and the employee may not accept any honorarium or other compensation or permit payment of his or her expenses. However, under 5 U.S.C. 4111 and 5 CFR Part 410, an employee on official duty may accept reimbursement for actual travel and reasonable lodging and subsistence expenses from organizations determined by the Secretary to be tax exempt, as described in 26 U.S.C. 501(c)(3), if no Government payment or reimbursement is made for the expense, and the acceptance of the payment is consistent with the Department's policy of eliminating any conflict of interest or appearance of a conflict of interest with his or her official duties and responsibilities.

(3) *Activities undertaken in a private capacity.* (i) The Treasury Department discourages employees from receiving honoraria or other compensation for teaching, writing, lecturing, or speechmaking on matters relating to Treasury business, even though the activity is not performed as an official duty. An employee may not receive any such compensation unless, before engaging in the activity, a written request is submitted to and approved by the appropriate approving official. The request should set forth the facts relating to the amount of compensation, its reasonableness (taking into account the amount of compensation paid to others under similar circumstances), and also indicate why its acceptance would be consistent with the Department's policy to eliminate any conflict of interest or appearance of a conflict of interest with the employee's official duties and responsibilities. Presidential appointees shall obtain the personal written approval of the Secretary before engaging in any such activity for compensation.

(ii) Employees may accept payment from the person or group sponsoring an activity determined not to be an official duty for travel, lodging, and subsistence expenses actually incurred, if the payment is reasonable in amount and otherwise consistent with the Department's policy to eliminate any conflict of interest or appearance of a conflict of interest with the official duties and responsibilities of the employee. Presidential appointees shall obtain the personal written approval of the Deputy Secretary or Secretary before accepting any such payment.

(4) *Excess expenses.* Nothing in subsection (b)(2) or subsection (b)(3)(ii) prohibits an employee from incurring expenses, in connection with the activity, that are not reimbursable under that subsection. However, payment or reimbursement of such excess expenses shall not be accepted or permitted, except by a person who: (i) Is a relative or close personal friend, and (ii) makes such payment solely from personal funds. Any payment or reimbursement under this subsection shall be subject to the rules of this part pertaining to gifts and gratuties.

(5) *Reporting requirements.* All employees receiving compensation or reimbursement for expenses for teaching, writing, lecturing, or speechmaking devoted to the responsibilities, programs or activities of the Department or drawing upon official data or ideas which have not been made public, shall immediately submit a written report to the appropriate approving official stating the amounts paid and by whom, unless this information was previously provided to that official. In addition, the employee may be required by the appropriate approving official to furnish other relevant information concerning these payments.

(6) *Other restrictions.* (i) Under 5 CFR 735.203(c), the Secretary of the Treasury may not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of the Treasury Department, or which draws substantially on official data or ideas which have not been made public.

(ii) Under 46 Comp. Gen. 689 (1967), no reimbursement or donation may be made to the Treasury Department to cover the expenses of travel and subsistence of an employee on official business, unless specifically authorized by law.

(iii) Under 2 U.S.C. 441i, appointed officials are prohibited from receiving honorariums of more than $2,000 for any appearance, speech, or article, and from receiving honorariums aggregating more than $25,000 in any calendar year.

(c) For purposes of this section, the "appropriate approving official" shall be in the case of employees within a bureau, the bureau head or deputy; in the case of employees within an office, the office head or deputy; and in the case of a bureau or office head, the official who directly supervises the bureau or office head to whom such official reports pursuant to Treasury Department Order No. 190.

WILLIAM J. BECKHAM, Jr.,
Assistant Secretary (Administration).

[FR Doc. 78-11200 Filed 4-24-78; 8:45 am]

[4910-06]

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Emergency Order No. 7; Notice No. 2]

REMOVAL OF HIGH CARBON CAST STEEL WHEELS FROM SERVICE; INTERIM RESTRICTIONS ON THEIR USE

Amendment of Emergency Order

APRIL 19, 1978.

AGENCY: Federal Railroad Administration (FRA), Department of Transportation.

ACTION: Amendment of emergency order.

SUMMARY: FRA is amending paragraph 8 of Emergency Order No. 7 published March 27, 1978 (43 FR 12691) to provide more flexibility in the timing and method of destroying 70-ton one percent carbon cast steel wheels (commonly referred to as "70T U-1 wheels"). If these wheels are not demounted from the axle immediately after they have been removed from under a car, they must be stenciled "Scrap FRA EO 7". When these wheels are demounted from the axle, they must be made permanently unusable by cutting a hole through the plate, notching the hub or by some other destructive and disfiguring measure. FRA believes that this amendment will provide railroads with sufficient flexibility to provide for the safety of their employees and at the same time make certain that none of these wheels is ever returned to service.

EFFECTIVE DATE: April 25, 1978.

FOR FURTHER INFORMATION CONTACT:

Principal Program Person: Rolf Mowatt-Larssen, Office of Safety, Federal Railroad Administration, Washington, D.C. 20590, 202-426-0924.

Principal Attorney: Edward F. Conway, Jr., Office of Chief Counsel. Federal Railroad Administration, Washington, D.C. 20590, 202-426-8836.

SUPPLEMENTARY INFORMATION: On March 27, 1978, the FRA issued Emergency Order No. 7 (43 FR 12691) under section 203 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 432). This emergency order restricts the use of freight cars with "70T U-1 wheels", prescribes a mandatory program for locating those wheels and removing them from under cars, and requires that all these wheels be found

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and removed from service before January 1, 1979.

Paragraph 8 of Emergency Order No. 7 now provides that each railroad shall immediately destroy "70T U-1 wheels" by cutting a hole through the plate of each wheel. Since the issuance of the emergency order, a number of railroads have expressed concern that this procedure may endanger railroad employees. They indicated that a "stressed" or brittle wheel which has been further weakened by such a hole, may shatter violently while it is being demounted from the axle. One carrier reported a recent incident in which this occurred. Fortunately, no one was injured in this incident.

The purpose of Paragraph 8 of Emergency Order No. 7 is to assure that none of these wheels will ever be returned to service. Cutting a hole through the plate provides this assurance; stenciling of the wheel does not. Stenciling can be removed after a railroad has sold the wheels as scrap and the wheel might subsequently be returned to service. On the other hand, the safety of railroad employees engaged in removing these wheels must also be assured.

Accordingly, FRA has decided to amend Paragraph 8 of Emergency Order No. 7 to provide that if the wheels are not immediately demounted from the axle when they are removed from under a car, the back plate of each wheel shall be stenciled in white letters at least two inches high "Scrap FRA EO 7". However, immediately after the wheel is demounted from the axle, the wheel must be made permanently unusable by cutting a hole through the plate, notching the hub or by some other destructive and disfiguring measure.

FRA believes that this amendment will provide railroads with sufficient flexibility to provide for the safety of their employees and at the same time make certain that none of these wheels is ever returned to service.

Therefore, pursuant to the authority of section 203 of the Federal Railroad Safety Act of 1970 (45 U.S.C. 432), delegated to the Federal Railroad Administration by the Secretary of Transportation (49 CFR 1.49(n)), it is hereby ordered that paragraph 8 of Emergency Order No. 7 (43 FR 12691) be amended to read as follows:

8. Each railroad shall immediately destroy its supply of "70T U-1 wheels" in addition to those it removes from cars. This shall be accomplished in the following manner: (a) the back plate of each wheel that is not immediately demounted from the axle shall be stenciled in white letters at least two inches high ("Scrap FRA EO 7"); and (b) immediately after each wheel is demounted from the axle, the wheel shall also be made permanently unusable by cutting a hole through the plate, notching the hub or by some other destructive and disfiguring measure.

Issued in Washington, D.C. on April 19, 1978.

JOHN M. SULLIVAN,
Administrator.

[FR Doc. 78-11233 Filed 4-24-78; 8:45 am]

[6712-01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES AND ALASKA-PUBLIC FIXED STATIONS

Editorial Amendments Concerning Authorized Classes of Emission

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: The Commission is editorially amending its rules to indicate that F1 type emissions are permissable on certain frequencies. The Commission earlier modified its rules to permit narrow-band direct-printing but inadvertently failed to include the proper class of emission in its rules. This action will correct that error.

EFFECTIVE DATE: May 3, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Kemp J. Beaty, Safety and Special Radio Services Bureau, 202-632-7197.

SUPPLEMENTARY INFORMATION:

Adopted: April 18, 1978.

Released: April 18, 1978.

In the matter of editorial amendment of §81.132 of the Commission's rules. Order.

1. The Commission has provided for the use of narrow-band direct-printing for stations in the Maritime Services. Inadvertently, the authorized class of emission, F1, was not included in the appropriate section of the Commission's rules.

2. Accordingly, Section 81.132(a)(1) of the Commission's rules is being amended to include F1 emission. Authority for this amendment is contained in Sections 4(i) and 303 (c) and (r) of the Communications Act of 1934, as amended, and Section 0.231(d) of the Commission's rules. Since the amendment is editorial in nature the public notice, procedure and effective date provisions of 5 U.S.C. 553 do not apply.

3. In view of the above, *it is ordered*, That the rule amendment set forth in the attached appendix is adopted effective May 3, 1978.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS COMMISSION,
R. D. LICHWARDT,
Executive Director.

Part 81 of Chapter I of Title 47 of the Code of Federal Regulations is amended to read as follows:

PART 81—STATIONS ON LAND IN THE MARITIME SERVICES

1. In Section 81.132, paragraph (a)(1) is amended to read as follows.

§81.132 Authorized classes of emission.

(a) * * *

Frequency band	Classes of emission
(1) Coast stations using telegraphy:	
14 to 160kHz	A1.
160 to 490 kHz	A1; A2 or A2H for distress, urgency and safety signals or any communication preceded by one of these signals.
490 to 535 kHz	A1 and A2 or A2H.
2035 to 27,500kHz	A1 on frequencies listed in §81.206; F1 on frequencies listed in §81.204(c); and only as authorized by the Commission on frequencies listed in §81.206.

* * * * *

[FR Doc. 78-11177 Filed 4-24-78; 8:45 am]

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