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"(c) For purposes of Section 403 of Title 37 of the United States Code, a member shall be deemed to be living in a "high housing cost area" whenever the average monthly cost of housing, including utilities, for housing appropriate for the member's grade, exceeds 115 percent of the amount of the basic allowance for quarters of that member."

"(d) During fiscal year 1981, members may be paid variable housing allowance as permitted by Section 4(c) of the Military Personnel and Compensation Amendments of 1980 (94 Stat. 1125; Public Law 96-343; 37 U.S.C. 403 note); a member shall be deemed to be living in a "high housing cost area" whenever the estimated average monthly cost of housing, including utilities, appropriate for the member's grade, exceeds 115 percent of the amount of the basic allowance for quarters of that member."

JIMMY CARTER

THE WHITE HOUSE,

October 3, 1980.

Executive Order 12244 of October 3, 1980

Exemption for Fort Allen

By the authority vested in me as President by the Constitution and statutes of the United States of America, including Section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323), Section 118 of the Clean Air Act, as amended (42 U.S.C. 7418), Section 4 of the Noise Control Act of 1972 (42 U.S.C. 4903), and Section 6001 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6961), and in order to provide for the immediate relocation and temporary housing of Haitian and Cuban nationals, who are located in the State of Florida and presently in the custody of the United States, at a Federal facility known as Fort Allen, located in the Commonwealth of Puerto Rico, and having determined it to be in the paramount interest of the United States to exempt Fort Allen from all the requirements otherwise imposed on it by the said statutes, it is hereby ordered as follows:

1-101. Consistent with the provisions of subsection (a) of Section 313 of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323(a)), each and every effluent source located at Fort Allen is exempted from compliance with the provisions of that Act; except that no exemption is hereby granted from Sections 306 and 307 of that Act (33 U.S.C. 1316 and 1317).

1-102. Consistent with the provisions of subsection (b) of Section 118 of the Clean Air Act, as amended (42 U.S.C. 7418(b)), each and every particular emission source located at Fort Allen is exempted from compliance with the provisions of that Act; except that no exemption is hereby granted from Sections 111 and 112 of that Act (42 U.S.C. 7411 and 7412).

1-103. Consistent with the provisions of subsection 4(b) of the Noise Control Act of 1972, as amended (42 U.S.C. 4903(b)), each and every single activity or facility, including noise emission sources or classes thereof, located at Fort Allen, are exempted from compliance with the provisions of that

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Act; except that no exemption is hereby granted from Sections 6, 17 and 18 of that Act (42 U.S.C. 4906, 4916 and 4917).

1-104. Consistent with the provisions of Section 6001 of the Solid Waste Disposal Act, as amended (42 U.S.C. 6961), each and every solid waste management facility located at Fort Allen is exempted from compliance with the provisions of that Act.

1-105. The exemptions granted by this Order shall be for the one-year period beginning October 2, 1980, and ending October 1, 1981.

JIMMY CARTER

THE WHITE HOUSE,
October 3, 1980.

Executive Order 12245 of October 6, 1980

The Peace Corps Advisory Council

By the authority vested in me as President of the United States of America, and in accordance with the Federal Advisory Committee Act, as amended (5 U.S.C. App. I), and in order to provide for Co-Chairpersons on the Peace Corps Advisory Council, Section 1-202 of Executive Order No. 12137 of May 16, 1979, is hereby amended to read as follows:

"1-202. The President shall appoint not more than 30 individuals to serve on the Council and shall designate two members to serve as Co-Chairpersons. Members shall serve at the pleasure of the President."

JIMMY CARTER

THE WHITE HOUSE,
October 6, 1980.

Executive Order 12246 of October 10, 1980

Cuban and Haitian Entrants

By the authority vested in me as President of the United States of America by Section 501 of the Refugee Education Assistance Act of 1980 and Section 301 of Title 3 of the United States Code, and in order to provide for assistance to be made available relating to Cuban and Haitian entrants, it is hereby ordered as follows:

1-101. All the functions vested in the President by Section 501(c) of the Refugee Education Assistance Act of 1980, are hereby delegated to the Secretary of State.

1-102. In carrying out the functions delegated to him by this Order, the Secretary of State shall ensure that among the actions he takes or directs from time to time, he shall promptly take action which provides assistance for

EXECUTIVE ORDER