, hear and attempt to resolve the complaint. Upon completion of the grievance process, the recipient shall submit written findings to the appropriate Regional Office or the Research Institute and the Corporation's Office of Equal Opportunity.

(c) No recipient shall intimidate, threaten, coerce, retaliate or

discriminate against a person in order to interfere with any right secured by this part or applicable Federal or State law, or because he/she has made a complaint, testified, assisted or participated in any manner in any investigation, proceeding or hearing under this part.

Subpart E—Procedure for Effecting Compliance

§ 1624.13 Remedies.

(a) Failure to comply with this part shall be regarded by the Corporation in the same manner as the Corporation regards a recipient's failure to comply with any other section of the Act or implementing regulations. Accordingly, the procedures described in Part 1606 may be pursued in the presence of violation of this part by a recipient.

(b) A recipient found to have discriminated in the delivery of services on the basis of race, color, sex, national origin, age, or handicap may be required to take affirmative action to overcome the effects of prior discrimination. Even in the absence of such prior discrimination, a recipient, in administering a program, may take affirmative action to overcome effects or conditions which result in limiting participation by persons on the grounds of race, color, sex, national origin, age or handicap.

(c) Where a recipient is found to have a work force or segment of the work force not on parity with the relevant labor market, the Regional Office or Research Institute may require its approval prior to the filling of all vacancies in such segment(s) of the recipient's work force in order to assure maximum efforts of affirmative action.

Mario Lewis,

General Counsel, Legal Services Corporation.

(PR Doc. 81-8739 Filed 3-20-81; 8:45 am)

BILLING CODE 6897-36-M

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 583

[Docket No. 79-17; Notice 2]

Crashworthiness Ratings; Correction

AGENCY: National Highway Traffic Safety Administration.

ACTION: Notice of proposed rulemaking; correction.

SUMMARY: This notice corrects inadvertent errors in the text of the National Highway Traffic Safety